



Companies House
— for the record —

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Company Names

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This is a guide only and should be read with the relevant legislation

Introduction

This booklet explains:

- the rules and restrictions on the choice of company names both when a company is formed and when it changes its name;
- when Companies House will not register a company name and when the use of sensitive words or expressions will need to be justified or need prior approval from a recognised authority;
- when you can object to the registration of a particular company name, and also what to do if your company name has been objected to and you are
- directed by the Secretary of State for Business, Enterprise and Regulatory Reform to change the name;
- how to change a company name, but not how to form a company (for this, please see our booklet, ['Company Formation'](#)).

The booklet will also be useful to unincorporated partnerships and sole traders who use a [business name](#), companies incorporated [overseas](#) which trade from an address in Great Britain, open-ended investment companies, [European economic interest groupings](#) and [limited partnerships](#).

You will find the relevant law in the Companies Act 1985 (as amended in 1989 and later) and in the Company and Business Names Regulations (as amended). In relation to commonhold associations and RTM companies, further restrictions are contained in the Commonhold Regulations 2004, and the RTM Companies (Memorandum and Articles of Association) (England) Regulations 2003 and the RTM Companies (Memorandum and Articles of Association) (Wales) Regulations 2004.

In relation to community interest companies (CICs) the relevant law in the Companies (Audit, Investigations and Community Enterprise) Act 2004 is referenced on the CICs website at <http://www.cicregulator.gov.uk/>.

CHAPTER 1

Choosing a company name

1. Can I choose any name I want for my company?

No. Several regulations can affect your choice. For example, all company names must end with the words 'Limited', 'Unlimited', 'Public Limited Company', or their abbreviations or Welsh equivalents. Certain companies may apply for exemption from using 'limited' - see chapter 4 for more details.

All companies which are commonhold associations must end their name with 'commonhold association limited' or the Welsh equivalents. Right to Manage companies must end their name with 'RTM company limited' or the Welsh equivalent.

All companies which are community interest companies (CICs) must have names which end with the words 'community interest public limited company', 'community interest company' or their abbreviations or Welsh equivalents.

2. Could my choice of name be rejected?

Yes, if:

- it is 'the same as' a name already on the index - see question 3 below;
- it includes the words 'limited', 'unlimited', 'public limited company' or 'community interest company' anywhere except at the end of the name. This applies equally to abbreviations or the Welsh equivalent of the words;
- it ends with 'commonhold association limited' or the Welsh equivalent (unless the company is a commonhold association);
- it ends with 'community interest public limited company', 'community interest company' (or abbreviations or Welsh equivalents) unless the company is a community interest company;
- it includes anywhere in the company name any of the following:

- ‘investment company with variable capital’ (or its Welsh equivalent);
 - ‘open-ended investment company’ (or its Welsh equivalent);
 - ‘limited liability partnership’ (or its Welsh equivalent);
 - ‘SE’ (or the abbreviation SE bracketed or with other punctuation marks before or after the abbreviation). For more information, see our booklet *The European Company: Societas Europaea (SE)*;
- it is offensive;
 - its use would be a criminal offence.

In addition, some names need the approval of the Secretary of State before they can be registered. These include names which contain words prescribed by regulations (see question 4 below) and names which suggest a connection with central or local government. If these categories are avoided, you can normally have your choice of name.

Before you apply to set up a company, or do anything to change its name, it is a good idea to search the index at Companies House to see if there are already any companies with names similar to the one you want. If in doubt, call us on 0870 3333636 or search the website company index at <http://www.companieshouse.gov.uk>

3. What does 'the same as' mean?

When deciding whether a name is 'the same as' another name, the Registrar ignores punctuation, the company's status, 'the' at the start of the name, and words like 'company (or co)', 'and (or &) company (or co)'.

A name that sounds the same as one already on the [Company Names Index](#) may be accepted if the two names are spelt differently.

For example, if the name 'Hands Limited' is already registered, then the following would be rejected:

- Hands Public Limited Company (or PLC)
- H and S Limited (or Ltd)
- H and S Public Limited Company (or PLC)
- H & S Limited (or Ltd)
- any of the above, with the addition of 'Company (or Co)' or 'and (or &) Company (or Co)'

While a company name may be sufficiently different from a name already on the Index to allow it to be registered, this might not be enough to avoid the names being considered 'too like' each other if an objection is lodged after the second company has been incorporated. In such cases, your company could be directed to change its name - see [chapter 5](#).

You should be aware that if you adopt a name which misleads the public into believing that your business is that of another business - for example, trading as a department store under the name 'Harrods' - then you may face a legal action for 'passing off' by the person whose business you have affected. Registration of a name by Companies House is no guarantee that you are safe from such an action.

In addition, if there is a trade mark registration or application for or including a mark which is identical with or similar to the company name which is registered, you may face legal action for trade mark infringement. It is therefore advisable to consult a trade mark attorney or a solicitor before using the name. To locate a trade mark attorney, please contact the Institute of Trade Mark Attorneys on 020 8686 2052 or visit <http://www.itma.org.uk/intro/index.htm>. To locate a solicitor please contact the Law Society on 0870 606 6575 or visit <http://www.lawsociety.org.uk/home.law>.

