

## SCHEDULE

### NAMES AND REGISTERED OFFICES

#### PART I

#### NAMES

##### *Change of name*

- 4 (1) A limited liability partnership may change its name at any time.
- (2) Where a limited liability partnership has been registered by a name which—
- (a) is the same as or, in the opinion of the Secretary of State, too like a name appearing at the time of registration in the index kept under section 714(1) of the Companies Act 1985, or
  - (b) is the same as or, in the opinion of the Secretary of State, too like a name which should have appeared in the index at that time,
- the Secretary of State may within twelve months of that time in writing direct the limited liability partnership to change its name within such period as he may specify.
- (3) If it appears to the Secretary of State—
- (a) that misleading information has been given for the purpose of the registration of a limited liability partnership by a particular name, or
  - (b) that undertakings or assurances have been given for that purpose and have not been fulfilled,
- he may, within five years of the date of its registration by that name, in writing direct the limited liability partnership to change its name within such period as he may specify.
- (4) If in the Secretary of State's opinion the name by which a limited liability partnership is registered gives so misleading an indication of the nature of its activities as to be likely to cause harm to the public, he may in writing direct the limited liability partnership to change its name within such period as he may specify.
- (5) But the limited liability partnership may, within three weeks from the date of the direction apply to the court to set it aside and the court may set the direction aside or confirm it and, if it confirms it, shall specify the period within which it must be complied with.
- (6) In sub-paragraph (5) “the court” means—
- (a) if the registered office of the limited liability partnership is situated in England and Wales or in Wales, the High Court, and
  - (b) if it is situated in Scotland, the Court of Session.
- (7) Where a direction has been given under sub-paragraph (2), (3) or (4) specifying a period within which a limited liability partnership is to change its name, the Secretary of State may at any time before that period ends extend it by a further direction in writing.
- (8) If a limited liability partnership fails to comply with a direction under this paragraph—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the limited liability partnership, and
  - (b) any designated member in default,
- commits an offence.

(9) A person guilty of an offence under sub-paragraph (8) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.