



Department
for Business
Innovation & Skills

**COMPANY & BUSINESS NAMES
CONSULTATION**

Red Tape Challenge

FEBRUARY 2013

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Company & Business Names

The Government wants to reverse the trend for “red tape” and to significantly reduce the overall burden of unnecessary regulation. Excessive regulation can slow down or prevent processes – hurting business and damaging the economy.

The Government’s Red Tape Challenge programme puts a ‘spotlight’ on different areas of regulation. Everyone can join the debate on any theme and post their comments and thoughts on the regulation and the rules that affect them.

Company & Business Names was a sub-section of the company law theme. The regulation in this area aims to ensure that every company has a name easily differentiated from another and that their name does not misrepresent their position in the eyes of the general public.

The Government received a number of comments from a large cross-section of society in relation to Business Names. The responses suggest that there is room for the improvement and simplification of the regulations.

This consultation seeks views on the future of names regulations in general.

Your opinions and experience of the rules in practice are valuable to us. This consultation sets out the background information and our proposals. Please answer the questions in the attached response form and return it to us by the closing date below.

Issued: 27 February 2013

Respond by: 22 May 2013

Enquiries to: Catherine Crowsley, BIS, Spur 2, Floor 3, 1 Victoria Street, London SW1H 0ET

This consultation is relevant to: all businesses, their customers and suppliers and the public sector.

2. Executive Summary

1. This document invites comments on the options for improving company and business names regulations. It considers the need to maintain the statutory instruments which, primarily, set out rules regarding “same as” names and “sensitive” words and expressions.
2. The rationale for regulating company and business names is to protect members of the public from harm caused by names which mislead by falsely conveying authority, status or pre-eminence. It is also to ensure that the registered name of a company, or an LLP, is sufficient for any member of the public to find the information on the public record relating to that company and that the legal status of a business is clear (whether or not it is a company).
3. The Government has reviewed company law as part of its commitment to reduce unnecessary regulatory burdens under the Red Tape Challenge. The Government considers there is scope for simplifying the regulations and for reducing the number of statutory instruments which set out the details of the rules relating to names.
4. This document seeks views on:
 - a) Whether regulations are still required in this area
 - b) And, if so, whether these can be reduced / simplified / improved
5. These proposals affect everyone. Views are sought not only from UK businesses, their customers and suppliers, but also all interested parties, including the public sector.

3. How to respond

6. When responding please state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents by selecting the appropriate interest group on the consultation form and, where applicable, how the views of members were assembled.

7. For your ease, you can reply to this consultation online.

8. A copy of the Consultation Response form is available electronically at www.gov.uk/government/consultations/company-and-business-names-red-tape-challenge

If you decide to respond this way, the form can be submitted by letter, fax or email to:

Catherine Crowsley
Company Law – Business Environment
Department of Business, Innovation and Skills
1 Victoria Street, London SW1H 0ET
Tel: 020 7215 3137
Fax: 020 7215 0227
Email: catherine.crowsley@bis.gsi.gov.uk

9. A list of those organisations and individuals consulted is in Annex D. We would welcome suggestions of others who may wish to be involved in this consultation process.

4. Additional copies

10. You may make copies of this document without seeking permission.

11. An electronic version can be found at www.gov.uk/government/consultations/company-and-business-names-red-tape-challenge.

12. Other versions of the document in Braille, other languages or audio-cassette are available on request.

5. Confidentiality & Data Protection

13. Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). If you want information, including personal data that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with

which public authorities must comply and which deals, amongst other things, with obligations of confidence.

14. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

6. Help with queries

15. Questions about the policy issues raised in the document can be addressed to:

Catherine Crowsley
Company Law – Business Environment
Department of Business, Innovation and Skills
1 Victoria Street, London SW1H 0ET
Tel: 020 7215 3137
Email: catherine.crowsley@bis.gsi.gov.uk

16. A copy of the Code of Practice on Consultation is in Annex C.

7. The proposals

The purpose of company and business names regulations

17. A company has a legal status separate from that of its owner and the registered name clarifies the company's legal identity when conducting business. For this reason, a company must display its registered name in a variety of locations and on business correspondence and documentation, whether or not it trades under that name. A limited liability partnership must do the same with regard to its registered name.