You can also check the Trade Marks Register at the UK Intellectual Property Office before registering a name at Companies House. Even if Companies House does not raise a "too like" objection to your name, this does not provide you with a defence to any subsequent trade mark infringement or passing off claim. The onus is on you to verify that the name is free for use.

For further advice, including how to search the Trade Mark Register, contact the Trade Marks Registry of the UK Intellectual Property Office (UK- IPO) on: Email: enquiries@ipo.gov.uk

Website: <http://www.ipo.gov.uk>

Telephone: 08459 500 505

The Patent Office changed its name to the UK Intellectual Property Office (UK- IPO) on 2 April 2007

Registering a name prevents another limited company from having an identical name, but it does not stop the name being used as a trading or business name except in the circumstances described above.

4. Which names need approval?

Names which need approval are those which include words or expressions set out in statutory regulations and names which give the impression that the company is connected with HM Government or with a local authority. Full lists of 'sensitive' words are at Appendices [A](#), [B](#) and [C](#), and there is more information on sensitive words in [chapter 3](#).

Names that suggest a banking activity

Following the repeal of the Banking Act 1987, company names that include bank, banker, banking or deposit no longer need approval. However, using words that suggest a banking activity implies that the person using the name is carrying on a banking business and is therefore accepting deposits - a regulated activity under the Financial Services and Markets Act 2000. Therefore, the person would normally need to be an 'authorised person' or to have exemption under the Act.

Use of a banking name by a person who is neither authorised nor exempt under the Act could be material to whether an offence has been committed under section 24 of the Act. A person may, however, be able to establish that the way that he carries on his business means that those who deal with him would not understand him to be an authorised person.

It should not be assumed that a decision by us to register a particular banking name means that its use in certain circumstances would not contravene section 24. If you are in any doubt, you should seek independent legal advice.

5. What if my choice of name needs approval?

If you choose a company name that needs the approval of the Secretary of State before use, contact [New Companies Section](#) at Companies House, Cardiff or Edinburgh, as appropriate, and ask for information on the rules governing the use of the word you have chosen.

- If you choose a name that includes any of the words listed in [Appendix A](#), you will probably be asked to supply supporting information before we register the name. You should write, enclosing information in support of your application, to the Secretary of State at [Companies House](#) in Cardiff (for English and Welsh companies) or in Edinburgh (for Scottish companies).
- If your choice of name includes any of the words listed in [Appendix B](#), then you will need to write to the 'relevant body' to ask if they have any objection (and if so, why) to your use of the word or expression in your company name. When you write to the Secretary of State at Companies House, Cardiff or Edinburgh to ask for approval of the name, you must enclose a copy of any reply you have received from the 'relevant body'.
- The use of some words and expressions is covered by other legislation and their incorrect use in company names might be a criminal offence. Those known to Companies House are listed at [Appendix C](#). If you wish to include one of these words or expressions in your company name, then you should contact the relevant regulatory authority, or ask us for advice.

- If your chosen name gives the impression that your company is connected with HM Government or with a local authority, then you will need the written approval of the Secretary of State before the name can be registered. Write to the Secretary of State Companies House, Cardiff or Edinburgh, as appropriate, giving as much detail as you can to support your application. Such names will normally only be approved where you can show that a genuine connection exists and where the relevant government body supports the application. See [chapter 3](#).

6. How do I register my company name?

If your chosen name is not already on the [Company Names Index](#) and is not one which needs the Secretary of State's approval, then send your incorporation documents (or special resolution if an existing company is changing its name) to:

- New Companies Section, Cardiff for companies registered in England and Wales; or
- The Registrar of Companies for Scotland for those companies registered in Scotland.

If your documents are correct, the company name will be registered and a certificate of incorporation issued.

More information about incorporating companies is available in our booklet, '[Company Formation](#)'. Information about changing the name of a company is given in [chapter 2](#) of this booklet.

CHAPTER 2 Change of company name

1. Are there any restrictions on the new name a company can choose?

Yes. They are identical to the restrictions applying to a new company seeking registration. So, before you decide on a new name for your company, please read [chapter 1](#). If you choose an unacceptable name, we will not register it.

If a name is registered that is too similar to another already on the index and an objection is made, then the Secretary of State may direct your company to change its name. For information on the Secretary of State's powers, see [chapter 5](#).

2. What is a change of name?

Be careful to distinguish between a change of name and a change of [status](#) of a company. For instance, a company changing from J SMITH LIMITED to J SMITH & SON LIMITED is a change of name,

but a company changing from J SMITH LIMITED to J SMITH PLC indicates a change of status from a private limited company to a public limited company. For more information on changing the status of a company, see our booklet 'Company Formation'.

3. How is the name changed?

The company must pass a special resolution in a meeting, or the members (representing not less than 75% of the total voting rights of eligible shares) may agree a written resolution that the name of the company be changed to the new name. More information about resolutions is available in our booklet, 'Resolutions' (Companies Act 1985 or Companies Act 2006). A signed copy of the resolution containing the new name should then be sent to the Registrar, together with the fee (currently £10). A copy of the amended memorandum and articles must also be sent in at the same time as the change of name resolution(s). If all is in order, Companies House will then process the resolution and issue a Certificate of Incorporation on Change of Name. The name of the company is not changed until the new certificate is issued.

