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STATUTORY INSTRUMENTS

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**1992 No. 1196**

**COMPANIES BUSINESS NAMES**

**The Company and Business Names  
(Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>19th May 1992</i>
<i>Laid before Parliament</i>		<i>20th May 1992</i>
<i>Coming into force</i>		
	<i>regulations 1 and 2(5)</i>	<i>5th June 1992</i>
	<i>for all other purposes</i>	<i>12th June 1992</i>

The Secretary of State, in exercise of his powers under section 29 of the Companies Act 1985(1) and sections 3 and 6 of the Business Names Act 1985(2) hereby makes the following Regulations:—

1. These Regulations may be cited as the Company and Business Names (Amendment) Regulations 1992 and shall come into force in the case of this regulation and regulation 2(5) on 5th June 1992 and in the case of the remainder of the Regulations on 12th June 1992.

2.—(1) The Company and Business Names Regulations 1981(3) shall be amended as follows.

(2) In regulation 3, after the word “hereto”, insert the following words:—

“(together with the plural and the possessive forms of those words and expressions)”.

(3) In regulation 4, after the word “expression”, insert the following words:—

“(and the plural and the possessive forms of that word or expression)”.

(4) In column (1) of the Schedule, omit the words “Building Society”.

(5) In column (2) of the Schedule, opposite the word “University” in column (1) thereof, for the words “Department of Education and Science” substitute the words “The Privy Council”.

3.—(1) Sections 2 and 3 of the Business Names Act 1985 shall not prohibit a person from carrying on any business under a name which includes any word or expression specified for the purposes of those sections by virtue of the amendments made by regulation 2(2) and (3) above to the Company and Business Names Regulations 1981, if—

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(1) 1985 c. 6.

(2) 1985 c. 7.

(3) S.I. 1981/1685, as amended by S.I. 1982/1653.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) he carried on that business immediately before 12th June 1992, and
- (b) he continues to carry it on under the name which immediately before that day was its lawful business name.

(2) Nor shall sections 2 and 3 of the Business Names Act 1985 prohibit a person to whom a business has been transferred on or after 12th June 1992 from carrying on that business during the period of twelve months beginning with the date of transfer so long as he continues to carry it on under the name which was its lawful business name immediately before that date.

*N. Hamilton*  
Parliamentary Under-Secretary of State for  
Corporate Affairs,  
Department of Trade and Industry

19th May 1992

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Company and Business Names Regulations 1981 (as amended by the Company and Business Names (Amendment) Regulations 1982) (the “1981 Regulations”). The 1981 Regulations specify certain words and expressions for the purposes of section 26 of the Companies Act 1985 and section 2 of the Business Names Act 1985. Under those sections the Secretary of State’s approval is required for the use of such words and expressions in (respectively) a company or a business name.

In relation to certain of the words or expressions so specified, a Government department or other body is specified to which a request has to be made to indicate whether it objects to the use of the word or expression.

These Regulations amend the 1981 Regulations by specifying (regulation 2(2) and (3)) the plural and possessive forms of the words or expressions specified in the Schedule to the 1981 Regulations and by substituting (regulation 2(5)) The Privy Council for the Department of Education and Science as the relevant body which must be requested to give an indication of any objection to the use of the word “University” as part of a company or business name.

These Regulations also amend the Schedule to the 1981 Regulations (regulation 2(4)) by omitting the words “Building Society” from column (1) as words that require the Secretary of State’s approval for use as part of a company or business name. Use of such words as part of a company or business name is regulated by section 107 of the Building Societies Act 1986 (c. 53).

The amendments to the 1981 Regulations made by regulation 2(2) and (3) are subject to transitional provisions in regulation 3. These allow the continued use of a business name lawfully used prior to the coming into force of regulation 2(2) and (3) until 12 months after any sale of the business concerned.