18. Sole traders and unlimited partnerships have a business or 'trading' name, as opposed to a registered name, but they are required to identify the individual owners or members of the partnership on business correspondence.

19. The business and company names statutory instruments are intended to protect members of the public from names which:

- mislead or confuse by falsely conveying authority, status or pre-eminence; and
- mislead or confuse because the registered name that is the same as, or sufficiently similar to, another to enable it to trade on the reputation of another company (e.g. British Airways Ltd is very similar to BA Ltd and might confuse potential customers).

20. The Government is considering its company names regulations. We are seeking views on whether such regulations should be kept or whether there is a case for it being repealed.

The current system

21. The Companies Act 2006 and regulations made under that Act set out the rules relating to names which may be registered as a company name or used in the UK by a person or partnership carrying out business.
22. As previously stated, the rules protect members of the public from being misled, as a result of the use of a name which falsely conveys authority, status or pre-eminence, or by a name that is the same as, or sufficiently similar to, another. By rejecting such a name at the point of registering a company it is hoped that any potential harm can be avoided before it has occurred.
23. An alternative approach would be to allow companies to register their name of choice. The advantage of this is that it would speed up the registration process for companies who may, for example, wish to choose a name which includes a word previously on the “sensitive” words list. Action would then be taken if a justified complaint was made about the use of the name.
24. In some cases, this would mean that action would be taken after harm had been suffered which could be costly and time consuming for all parties involved. Even if no harm had occurred, a company which is required to change its name could incur costs for rebranding, printing of stationery and changes to websites and email addresses. Disruption of this nature could cause delays in their work and lead to loss of business.
25. However, it is possible that the majority of companies would not receive any complaints about the use of a particular name and would benefit from the less regulated system. We would welcome views on whether a system which took action following a complaint would be more effective and help business.
26. The regulations being considered, which set out the rules for business and company names, encompass four separate Statutory Instruments:
 - [SI 2009/1085](#) - specifies the characters allowed in a company name
 - specifies requirement to indicate legal form (e.g. Ltd / LLP)
 - specifies a name must be distinct from any other on the register
 - [SI 2009/2404](#) - corrects small errors and omissions in SI 2009/1085
 - [SI 2009/2615](#) - specifies “sensitive” words and expressions which require prior approval
 - [SI 2009/2982](#) - specifies government departments or other bodies who must approve names suggesting a connection with public authorities (inc. Parliament).
27. Companies House, an Executive Agency of BIS, maintains the online register of names which enables the public to easily find information relating to a particular company without requiring the registration number. The day to day administration of the names regime is also carried out by Companies House on behalf of the Secretary of State for Business, Innovation and Skills.

28. The company and business names rules in both the Statutory Instruments, referred to above, and within the Companies Act 2006 itself:
- set out the expressions and abbreviations which describe a particular form of company such as “Public Limited Company” or “Community Interest Company”;
 - set out the conditions a private company limited by guarantee must meet to allow it to be exempt from including “limited”, “ltd”, or welsh equivalents - “cyfyngedig” or “cyf” at the end of its name;
 - specify the controls which prevent the registration of a name which is the ‘same as’ an existing name on the index;
 - list the permitted characters, signs, symbols and punctuation that may be used in a registered name (for example: a-z, 0-9, &, @, !);
 - require the prior approval of business and company names which suggest a connection with Her Majesty’s Government, a devolved government or administration or a specified public authority;
 - require the prior approval of business and company names which include a “sensitive” word or expression included in regulations (e.g. Bank, University);
 - prevent the registration of names which are, in the opinion of the Secretary of State, offensive or which, if used, would constitute an offence (e.g. contains a stand alone or embedded swear / blasphemous / racially offensive word or phrase).
29. It is possible for a company to be directed to change its name after registration, if the conditions that allowed the registration or approval of a name are no longer being met, or if the name gives such a misleading indication of its activities that it is likely to cause harm to the public.
30. Alongside Companies Act 2006 regulations there are also “sensitive” words and expressions protected within legislation controlled by other government departments. For example, Building Society is protected as a “sensitive” word under the Building Societies Act 1997. Companies House administers the approval process for all words, irrelevant of the legislation under which they are controlled.