4. How long does this take?

If all the documents are correct, the change of name will normally be processed within five working days from receipt at Companies House.

Companies House also provides a premium service where we issue the change of name certificate on the same day as we receive the resolution. This service, which costs £50, can only be guaranteed where the relevant special resolution is delivered before 3pm. The service is available at any Companies House office. Please note that the same-day service will not be available for community interest companies (CICs) in the foreseeable future.

Same-day applications

Posted, couriered and other sealed same-day change of name applications must be clearly marked on the envelope 'for the attention of New Companies Section' and 'same-day change of name'.

5. Can a change of name and of status be done together?

Yes. You can combine the resolution for change of name and change of status, for example, resolving to change the name from ABC Limited to XYZ PLC. However, if a PLC wishes to change its status, same-day re-registration can only occur if the necessary majority of the company members have agreed to the change. For more information, see chapter 4 of our booklet 'Company Formation'.

You will need to submit all the documentation associated with the change of status at the same time. You will also need to submit two fees:

£10 for the change of name and £20 for the change of status (£30 in total), or £100 if you require the same-day premium service.

CHAPTER 3

Sensitive words and expressions

1. What are 'sensitive words and expressions'?

These are words and expressions that, when used in a company name, may imply business pre-eminence, a particular status or a specific function. For this reason, they have been prescribed in regulations as requiring the approval of the Secretary of State. The aim is to ensure that use of the word is justified so that the public is not misled by the name. We act on behalf of the Secretary of State in dealing with applications for approval of such words and expressions.

Approval by the Secretary of State is confined to the use of certain words or expressions in the company name. Approval does not imply approval of a company's aims and objectives.

This chapter gives guidance on the conditions your company will need to fulfil if you wish to use one of the words listed in [Appendix A](#).

2. What types of words and expressions are sensitive?

The following words imply national or international pre-eminence:

- **British** - approval of this word in your company name will depend on how it is used. Normally the Secretary of State would expect the company to be British owned. You would need to show that the company is pre-eminent in its field by providing supporting evidence from an independent source such as a Government department or a trade association.

If the word 'British' is qualified by words that do not describe an activity or product, for example by using a 'made-up' word, then evidence of pre-eminence is not necessarily essential. But you would be expected to show that your company is substantial in relation to its activity or product and that it is eminent in its own field.

- **England, English, Scotland, Scottish, Wales, Welsh, Ireland or Irish** - if you wish to use these words as a prefix to your company name, the rules are similar to those for 'British'. You will usually be given approval to use any of these words as a suffix if you show that the company has its main place of business in the country concerned.

If you want to use one of these words because it is a surname, you will usually be given approval if the company name includes forenames or initials.

- **European** - names which include this word will not be approved if they unjustifiably imply a connection with official bodies of the European Union. If there is a genuine connection with an official body, the name may be allowed if the appropriate body supports the application.
- **Great Britain or United Kingdom** - if you wish to use these expressions as a prefix, or to use 'of Great Britain' or 'of the United Kingdom' as a suffix, then the criteria are the same as for 'British'. If the words are used as a *suffix* to the name, they are normally allowed without difficulty. Using the initials 'GB' or 'UK' in your company name does not require approval.
- **International** - if you wish to use this word as a *prefix*, you need to show that the major part of the company's activities is in trading overseas. If you wish to use it as a *suffix*, then approval will usually be given if you can show that the company operates in two or more overseas countries.
- **National** - the criteria for use of this word are the same as for 'British'.

The following words imply business pre-eminence or representative or authoritative status:

- **association, federation or society** - if you wish to use one of these words, your company would normally be limited by guarantee. Each member should have one vote and the constitution should contain a non-profit distribution clause. This provides that any profits should be used to further the objects of the company and not be paid to the members as dividends.
- **authority, board or council** - if you want to use any of these words, you should ask us for advice. If the company is to be registered in Scotland, contact Companies House in Edinburgh.
- **institute or institution** - approval for use of these words is normally given only to those organisations which are carrying out research at the highest level or to professional bodies of the highest standing. You will need to show us that there is a need for the proposed institute and that it has appropriate regulations or examination standards. You will need evidence of support from other representative and independent bodies.
- **Government-** approval for use of this word will be granted only if Companies House is satisfied that there is not any official connection with the HMG, any part of the Scottish or Welsh administration. The whole company name will be taken into consideration and judged independently on its own merits.
- **HSC (Health and Social Care)-** Companies House may consult DHSSPS (Department of Health, Social Services and Public Safety) when considering the approval of names containing this word as it could foster a misleading

impression among patients, service users and wider public that the business enjoys an approved status in connection with the Health and Social Care.

- **HPSS (Health and Personal Social Services)**- Companies House may consult DHSSPS (Department of Health, Social Services and Public Safety) when considering the approval of names containing this word as it could foster a misleading impression among patients, service users and wider public that the business enjoys an approved status in connection with the Health and Personal Social Services.

