



Companies Act 2006

2006 CHAPTER 46

PART 5

A COMPANY'S NAME

CHAPTER 3

SIMILARITY TO OTHER NAMES

Similarity to other name on registrar's index

66 Name not to be the same as another in the index

- (1) A company must not be registered under this Act by a name that is the same as another name appearing in the registrar's index of company names.
- (2) The Secretary of State may make provision by regulations supplementing this section.
- (3) The regulations may make provision—
 - (a) as to matters that are to be disregarded, and
 - (b) as to words, expressions, signs or symbols that are, or are not, to be regarded as the same,for the purposes of this section.
- (4) The regulations may provide—
 - (a) that registration by a name that would otherwise be prohibited under this section is permitted—
 - (i) in specified circumstances, or
 - (ii) with specified consent, and
 - (b) that if those circumstances obtain or that consent is given at the time a company is registered by a name, a subsequent change of circumstances or withdrawal of consent does not affect the registration.

Status: Point in time view as at 01/10/2018.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Cross Heading: Similarity to other name on registrar's index. (See end of Document for details)

- (5) Regulations under this section are subject to negative resolution procedure.
- (6) In this section “specified” means specified in the regulations.

Modifications etc. (not altering text)

- C1** Ss. 66-68 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **11** (with Sch. 1 paras. 3, 34, 35) (as amended (31.1.2015) by [The Company, Limited Liability Partnership and Business \(Names and Trading Disclosures\) Regulations 2015 \(S.I. 2015/17\)](#), reg. 1(1), **Sch. 5 para. 4**)
- C2** S. 66(1) applied (with modifications) by [S.I. 1989/638](#), reg. 10(1A)-(1C) (as substituted (1.10.2009) by [The European Economic Interest Grouping \(Amendment\) Regulations 2009 \(S.I. 2009/2399\)](#), **reg. 13** (with reg. 2))

Commencement Information

- II** S. 66 wholly in force at 1.10.2009; s. 66 not in force at Royal Assent, see s. 1300; s. 66 in force for specified purposes at 20.1.2007 by [S.I. 2006/3428](#), **art. 3(3)** (subject to [art. 5](#), [Sch. 1](#) and with [arts. 6, 8](#), [Sch. 5](#)); s. 66 otherwise in force at 1.10.2009 by [S.I. 2008/2860](#), **art. 3(e)** (with [arts. 5, 7, 8](#), [Sch. 2](#)) (as amended by [S.I. 2009/1802](#), [art. 18](#))

67 Power to direct change of name in case of similarity to existing name

- (1) The Secretary of State may direct a company to change its name if it has been registered in a name that is the same as or, in the opinion of the Secretary of State, too like—
- (a) a name appearing at the time of the registration in the registrar's index of company names, or
 - (b) a name that should have appeared in that index at that time.
- (2) The Secretary of State may make provision by regulations supplementing this section.
- (3) The regulations may make provision—
- (a) as to matters that are to be disregarded, and
 - (b) as to words, expressions, signs or symbols that are, or are not, to be regarded as the same,
- for the purposes of this section.
- (4) The regulations may provide—
- (a) that no direction is to be given under this section in respect of a name—
 - (i) in specified circumstances, or
 - (ii) if specified consent is given, and
 - (b) that a subsequent change of circumstances or withdrawal of consent does not give rise to grounds for a direction under this section.
- (5) Regulations under this section are subject to negative resolution procedure.
- (6) In this section “specified” means specified in the regulations.

Status: Point in time view as at 01/10/2018.

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Cross Heading: Similarity to other name on registrar's index. (See end of Document for details)

Modifications etc. (not altering text)

- C3** Ss. 66-68 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **11** (with Sch. 1 paras. 3, 34, 35) (as amended (31.1.2015) by [The Company, Limited Liability Partnership and Business \(Names and Trading Disclosures\) Regulations 2015 \(S.I. 2015/17\)](#), reg. 1(1), **Sch. 5 para. 4**)
- C4** S. 67(1) applied (with modifications) by [S.I. 1989/638](#), reg. 11(1A)(1B) (as inserted (1.10.2009) by [The European Economic Interest Grouping \(Amendment\) Regulations 2009 \(S.I. 2009/2399\)](#), **reg. 14(3)** (with reg. 2))

Commencement Information

- I2** S. 67 wholly in force at 20.1.2007; s. 67 not in force at Royal Assent, see s. 1300; s. 67 in force for specified purposes at 20.1.2007 by [S.I. 2006/3428](#), **art. 3(3)** (subject to [art. 5](#), [Sch. 1](#) and with [arts. 6, 8](#), [Sch. 5](#)); s. 67 otherwise in force at 1.10.2009 by [S.I. 2008/2860](#), **art. 3(e)** (with [arts. 5, 7, 8](#), [Sch. 2](#)) (as amended by [S.I. 2009/1802](#), [art. 18](#))

68 Direction to change name: supplementary provisions

- (1) The following provisions have effect in relation to a direction under section 67 (power to direct change of name in case of similarity to existing name).
- (2) Any such direction—
 - (a) must be given within twelve months of the company's registration by the name in question, and
 - (b) must specify the period within which the company is to change its name.
- (3) The Secretary of State may by a further direction extend that period.

Any such direction must be given before the end of the period for the time being specified.
- (4) A direction under section 67 or this section must be in writing.
- (5) If a company fails to comply with the direction, an offence is committed by—
 - (a) the company, and
 - (b) every officer of the company who is in default.

For this purpose a shadow director is treated as an officer of the company.

- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.

Modifications etc. (not altering text)

- C5** S. 68 applied (with modifications) by [S.I. 1989/638](#), reg. 11(1A)(1B) (as inserted (1.10.2009) by [The European Economic Interest Grouping \(Amendment\) Regulations 2009 \(S.I. 2009/2399\)](#), **reg. 14(3)** (with reg. 2))
- C6** Ss. 66-68 applied (with modifications) (1.10.2009) by [The Limited Liability Partnerships \(Application of Companies Act 2006\) Regulations 2009 \(S.I. 2009/1804\)](#), regs. 2, **11** (with Sch. 1 paras. 3, 34, 35) (as amended (31.1.2015) by [The Company, Limited Liability Partnership and Business \(Names and Trading Disclosures\) Regulations 2015 \(S.I. 2015/17\)](#), reg. 1(1), **Sch. 5 para. 4**)

Status:

Point in time view as at 01/10/2018.

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 2006, Cross Heading:
Similarity to other name on registrar's index.