Removing all Names Regulations

31. The purpose of the red tape challenge is to look at all regulations and consider which ones can be scrapped in order to reduce the unnecessary burdens on business. This consultation provides us with an opportunity to consider whether the rules on company and business names are actually required.
32. The majority of new companies registering their name will not come into contact with the rules associated with company names. Their proposed name will be checked against the register to ensure that it is not already in use and, if not, the proposed name will be

registered. This process takes a matter of minutes and does not significantly add to the registration process.

33. However, a number of respondents to the company law theme said they found the rules on names confusing and difficult to negotiate. If a proposed name falls foul of the regulation, there can often be a lengthy debate with Companies House before the name is agreed, or changed, and registration finally takes place. Such hold ups could be crucial in a company's life. Bearing this in mind, we need to consider whether all the legislation is still necessary.

Comments from the Red Tape Challenge website:

“sensible, easily-understood requirements would make things a lot easier for everyone.”

34. Repealing the regulations could simplify and speed up the registration process for all start up companies. The removal of red tape in this area would enable all businesses and companies to trade under the name of their choice with no requirement to seek permission or approval.
35. If all statutory instruments were repealed there would still be protections afforded by primary legislation:
- ❑ A name which is offensive or which could constitute an offence (e.g. contains a swear / blasphemous / racially offensive word) would be prohibited from being registered;
 - ❑ Approval would still be required for the use of a name which suggests a connection with government or a local authority;
 - ❑ All companies and businesses would still be required to indicate their company type or legal form (e.g. plc, ltd – unless they qualify for an exemption);
 - ❑ No business may be carried on in the UK under a name that gives so misleading an indication of the nature of its activities as to be likely to cause harm to the public; and
 - ❑ A new company could be required to change its name, following a complaint, if it was too similar to another on the register.
36. The only specific words which could not be used are offensive words ([section 53](#) of The Companies Act 2006). These are not, and would not be, listed as: a) language evolves and b) sensitive words are words which require approval but there are no circumstances in which the Secretary of State would be willing to approve a name which is offensive. Names which would constitute an offence are, and would continue to be, prohibited. All names are considered under this rule before being registered.
37. There is also a Statutory Instrument (2009/2982) which affords the same protection to Parliament (House of Commons, House of Lords, National Assembly for Wales, NI Assembly & Scottish Parliament) that primary legislation (s.54) affords to government.

Question 1: Do you think all regulations relating to names should be repealed? Please give reasons for your answer.

Question 2: Do you think regulations relating to names should be retained but reduced and simplified? Please give reasons for your answer.

Sensitive names

38. Currently, the Registrar acts on behalf of The Secretary of State when granting permission for the use of a word (as specified in Section 55 of The Companies Act 2006) in a particular name.
39. All the words specified as “sensitive” and listed in [Schedule 1](#) of SI 2009/2615 (see Annex A) were included to protect the public from being misled by a business’ name as to either its status or the nature of its businesses activities (e.g. charity, co-operative, Institute). However, as language evolves words, which may have been considered worthy of protection at the time, may no longer be considered such a risk.
40. **The list of sensitive words does not prohibit the use of any word.** The list simply highlights words which need to be considered by a specified body (e.g. Financial Services Authority, The Charities Commission, The Department of Health, Ministry of Justice) before they are used within the name of a company.
41. The specified bodies do not have to approve company or business names, they only have to confirm they have no objections. It is important that ‘not objecting’ to the use of a name is not seen as giving support or endorsing a particular company. The body simply confirms that the use of the sensitive word is acceptable at the time and consistent with the objectives of the company.
42. Once the views of the specified body have been made, the Secretary of State is able to approve the name. In some cases, the use of a name needs to be supported by certain criteria. For example, use of the word ‘University’ to describe an institution will only be supported if the applicant meets the government criteria (i.e. has degree awarding powers), whilst other cases (e.g. a pub near a campus requesting the name “The University Arms Ltd”) are considered on a case by case basis to establish whether the use is appropriate and not misleading.
43. The main criterion for determining which words were prescribed was whether there was a risk to the public from their misuse in a company or business name. Other considerations were the likely effectiveness of prescription and whether the word was already in widespread use.
44. Many sensitive words and expressions on the list are, in fact, ancillary to other legislation (e.g. the words ‘Bank’ and ‘Building Society’ both require the approval of the FSA but, while ‘Building Society’ is protected under the Building Societies Act 1997, ‘Bank’ is protected under the Companies Act 2006).