The following words imply specific objects or functions:

- **assurance, assurer, insurance, insurer, re-assurance, re-assurer, re-insurance or re-insurer** - if the name is needed for an underwriting company, we will normally seek further advice. However, if you want to use the name for a company that will only provide insurance services, then you should include the appropriate qualification, for example 'agents', 'consultants' or 'services', in the name.
- **benevolent, foundation or fund** - names that include any of these words will be refused if they unjustifiably give the impression that the company has charitable status. If the company is limited by guarantee and has a non-profit distribution clause in the memorandum of association, then the name will normally be approved.
- **charter or chartered** - names that include these words will be refused if they unjustifiably give the impression that the company has a Royal Charter. If the words are used to qualify a profession, we will seek the advice of the appropriate governing body before considering whether to give approval.
- **charity** - to use this word the company must provide a letter of non-objection from the Charity Commission. If the company is not intended to be a charity, a copy of the proposed memorandum and articles of association along with details of the company activities and an explanation of why the word is required must be forwarded to the Charity Commission.
- **chemist or chemistry** - if you want to use these words, you should ask for advice from Companies House in Cardiff. If the company is to be registered in Scotland, contact Companies House in Edinburgh.
- **co-operative** - if you wish to use this word, your company's Memorandum and Articles of Association should follow the rules generally associated with co-operatives in the UK. If you need further advice you should contact Companies House in Cardiff. If the company is to be registered in Scotland, contact Companies House in Edinburgh.
- **Friendly Society or Industrial and Provident Society** - we will refer names which include these expressions to the Registrar of Friendly Societies for advice. If you want to use them in your company name,

you should first ask [Companies House in Cardiff](#). If the company is to be registered in Scotland, contact [Companies House in Edinburgh](#).

- **group** - if use of this word implies several companies under one corporate ownership, then you will need to provide evidence of a parent and/or subsidiary association with two or more other British or overseas companies.
- If the name clearly shows that the company is to promote the interests of a group of individuals, then the name will normally be approved.
- **holding(s)** - a company wishing to use this word must be a holding company as defined under section 736 of the Companies Act 1985.
- **patent** or **patentee** - a name including either word will only be approved if it does not contravene the Copyright, Designs and Patent Act 1988.
- **post office** - we are likely to seek advice on applications that include these words.
- **register** or **registered** - we treat every application for use of these words on its merits. Generally, we will seek advice from the appropriate governing body if names that include these words are linked with a professional qualification. The name will not be registered if it unjustifiably implies a connection with HM Government or a local authority. If such a connection actually exists, the name may be allowed if the appropriate body supports the application.
- **Sheffield** - if you wish to use a name that includes the word 'Sheffield', we will need to establish details of the company's location and its business activities. We will also consult the Company of Cutlers in Hallamshire.
- **stock exchange** - names including this expression will normally be refused unless there are special circumstances.
- **trade union** - names including this expression will normally be refused unless they conform to legislation relating to trade unions.
- **trust** - the word 'trust' can be used in many different senses. Each application is dealt with on its merits but the main uses of this word are as follows:
- **charitable trust** - these companies need to have charitable objects and a non-profit distribution clause in the memorandum of association. You will be asked for confirmation that you have made, or will make, an application for registration as a charity with the Charity Commission. Scottish companies wishing to use the expression 'charitable trust' will need to apply to HM Revenue & Customs (HMRC) in Edinburgh as the Charity Commission has no jurisdiction in Scotland.

- **educational trust** or **artistic trust** - such companies should have a non-profit distribution clause in the memorandum of association and the name should reflect the nature of the trust. The promoters should be of high standing in the field.
- **enterprise trust** - these companies must have a non-profit distribution clause in the memorandum of association and they must be able to provide evidence of support from, for example, local authorities, businesses or banks.
- **family trust** - such companies must be non-profit distributing and the objects must reflect the nature of the trust. Names of family trusts will usually be approved if the name as a whole identifies the company as such.
- **financial trust** or **investment trust** - if you wish to use these expressions, you will need to provide a written assurance that substantial paid-up share capital or other funds will be achieved within a reasonable period after incorporation.
- **pensions** or **staff trust** - the names of such companies must include the name of the parent company, and the objects of the company must include the operation of pension funds.
- **unit trust** - if you wish to use this as part of your company name, you should seek the advice of Companies House in Cardiff. If the company is to be registered in Scotland, contact Companies House in Edinburgh.

CHAPTER 4

Exemption from using the word 'limited' in a company name

1. Using 'limited'

Limited companies must normally have the word 'limited' (or its Welsh equivalent 'cyfyngedig') as part of their company name. This may be abbreviated to 'ltd.' (or 'cyf.'). However, under Section 30 of the Companies Act 1985, some company names need not include the word 'limited' if they satisfy certain criteria.

A company which takes advantage of such an exemption will also:

be exempt from the Companies Act 1985 in relation to the publication of its name; and will not have to send lists of members to the Registrar.

2. What kind of company can be exempt from using 'limited' in its name?

To be exempt, a company must be a private company limited by guarantee; the objects of the company must be the promotion of commerce, art, science, education, religion, charity or any profession; and the memorandum or articles of association must say that:

any profits, or other income, are to be spent in promoting the company's objects;

no dividends are to be paid to members;

if the company is wound up, all the assets are to be transferred to another body which has similar objects, or which promotes a charity.

