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STATUTORY INSTRUMENTS

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**2009 No. 2615**

**The Company, Limited Liability Partnership and Business Names (Sensitive Words and Expressions) Regulations 2009**

**Citation and commencement**

1. These Regulations may be cited as the Company, Limited Liability Partnership and Business Names (Sensitive Words and Expressions) Regulations 2009 and come into force on 1st October 2009.

**Interpretation**

2.—(1) In these Regulations “the 2006 Act” means the Companies Act 2006.

(2) Any reference in these Regulations to section 55 or 88 of the 2006 Act includes a reference to that section as applied by regulation 8 or 17 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

**Specified words and expressions applicable to sections 55 and 1194 of the 2006 Act**

3.—(1) The following words and expressions are specified for the purposes of sections 55(1) and 1194(1) of the 2006 Act—

- (a) the words and expressions set out in Part 1 of Schedule 1;
- (b) the plural and possessive forms of those words and expressions, and, where relevant, the feminine form; and
- (c) in the case of the words and expressions set out in Part 1 of Schedule 1 which are marked with an asterisk, the grammatically mutated forms of those words and expressions.

(2) For the purposes of section 55(1) of the 2006 Act any word or expression specified in Part 1 of Schedule 1 which contains an accent or other diacritical mark is to be read as though that accent or other diacritical mark were omitted.

**Specified words and expressions applicable to section 55 of the 2006 Act**

4. The following words and expressions are specified for the purposes of section 55(1) of the 2006 Act—

- (a) the words and expressions set out in Part 2 of Schedule 1;
- (b) the plural and possessive forms of those words and expressions, and, where relevant, the feminine form; and
- (c) in the case of the words and expressions set out in Part 2 of Schedule 1 which are marked with an asterisk, the grammatically mutated forms of those words and expressions.

**Applications where situation of registered office or principal place of business is irrelevant**

5. In connection with an application for the approval of the Secretary of State under section 55 or 1194 of the 2006 Act in relation to a name that includes a word or expression specified in column

(1) of Part 1 of Schedule 2 the applicant must seek the view of the Government department or other body set out opposite that word or expression in column (2) of Part 1 of Schedule 2.

### **Applications where situation of registered office or principal place of business is relevant**

6. In connection with an application for the approval of the Secretary of State under section 55 or 1194 of the 2006 Act in relation to a name that includes a word or expression specified in column (1) of Part 2 of Schedule 2 the applicant must seek the view of a Government department or other body as follows—

(a) in the case of—

- (i) a company or limited liability partnership that has already been registered, whose registered office is situated in England and Wales;
- (ii) a proposed company or limited liability partnership that has not yet been registered under the 2006 Act, whose registered office is to be situated in England and Wales;
- (iii) a business, whose principal place of business is or is to be situated in England; and
- (iv) an overseas company (see section 1044 of the 2006 Act),

the Government department or other body set out in column (2) of Part 2 of Schedule 2 opposite that word or expression;

(b) in the case of—

- (i) a company or limited liability partnership that has already been registered, that is a Welsh company or Welsh LLP (see section 88 of the 2006 Act);
- (ii) a proposed company or limited liability partnership that has not yet been registered, that is to be a Welsh company or Welsh LLP; and
- (iii) a business, whose principal place of business is or is to be situated in Wales,

the Government department or other body set out in column (3) of Part 2 of Schedule 2 opposite that word or expression;

(c) in the case of—

- (i) a company or limited liability partnership that has already been registered, whose registered office is situated in Scotland;
- (ii) a proposed company or limited liability partnership that has not yet been registered, whose registered office is to be situated in Scotland; and
- (iii) a business, whose principal place of business is or is to be situated in Scotland,

the Government department or other body set out in column (4) of Part 2 of Schedule 2 opposite that word or expression; and

(d) in the case of—

- (i) a company or limited liability partnership that has already been registered, whose registered office is situated in Northern Ireland;
- (ii) a proposed company or limited liability partnership that has not yet been registered, whose registered office is to be situated in Northern Ireland; and
- (iii) a business, whose principal place of business is or is to be situated in Northern Ireland,

the Government department or other body set out in column (5) of Part 2 of Schedule 2 opposite that word or expression.

7. The following Regulations are revoked—

- (a) the Company and Business Names Regulations 1981**(1)**,
- (b) the Company and Business Names (Amendment) Regulations 1982**(2)**,
- (c) the Company and Business Names (Amendment) Regulations 1992**(3)**,
- (d) the Company and Business Names (Amendment) Regulations 1995**(4)**,
- (e) the Company and Business Names (Amendment) Regulations 2001**(5)**, and
- (f) the Company and Business Names (Amendment) (No.2) Regulations 2007**(6)**.

*Davies of Abersoch*  
Minister for Trade, Investment and Small  
Business

25th September 2009

Department for Business, Innovation and Skills

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(1) S.I. 1981/1685.  
(2) S.I. 1982/1653.  
(3) S.I. 1992/1196.  
(4) S.I. 1995/3022.  
(5) S.I. 2001/259.  
(6) S.I. 2007/3152.