Option A) Repeal

45. We could repeal Statutory Instrument 2009/2615 in its entirety which would remove the sensitive words list altogether. This would enable companies to choose any name, without requiring approval, so long as it is not offensive, is not the same as a company name already in use and does not suggest a connection with government. Repealing this SI would significantly speed up the registration process for those businesses who wish to use one, or more, of the specified words or expressions in their name.
46. Companies would no longer have to go through a costly and time consuming process in order to satisfy the Registrar of their pre-eminence or status. This would prevent cases of delayed registration.

Option B) Retain but Reduce

47. The requirement for prior approval could be retained only for those words for which there is a clear criterion for approval and clear value in retention. A reduced list would make it easier for start up companies to find an acceptable name and would help speed up the registration process for those companies who may wish to use a word currently listed as “sensitive” but with no clearly defined criteria for approval.

‘National’ Words

48. We would like views on all words included on the [list](#). Preliminary discussions suggest that the current controls over ‘National’ words (e.g. England, Ireland, Scottish, Welsh) may no longer be relevant. Companies House has confirmed that they are very popular with businesses.
49. Currently, anyone wishing to register a name including a ‘national’ word must demonstrate its’ pre-eminence in the relevant activity across that nation e.g. The England Timber Co Ltd. Support from a trade association or other body is also a normal requirement. Many companies also wish to associate themselves specifically with the area in which they operate e.g. ‘The Welsh Mountain Riding School Ltd’.
50. Obtaining approval to use a national word in a business name can take a significant amount of time and effort. We would be particularly interested to know whether these words should remain subject to the current regulatory controls. If they were removed from the list, any company falsely suggesting a link to government, through the use of a ‘national’ word, would be caught under primary legislation ([s.54](#)).

Other sensitive words

51. In addition, other words suggested for removal include: Chamber, Discipline, International, Oversight, Register and Sheffield, as the risk to the public of their misuse is considered to be low.
52. Those which appear to be particularly important to protect include: Accredited, Bank, Charity, Institute, Insurance, Police and University. Misuse of these words poses a high risk to the general public.

53. Please note that these are preliminary thoughts and we would welcome views on the full list.

Question 3: Do you think the list of “sensitive” words should be reduced? If so, which words would you recommend for removal and why?

“Same as” rules

54. In the UK it has always been important for the public to be able to identify one company from another, by its name. In other European countries, companies are recognised and searched for by their registration numbers. However, discussions over the years have confirmed the importance, to users of Companies House, of being able to search the register and identify a company by its name.
55. Some proposed company names can be identical or very similar to ones already in use. To prevent more than one company from operating under the same name we have “same as” names legislation. Ensuring that a company can be easily distinguished from any other, by its name, is far easier and quicker than relying on its registration number.
56. The regulations achieve this by setting out in a [Schedule](#) all the words, expressions, signs and symbols which are to be disregarded when determining whether a proposed company name is the same as another name already appearing on the registrar’s index (see Annex B). The more items on the “same as” list – the more likely two names will be determined as being the ‘same as’ one another.
57. Businesses have told us that the “same as” rules are causing difficulties for both start up companies and for established companies wishing to change their names or swap names within their group. This is causing increased costs and slowing down the system.

Comments from the Red Tape Challenge website:

“in deciding whether a company’s name is the same as another company’s name....the list is too wide.”

“The application of section 66 Companies Act 2006 and the Regulations creates absurd results in relation to name swaps, which (one would hope) must surely be unintended.”

“the issue with regard to name swaps ought urgently to be addressed.”

Option A) Repeal

58. We could repeal the “same as” provisions in Statutory Instrument 2009/1085. Companies, LLPs, and other businesses seeking to register, would then only need to check their proposed name is not identical to another name on the register at Companies House. All companies would be verified by their unique registration number, as is currently the case in other European countries.