A company that wishes to be exempt from using 'limited' in its name must satisfy all the above conditions. If you are not sure whether your company qualifies, you should consult a solicitor.

In addition, a company which was a private company limited by shares on 25 February 1982 may also be exempt if it did not include 'limited' in its name because it had a licence under section 19 of the Companies Act 1948 and complies with the requirements set out above.

3. If my company qualifies, how do I claim the exemption?

When your company is being formed, you must make a statutory declaration on [Form 30\(5\)\(a\)](#) and send it to the Registrar with your [incorporation documents](#). More information about forming companies is available in our booklet, ['Company Formation'](#).

4. What if a company that already exists wants to claim the exemption?

If the company already exists, you must pass a special resolution to change its name, by omitting 'limited'. You must send the resolution to Companies House with a statutory declaration on [Form 30\(5\)\(c\)](#). See [chapter 2](#) for information about changing your company name.

Forms 30(5)(a) and 30(5)(c) are available free of charge from Companies House, Cardiff and Edinburgh.

5. How much will it cost?

There is no charge for being given exemption to omit the word 'limited' from your company name. If you are claiming the exemption when the company is being formed, you pay the standard [incorporation fee](#).

If you are claiming the exemption for a company that already exists, you pay the standard [change-of-name fee](#).

Please remember that when you have been granted an exemption, you may not alter the memorandum and articles of association in such a way that they no longer satisfy the conditions for exemption.

CHAPTER 5

Directions to change a company name

1. What is a 'direction'?

A direction to change a company name is a legal instruction for a company to pass a resolution (Companies Act 1985 or Companies Act 2006) adopting a new name and to register the change at Companies House within a specified time. A direction may be issued, for example, as a result of an objection being lodged by an interested party because one name is 'too like' another. This chapter explains how to make an objection, what is considered when deciding whether one name is too like another and generally when a direction may be issued.

2. Who can direct a company to change its name?

The Secretary of State has statutory powers to direct a company to change its name in certain circumstances.

3. How do I object to a name?

If you wish to object to a name, for example because its similarity to your company name may lead to confusion between companies, then you must write to:

For companies incorporated in England & Wales:	For companies incorporated in Scotland:
The Secretary of State Department of Business, Enterprise & Regulatory Reform New Companies Section Companies House Crown Way Cardiff CF14 3UZ DX33050 Cardiff 1	The Secretary of State Department of Business, Enterprise & Regulatory Reform New Companies Section The Registrar of Companies Companies House 37 Castle Terrace Edinburgh EH1 2EB DX ED235 Edinburgh 1 LP – 4 Edinburgh 2

4. What does 'too like' mean?

The Secretary of State first looks at the two names. Only if the names appear to be like each other does he consider whether they are 'too like', that is if there is a danger of confusion between companies.

If the names differ by one or more words, this may suggest that they are not 'too like', depending on, for example, the word(s) and the length of the names in question.

If the names differ in only minor respects, this may suggest that the names are "too like", in which case a direction may be issued. Examples could be:

- i. If the difference amounts to only one or two letters, especially when these represent the plural of a word included in an otherwise identical name on the register.
- ii. If the names differ by short words, particularly when these words are of a generic nature such as "GB" or "UK" or ".com".
- iii. If the names differ by slightly longer words when they have substantial or very distinctive elements in common.
- iv. If they differ in the use of symbols.

Note: consideration can only be given to the full corporate names of the companies.

5. What if the name suggests a connection with a company already on the index?

The Secretary of State does not consider any aspect of 'implied association, that is whether the company might be thought to be a member of, or associated with, a particular company or group of companies. Nor does he consider the use of trading or business names, logos, ownership of registered trade or service marks, copyrights, patents etc., or any other proprietary rights existing in names or parts of names.

6. How are objections dealt with?

The Secretary of State's powers are discretionary, each case being considered on its merits. The Secretary of State will normally inform the company whose name he proposes should be changed, so that this company can put forward any evidence it considers appropriate to justify retaining the existing name. Any relevant information provided to support or rebut the case for confusion between companies as companies (but not between companies as represented by their trading title, style or activity) will be considered in reaching a decision.

7. When may a direction be issued?

A company may be directed to change its name:

- within 12 months of its date of registration if it is the same as or, in the opinion of the Secretary of State, 'too like' a name appearing (or which should have appeared) on the index at the time of its registration;
- within five years of its date of registration, where the Secretary of State has reason to think that it has provided misleading information for the purposes of registration, or has given undertakings or assurances for that purpose that have not been fulfilled;
- at any time if the name gives so misleading an indication of the nature of the company's activities as to be likely to cause harm to the public. This direction must be complied with within six weeks unless an application is made to the Court to set it aside. (Section 32, Companies Act 1985)

8. Can a 'too like' name be rejected before the company is registered?

No. Although proposed company names are rejected if they are the 'same as' an existing company name, there is no power to reject a name on the grounds that it is 'too like' that of another company.

