Draft Regulations laid before Parliament under sections 54(3), 1193(3) and 1290 of the Companies Act 2006, and section 54(3) of that Act as applied by regulation 8 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No. 0000

COMPANIES
LIMITED LIABILITY PARTNERSHIPS
BUSINESS NAMES

The Company, Limited Liability Partnership and Business Names (Public Authorities) Regulations 2009

*Made - - - - *** 2009*

Coming into force immediately after it is made

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 54(1)(c), 56(1)(a), 1193(1)(c), 1195(1)(a) and 1292(1) of the Companies Act 2006(**1**) and sections 54(1)(c) and 56(1)(a) and 1292(1) of the Companies Act 2006 as applied to limited liability partnerships by regulations 8 and 81 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009(**2**).

In accordance with sections 54(3), 1193(3) and 1290 of the Companies Act 2006 and section 54(3) of that Act as applied by regulation 8 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Company, Limited Liability Partnership and Business Names (Public Authorities) Regulations 2009 and come into force immediately after they are made.

Interpretation

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

(**1**) 2006 c.46.
(**2**) S.I. 2009/1804.

(2) Any reference to section 54 of the 2006 Act in these Regulations includes a reference to that section as applied by regulation 8 of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009.

Specified "public authorities"

3. Each of the persons and bodies set out in column (1) of the Schedule is specified for the purposes of sections 54 and 1193 of the 2006 Act.

Specified Government department or other body whose view must be sought

4. In connection with an application for the approval of the Secretary of State under section 54 or 1193 of the 2006 Act in relation to a name that would be likely to give the impression of a connection with a public authority set out in column (1) of the Schedule the applicant must seek the view of the Government department or other body set out opposite that public authority in column (2) of the Schedule.

Savings for existing lawful business names

5.—(1) This Regulation has effect in relation to section 1193 of the 2006 Act.

(2) These Regulations do not apply to the carrying on of a business by a person who—

(a) carried on the business immediately before the date on which these Regulations came into force, and

(b) continues to carry it on under the name that immediately before that date was its lawful business name.

(3) Where—

(a) a business is transferred to a person on or after the date on which these Regulations came into force, and

(b) that person carries on the business under the name that was its lawful business name immediately before the transfer,

these Regulations do not apply in relation to the carrying on of the business under that name during the period of twelve months beginning with the date of the transfer.

(4) In this regulation "lawful business name", in relation to a business, means a name under which the business was carried on without contravening the provisions of Chapter 1 of Part 41 of the 2006 Act.

Name
[Minister]
Date
Department for Business, Innovation and Skills