Option B) Retain but Reduce

59. The number of words on the list (currently, para 4(2) of [Schedule 3 - SI 1085/2009](#)) could be reduced. Those suggested for removal are: Exports, Great Britain, Group, Holdings, Imports, International, Northern Ireland, Services, United Kingdom, Wales (and their Welsh and Gaelic equivalents).
60. Removing these words from the ‘same as’ list would balance the need to prevent confusion and harm to the public with the freedom for a business to register their chosen name.
61. There is no legislative provision for name swaps but they are very popular within groups of companies (perhaps as part of a re-structuring process) and the current list of ‘same as’ words significantly hinders such activity. For example:
- **Stone Imports Ltd, Stone Exports Ltd and Stone International Ltd** are all companies within the same large group, established for almost a century.
 - Before the regulations came into force another, unrelated company doing business in an entirely different field, legally registered the name **Stone Holdings Ltd**.
 - Under the ‘same as’ rules all the companies names are the same. Therefore, the separate entity could prevent the group of companies from swapping names amongst themselves.

Comments from the Red Tape Challenge website:

“companies held within the same group (let us call them ‘Company A’ and ‘Company B’) have as a result of the regulations found themselves unable to swap names because a third party may, prior to the Regulations having taken effect, have legitimately incorporated a company with a name that in consequence of the Regulations is now deemed to be the same as the name of Company A or Company B.”

62. Removing words from the list of matters to be disregarded does not mean that all companies are guaranteed to be able to swap names. However, these amendments would significantly reduce the number of ‘same as’ instances and, for this reason, increase the number of approved names.
63. With the exception of the word ‘company’, the implementation of this proposal would result in the list only containing abbreviations and current domain endings.

Question 4: Do you think the list of words on the “same as” list should be reduced? If so, which words would you recommend for removal?

8. Consultation questions

1. Do you think all regulations relating to names should be repealed? Please give reasons for your answer.

2. Do you think regulations relating to names should be retained but reduced and simplified? Please give reasons for your answer.

3. Do you think the list of “sensitive” words should be reduced? If so, which words would you recommend for removal and why?

4. Do you think the list of words on the “same as” list should be reduced? If so, which words would you recommend for removal?

64. Please comment on the above proposals, make recommendations for further change, comment on the analysis of benefits to business and suggest any alternatives to regulation. We would also appreciate indications of whether there may be any unintended consequences or other implications of the proposals.

9. What happens next?

65. Responses to this consultation will be used to finalise decisions regarding the removal or retention of these regulations. A government response to this consultation, outlining the responses and the approach the government intends to take, will be published within three months of the consultation closing. This will be available from the BIS website. Paper copies will be available on request.

66. Should we make changes to regulations, either removing regulations or simplifying existing ones, the changes will also be made available for comment.

Annex A: Specified Words and Expressions – Sch. 1 (SI 2615/09)

Specified words and expressions applicable to sections 55(1) and 1194(1) of the 2006 Act			
Abortion	*Cyngor	*Llywodraeth	Registry
Accredit	Data protection	Medical centre	Regulation
Accreditation	Dental	Midwife	Regulator
Accredited	Dentistry	Midwifery	Reinsurance
Accrediting	Disciplinary	*Mòrachd	Reinsurer
Adjudicator	Discipline	Mutual	*Riaghaltas
Association	*Diùc	National	*Rìgh
Assurance	*Dug	NHS	Rioghachd Aonaichte
Assurer	Duke	Northern Ireland	Rìoghail
Audit office	Ei Fawrhydi	Northern Irish	Rìoghalachd
Auditor General	England	Nurse	Royal
Authority	English	Nursing	Royalty
*Banc	European	Oifis sgrùdaidh	Rule committee
Bank	Federation	*Oilthigh	Scotland
Banking	Friendly Society	Ombudsman	Scottish
Banknote	Foundation	*Ombwdsmon	Senedd
Benevolent	Fund	Oversight	Sheffield
Board	Giro	*Parlamaid	Siambur
*Breatannach	Government	Parliament	Social service
*Breatainn	Group	Parliamentarian	Society
*Brenhinol	*Gwasanaeth iechyd	Parliamentary	Special school
*Brenin	*Gwladol	Patent	Standards
*Brenhiniaeth	Health centre	Patentee	Stock exchange
Britain	Health service	Police	Swydd archwilio
British	Health visitor	Polytechnic	*Teyrnas Gyfunol
*Cenedlaethol	His Majesty	Post office	*Teyrnas Unedig
Chamber of	Holding	Pregnancy termination	Trade Union
Charitable	HPSS	*Prifysgol	Tribunal
Charity	HSC	Prince	Trust
Charter	Human Rights	*Prionnsa	*Tywysog
Chartered	Inspectorate	*Prydain	Underwrite
Child maintenance	Institute	*Prydeinig	Underwriting
Child support	Institution	Queen	United Kingdom
*Coimisean	Insurance	Reassurance	University
*Comhairle	Insurer	Reassurer	Wales
*Comisiwn	International	Register	Watchdog