It is in your interest to ensure that the name you choose for your company is sufficiently different from any other name on the register. This will reduce the risk of confusion and the following potential difficulties:

- objections to the company name;
- confusion with other companies with a poor trading record;
- a 'passing off' action in civil law.
- a '*passing off*' or trade mark infringement *action in civil law*.

CHAPTER 6

How the control of names applies to other company and business types

1. Oversea companies

The same rules that govern the use of names for British-registered companies apply to the names of overseas companies and their branches registered under Part XXIII of the Companies Act 1985.

If the name is not acceptable, the company will receive a notice to change it. Information about the registration of overseas companies is available in our booklet, 'Overseas Companies'.

2. Open-ended investment companies, European economic interest groupings and limited partnerships

As with overseas companies, the names of these businesses are kept on the [Company Names Index](#). They are subject to the same rules on the use of names and their names are taken into account when deciding whether one name is the 'same as' another - see [chapter 1](#).

3. Business names

The rules about 'too like' and 'same as' names do not apply. But certain words and expressions used in business names still need the approval of the Secretary of State before they can be used.

More information about business names is available in our booklet, '[Business Names](#)'.

4. Could a choice of name be affected by the trade marks index?

The Registrar does not consult the Trade Marks Register when considering an application for a company name therefore, the registration of a name does not mean that trade mark rights do not exist. The onus is on you to verify that the name is free for use.

It is advisable to consult a solicitor before using a name. You should also check local phone books and any relevant trade journals or magazines, to see if any other business is already using the name. If it is, you could face legal difficulties.

If you have any intention to trade goods or services, you would be well advised to ensure your company name does not conflict with a registered trademark. It does not have to be identical with a trade mark to cause possible conflict. Problems can arise if a name is judged to be confusingly similar. For further advice, including how to search the Trade Marks Register, contact the Trade Marks Registry of the UK Intellectual Property Office on:

E-mail: enquiries@ipo.gov.uk

Website: www.ipo.gov.uk

Telephone: 08459 500 505

... or by the Consumer Credit Act?

Registration of your company name does not imply any acceptance of the same name for the purpose of the Consumer Credit Act 1974. If you need a licence under that Act in order to carry on business, then you should consult the licensing branch of:

Office of Fair Trading
3rd Floor
Craven House
40 Uxbridge Road
Ealing
London W5 2BS
Tel: 020 7211 8000

to find out whether your chosen name is acceptable for the purposes of the Act.

CHAPTER 7

Further information

1. Where can I go for help?

For more information about names which need the approval of the Secretary of State, you should write to:

For companies incorporated in England & Wales:	For companies incorporated in Scotland:
New Companies Section Companies House Crown Way Cardiff CF14 3UZ DX33050 Cardiff 1	New Companies Section The Registrar of Companies Companies House 37 Castle Terrace Edinburgh EH1 2EB DX ED235 Edinburgh 1 LP – 4 Edinburgh 2

You can also get advice about the use of particular words and expressions from the relevant bodies whose names and addresses are listed in the [Appendices](#).

2. How do I send information to the Registrar?

The safest and most secure way to send statutory information to Companies House is to use our online filing services. For more information and registration details please visit our website <http://www.companieshouse.gov.uk/>

You may deliver documents to the Registrar by hand (personally or by courier), including outside office hours, bank holidays and weekends to Cardiff, London and Edinburgh.

You may also send documents by post, by the Document Exchange Service (DX), or by Legal Post (LP) in Scotland. If you send documents, please address them to:

For companies incorporated in England & Wales:	For companies incorporated in Scotland:
The Registrar of Companies Companies House Crown Way Cardiff CF14 3UZ DX33050 Cardiff 1	The Registrar of Companies Companies House 37 Castle Terrace Edinburgh EH1 2EB DX ED235 Edinburgh 1 LP-4 Edinburgh 2

Companies House will only acknowledge receipt of documents if you provide a stamped addressed envelope. If you are sending documents by post, courier or Document Exchange Service (DX) and would like a receipt, Companies House will provide an acknowledgement if you enclose a copy of your covering letter with a pre-paid addressed return envelope. We will barcode your copy letter with the date of receipt and return it to you in the envelope provided.

Please note: an acknowledgement of receipt does not mean that a document has been accepted for registration at Companies House.

Please note: Companies House does not accept accounts or any other statutory documents by fax.

3. Can I file documents in other languages?

Generally documents sent to the Registrar must be filed in English. However, documents relating to Welsh companies may be drawn up and delivered in Welsh.

From the 1 January 2007, companies may deliver the following documents in other languages if the document is accompanied by a certified translation into English:

- Resolutions and agreements affecting a company's constitution
- Contracts allotting shares for a consideration other than cash
- For companies included in accounts of larger EEA or non-EEA groups, the group accounts and parent undertaking annual report
- Charge instruments (or copy charge instruments)

From the 1 January 2007, companies may also file voluntary certified translations of any document subject to the Directive disclosure requirements. This includes:

- Constitutional documents such as the memorandum and articles of association
- Directors appointments, changes in particulars or resignations
- Accounts, reports and annual returns
- Notification of any change in a company's registered office
- Winding up documents
- Share capital documents (public companies only)
- Documents relating to mergers and divisions (public companies only)
- Documents relating to overseas companies

The voluntary translation must relate to a document delivered to the registrar on or after 1 January 2007. Voluntary translations can only be filed in an official language of the European Union and must be accompanied by Form 1106.