Specified words and expressions applicable to sections 55(1) and 1194(1) of the 2006 Act			
Commission	Judicial appointment	Registered	Welsh
Co-operative	King	Registrar	Windsor
Council	Licensing	Registration	
<u>Specified words and expressions applicable to section 55(1) of the 2006 Act</u>			
Alba	Na h-Alba	*Cymraeg	
Albannach	*Cymru	*Cymreig	

Annex B: Name same as another in the Registrar's Index of Company Names – Sch. 3 (1085/09)

1. In determining whether a name is the same as another name appearing in the registrar's index of company names the provisions in this Schedule are to be applied in the order set out in the Schedule.

2. Disregard any word, expression or abbreviation set out in inverted commas in Schedule 2 where it appears at the end of the name.

3.—(1) Taking the name remaining after the application of paragraph 2, regard each of the words, expressions, signs and symbols set out in inverted commas in any of the paragraphs of sub-paragraph (2) ("relevant matters") as the same as the other relevant matters set out in that paragraph where each relevant matter—

(a) is preceded by and followed by a blank space; or

(b) where the relevant matter is at the beginning of the name, where it is followed by a blank space.

(2) The words, expressions, signs and symbols are—

"AND" and "&"	"7" and "SEVEN"
"PLUS" and "+"	"8" and "EIGHT"
"0", "ZERO" and "O"	"9" and "NINE"
"1" and "ONE"	"£" and "POUND"
"2", "TWO", "TO" and "TOO"	"€" and "EURO"
"3" and "THREE"	"\$" and "DOLLAR"
"4", "FOUR" and "FOR"	"¥" and "YEN"
"5" and "FIVE"	"%", "PER CENT", "PERCENT", "PER CENTUM" and "PERCENTUM"
"6" and "SIX"	"@" and "AT"

4.—(1) Taking the name remaining after the application of paragraphs 2 and 3, disregard at the end of the name the matters set out in inverted commas in sub-paragraph (2) (or any combination of such matters) where the matter (or combination) is preceded by the following punctuation or symbol in inverted commas—

(a) a blank space;

(b) a full stop; or

(c) “@”.

(2) The matters are—

BIZ	NET	CYNHEILIAID
CO	NI	CYRDDAU
CO UK	NORTHERN IRELAND	DALIADAU
CO.UK	ORG	DU
COM	ORG UK	GRWP
COMPANY	ORG.UK	GWASANAETHAU
EU	SERVICES	MEWNFORION
EXPORTS	UK	PF
GB	UNITED KINGDOM	PRYDAIN FAWR
GREAT BRITAIN	WALES	RHYNGWLADOL
GROUP	ALLFORION	RYNGWLADOL
HOLDINGS	CWMNI	Y DEYRNAS UNEDIG
IMPORTS	CYM	
INTERNATIONAL	CYMRU	

5. Taking the name remaining after the application of paragraphs 2 to 4, disregard the following matters in any part of the name—

(a) any punctuation set out in regulation 2(2)(c) or in column 2 of table 2 in Schedule 1; and

(b) the following symbols set out in inverted commas—

(i) “*”;

(ii) “=”; and

(iii) “#”.

6. Taking the name remaining after the application of paragraphs 2 to 5, disregard the letter “S” at the end of the name.

7. Taking the name remaining after the application of paragraphs 2 to 6, disregard any permitted character after the first 60 permitted characters of the name.

8. Taking the name remaining after the application of paragraphs 2 to 7, disregard the following matters or any combination of the following matters set out in inverted commas where they appear at the beginning of the name—

(a) “@”;

(b) “THE” (but only where followed by a blank space); and

(c) “WWW”.

9. Taking the name remaining after the application of paragraphs 2 to 8, disregard blank spaces between permitted characters.

Annex C: The Consultation Code of Practice Criteria

67. Formal consultation should take place at a stage when there is scope to influence policy outcome.

68. Consultation should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

69. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

70. Consultation exercise should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

71. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

72. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

73. Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Comments or complaints

If you wish to comment on the conduct of this consultation or make a complaint about the way this consultation has been conducted, please write to:

John Conway,
BIS Consultation Co-ordinator,
1 Victoria Street,
London
SW1H 0ET

Telephone John on 020 7215 6402
or e-mail to: john.conway@bis.gsi.gov.uk

Annex D: List of Individuals/Organisations consulted

Association of Company Registration Agents

Association of Chartered Certified Accountants

Auditor General for Wales

Audit Scotland

British Chambers of Commerce

Cabinet Office

City of London Law Society

Companies House

Comptroller and Auditor General

Confederation of British Industry

Department for Education

Department for Employment and Learning – Northern Ireland

Department of Education – Northern Ireland

Department of Enterprise, Trade and Investment – Northern Ireland

Department of Health

Department of Health, Social Services and Public Safety – Northern Ireland

Department for Work and Pensions

Federation of Small Businesses

Financial Services Authority

Forum of Private Business

General Dental Council

Information Commissioner's Office

Institute of Chartered Accountants in England and Wales

Institute of Directors

Law Society of England and Wales

Law Society of Northern Ireland

Law Society of Scotland

Ministry of Justice

Northern Ireland Assembly

Northern Ireland Audit Office

Northern Ireland Executive

Northern Ireland Office

Nursing and Midwifery Council

Office of Fair Trading

Office of Fair Trading Scottish Representation

Office of the Scottish Charity Regulator

Registers of Scotland

Regulatory Policy Institute

Scottish Competition Law Forum

The Charity Commission

The Company of Cutlers in Hallamshire

The Co-operative Society

The Corporate Officer of the House of Lords and the Corporate Officer of the House of Commons

The Governor and Company of the Bank of England

The Home Office

The Intellectual Property Office

The National Assembly for Wales

The Scottish Parliamentary Corporate Body

The Welsh Assembly Government

Trading Standards Institute

Wood Group Plc

Annex E: Impact Assessment of Company & Business Names

An Impact Assessment has not been made available in this consultation as these regulations are deregulatory. However, an Impact Assessment will be included in the Government response which will be published ahead of the regulations being laid. This is in line with Better Regulation Executive's proposed fast track routes for deregulatory measures.

Annex F: Company & Business Names response form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 22 May 2013.

Name:

Organisation (if applicable):

Address:

Please return completed forms to:

Catherine Crowsley, Spur 2 Level 3, BIS, 1 Victoria Street, London SW1H 0ET

Telephone: 020 7215 3137

Fax: 020 7215 0227

E-mail: catherine.crowsley@bis.gsi.gov.uk

Please tick the box from the list of options below which best describes you as a respondent. This allows views to be presented by group type.

<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input type="checkbox"/>	Small business (10 to 49 staff)
<input type="checkbox"/>	Trade union or staff association
<input type="checkbox"/>	Other (please describe)

Question 1

Do you think all regulations relating to names should be repealed?

Please give reasons for your answer.

Question 2

Do you think regulations relating to names should be retained but reduced and simplified?

Please give reasons for your answer.

Question 3

Do you think the list of “sensitive” words should be reduced?

If so, which words would you recommend for removal and why?

Question 4

Do you think the list of words on the “same as” list should be reduced?

If so, which words would you recommend for removal?

Do you have any other comments that might aid the consultation process as a whole?

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

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