4. Where do I get forms and guidance booklets?

This is one of a series of Companies House booklets which provide a simple guide to the Companies Act.

Statutory forms and guidance booklets are available, free of charge from Companies House. The quickest way to get them is through this website or by telephoning 0870 3333636.

Forms can also be obtained from legal stationers, accountants, solicitors and company formation agents - addresses in business phone books.

APPENDIX A

You will need the approval of the Secretary of State for Business, Enterprise & Regulatory Reform before you use any of the following words or expressions (or their plural or possessive forms) in your chosen company name.

(a) Words which imply national or international pre-eminence:

British	Great Britain	National	Wales
England	International	Scotland	Welsh
English	Ireland	Scottish	
European	Irish	United Kingdom	

(b) Words which imply business pre-eminence or representative or authoritative status:

Association	Board	Federation	Institution
Authority	Council	Institute	Society
Government	HSC (Health and Social Care)	HPSS (Health and Personal Social Services)	

(c) Words which imply specific objects or functions:

Assurance	Friendly society	Post office	Trade union
Assurer	Fund	Reassurance	Trust
Benevolent	Group	Re-assurer	
Charter	Holding	Register	
Chartered	Industrial & provident society	Registered	
Chemist	Insurance	Re-insurance	
Chemistry	Insurer	Re-insurer	
Co-operative	Patent	Sheffield	
Foundation	Patentee	Stock exchange	

APPENDIX B

Words or expressions in the following list need the approval of the Secretary of State. If

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you want to use any of them in your company name you will need to write first to the relevant body to ask if they have any objection to its use. When you apply for approval to use the name you should tell Companies House that you have written to the relevant body and enclose a copy of the reply you have received.

<i>Word or Expression</i>	Relevant Body for companies intending to have registered office in England or Wales	Relevant Body for companies intending to have registered office in Scotland
Charity, Charitable	Head of Status Charity Commission Woodfield House Tangier Taunton TA1 4BL	<i>For recognition as a Scottish charity HM Revenue & Customs (HMRC FICO (Scotland) Trinity Park House South Trinity Road Edinburgh EH5 3SD</i>
Contact Lens	The Registrar General Optical Council 41 Harley Street London W1N 2DJ	As for England and Wales
Dental, Dentistry	The Registrar General Dental Council 37 Wimpole Street London W1M 8DQ	As for England and Wales
District Nurse, Health Visitor, Midwife, Midwifery, Nurse, Nursing	The Registrar & Chief Executive United Kingdom Central Council for Nursing, Midwifery and Health Visiting 23 Portland Place London W1N 3AF	As for England and Wales
Health Centre	Office of the Solicitor Department of Health & Social Security 48 Carey Street London WC2A 2LS	As for England and Wales
Health Service	Penny Turner Head of Branding Department of Health Room 230B	As for England and Wales

	Skipton House 80 London Road London SE1 6LH	
NHS (National Health Service)	Mike Patrick Office of the Solicitor Dept of Health, Room 518, New Court 48,Carey Street London WC2A 2LS Tel 0207 412 1225 Email:Mike.Patrick@dwp.gsi.gov.uk	As for England, Wales and Scotland
Police	Pauline Laybourne Briefing and Honours Team CRCSG Change and Support Unit 3rd Floor A Fry Building 2 Marsham Street London SW1P 4DF	The Scottish Ministers Police Division St Andrews House Regent Road Edinburgh EH1 3DG
Polytechnic	Department of Education and Science FHE 1B Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT	As for England and Wales
Pregnancy, Termination, Abortion	Department of Health Area 423 Wellington House 133-135 Waterloo Road London SE1 8UG	As for England and Wales
Royal, Royale, Royalty, King, Queen, Prince, Princess, Windsor, Duke, His/Her Majesty	<i>(If based in England)</i> Linda Henshaw Ministry of Justice Constitutional Settlement Division 6 th Floor - Point 6B Selbourne House	Douglas Boyd Protocol Unit St Andrew's House Regent Road Edinburgh EH1 3DG

	54 Victoria Street London SW1E 6QW <i>(If based in Wales)</i> The National Assembly for Wales Crown Buildings Cathays Park Cardiff CF10 3NQ	
Special School	Clinton Roche Department for Education and Skills Caxton House 6-12 Tothill Street London SW1H 9NA Tel: 0870 0012345	As for England and Wales
University	Privy Council Office 2 Carlton Gardens London SW1Y 5AA	As for England and Wales

APPENDIX C

Certain words or expressions are covered by other legislation and their use in company names might be a criminal offence. These are listed below. If you want to use any of these words or expressions in your company name, then you should contact the relevant regulatory authority or ask us for advice before proceeding. We may seek independent advice from the relevant body.

<i>Word Or Expression</i>	Relevant Legislation	Relevant Body
Anzac	Section 1 Anzac Act 1916	Seek advice of Companies House
Architect	Section 20 Architects Registration Act 1997	Architects Registration Board 73 Hallam Street London W1N 6EE
Building Society	Building Society Act 1986	Seek advice of Building Societies Commission Victoria House

		30-40 Kingsway London WC2B 6ES
Chamber(s) of Business, Chamber(s) of Commerce, Chamber(s) of Commerce and Industry, Chamber(s) of Commerce, Training and Enterprise, Chamber(s) of Enterprise, Chamber(s) of Industry Chamber(s) of Trade, Chamber(s) of Trade and Industry, Chamber(s) of Training, Chamber(s) of Training and Enterprise <i>or the Welsh translations of these words</i>	Company and Business Names (Chamber of Commerce etc.) Act 1999	Guidance is available from Companies House
Chiropodist, Dietician, Medical Laboratory Technician, Occupational Therapist, Orthoptist, Physiotherapist, Radiographer, Remedial Gymnast	Professions Supplementary to Medicine Act 1960 if preceded by Registered, State or Registered	Mrs Joan Arnott Department of Health HRD HRB Rm 2N35A Quarry House Quarry Hill Leeds LS2 7JE
Chiropractor	Chiropractors Act 1994	The Chief Executive

		General Chiropractic Council 44 Wicklow Street, London WC1X 9HL
Credit Union	Credit Union Act 1979	The Public Records Section Financial Services Authority 25 The North Colonnade Canary Wharf London E14 5HS
Dentist, Dental Surgeon, Dental Practitioner,	Dental Act 1984	The Registrar General Dental Council 37 Wimpole Street London W1M 8DQ
Druggist, Pharmaceutical, Pharmaceutist, Pharmacist, Pharmacy	Section 78 Medicines Act 1968	The Director of Legal Services The Royal Pharmaceutical Society of Great Britain 1 Lambeth High Street London SE1 7JN (for Scottish Registered Companies) The Pharmaceutical Society 36 York Place Edinburgh EH13HU
Institute of Laryngology, Institute of Otology, Institute of Urology, Institute of Orthopaedics,	University College London Act 1988	Seek advice of University College London Gower Street London WC1E 6BT
Patent Office, Patent Agent	Copyright, Designs and Patents Act 1988	IPPD (Intellectual Property Policy Directorate) Room 3B38, Concept House UK Intellectual Property Office, Cardiff Road, Newport, NP10 8QQ
Olympiad, Olympiads,	Olympic Symbol etc. (Protection) Act	The London Organising Committee of the Olympic

<p>Olympian, Olympians, Olympic, Olympics, Paralympic, Paralympics, Paralympiad, Paralympiads, Paralympian, Paralympians,</p> <p><i>translation of these or words so similar to these protected words</i></p>	<p>1995 (as amended)*</p> <p>Use of such words may infringe the rights of the British Olympic Association/British Paralympic Association.</p> <p><i>*Also protects the Olympic symbols of five interlocking rings; the Olympic motto "Citius Altius Fortius"("Faster, Higher, Stronger"); the Paralympic symbol of three "agitos"; the Paralympic motto "Spirit in Motion"; and anything so similar to them.</i></p> <p>Following London's successful bid to host the 2012 Olympic Games, the London Olympic Games and Paralympic Games Act 2006 has been introduced. This provides further rights for the protection of Olympic words, symbols and marks relating to the Games. In addition to the protected words outlined in this booklet, the registration of a company name which includes specific words implying association with the London 2012 Games may infringe the rights of The London Organising Committee of the Olympic Games Limited (LOCOG) under this Act. For further information, please visit:</p> <p>www.london2012.com/about/our-brand/index.php</p>	<p>Games Limited (LOCOG)</p> <p>23 rd Floor 1 Churchill Place Canary Wharf London E14 5LN</p>
<p>Optician, Ophthalmic Optician, Dispensing Optician, Enrolled Optician, Registered Optician, Optometrist</p>	<p>Opticians Act 1989</p>	<p>The Registrar General Optical Council 41 Harley Street London W1N 2DJ</p>
<p>Red Cross, Geneva Cross, Red Crescent,</p>	<p>Geneva Convention Act 1957</p>	<p>Seek advice of Companies House</p>

Red Lion and Sun		
Solicitor (Scotland)	S.31, Solicitors (Scotland) Act 1980	The Law Society of Scotland 26 Drumsheugh Gardens Edinburgh EH3 7YR
Veterinary Surgeon, Veterinary, Vet	Sections 19/20 Veterinary Surgeons Act 1966	The Registrar Royal College of Veterinary Surgeons 62-64 Horseferry Rd London SW1P 2AF

How to contact us

Contact Centre: 0870 3333 636*
Mini-com: 029 2038 1245
enquiries@companieshouse.gov.uk
www.companieshouse.gov.uk

*For training and quality purposes
your call may be monitored

Cardiff:

Companies House
Crown Way, Cardiff CF14 3UZ
Fax: 029 2038 0900

Edinburgh:

Companies House
37 Castle Terrace, Edinburgh EH1 2EB
Fax: 0131 535 5820

London:

Companies House
21 Bloomsbury Street, London WC1B 3XD
Fax: 029 2038 0900

