



Department  
for Business  
Innovation & Skills

COMPANY AND BUSINESS NAMES

Government response

OCTOBER 2013

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# Company and Business Names

The Company & Business Names consultation was published on 27 February 2013, as part of the Government's Red Tape Challenge: [Company and business names: Red Tape Challenge - Consultations - GOV.UK](#). Regulation in this area aims to ensure that every company has a name easily differentiated from others and that the name does not misrepresent the company's position in the eyes of the general public.

The consultation sought views on the future of names regulations in general and invited comments on the options for improving and simplifying them. It considered the need to maintain the current regulations which, primarily, set out rules regarding "same as" names and "sensitive" words and expressions. The consultation was open for twelve weeks, closing on 22 May 2013.

## Government Response

1. The Government received 254 responses. The list of respondents is set out in Annex B. All responses agreed that there is a need for some regulation in this area to protect the public from possible harm. The majority of the responses agreed that there is room for simplification and for a reduction in the number of words and expressions on the “sensitive” list.
2. There was support for merging and simplifying the regulations. Therefore, we will move forward with proposals to merge the Company and Business Names Statutory Instruments with Trading Disclosures Statutory Instruments, so that all the requirements may be in found in one place.
3. Trading Disclosures regulations specify that a company must display their name, registration number and other company information on all correspondence and on signs at business premises. We will make them easier to follow and, therefore, to comply with e.g. the annexes will be set out in a clear table format.
4. Respondents encouraged the removal of particular words from the “sensitive” list and also supported the retention of particular words / expressions. “Co-operative”, “Chamber of” and “Accredit” (& its listed derivations) were the subject of strong campaigns to support their retention and these will all remain on the “sensitive” list.
5. Following analysis of all comments, we are proposing to reduce the list of “sensitive” words and expressions by approximately one third. Annex A sets out which words we propose to retain and which we propose be removed from the “sensitive” list – excluding their Gaelic & Welsh equivalents.
6. We gave the suggestion of removing ‘National’ words (e.g. England, Scottish, Cymru) and the word ‘Sheffield’ very careful consideration. There was support for both their retention and for their removal. The Government has now decided that these words should be retained and should continue to be afforded protection under Company Law. The Scottish Government, Welsh Government and Northern Ireland Executive were all consulted and responded in support of the retention of ‘National’ words.
7. Companies House has agreed to improve its internal systems and change the way in which sensitive names are dealt with administratively. This will include improved guidance, in order to ease the burden on businesses.
8. Currently, innocuous use of sensitive words is allowed but the regulations will no longer require automatic referral to specified bodies. Companies House will, instead, be given authority to apply appropriate approval criteria. This will reduce the number of registrants who have to seek permission to use a ‘sensitive’ word in their business name and speed up their registration process.
9. The “same as” names were also highlighted as an area where current regulations are producing unintended outcomes and causing problems. The “same as” legislation sets out 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. However, businesses have told us that the rules are causing difficulties for both start up companies and for established companies wishing to change names or swap names within their group, as part of a restructuring process. This is causing increased costs and slowing down the system.

10. We will reduce the number of words (on the list of those to be disregarded) in the "same as" regulations to balance the need to prevent confusion and harm to the public with the freedom for a business to register their chosen name and for companies within a group to swap names. Those to be removed are Exports, Group, Holdings, Imports, International, Services (& Welsh & Gaelic equivalents).
11. These amendments will significantly reduce the number of 'same as' instances and increase the number of approved names. With the exception of the word 'company', the implementation of this proposal will result in the list only containing abbreviations and current domain endings.

## Summary of Responses

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

There were 246 responses which supported the retention of names regulations. Only 8 respondents made no comment as to whether regulations should be repealed or retained. No respondents agreed that all regulations relating to names should be repealed.

We received a large number of brief email responses in support of particular "sensitive" words. As these were, in effect, in support of names regulations being retained they were included as "No" answers to this question.

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

The majority of responses, 152, did not answer this question. These responses supported the retention of names regulations but did not specify whether they should be reduced and simplified.

We received 83 responses which agreed to this suggestion and only 13 responses which opposed any changes being made to the current regulations.

An answer of "possibly" was given by 6 respondents.

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

We received 38 responses which agreed to this question. Of those, 29 specified particular words and/ or expressions which they considered should be removed from the “sensitive” list.

We received 44 responses against the reduction of the “sensitive” words list. However, 24 of these responses were a campaign by ‘Football Club United of Manchester Ltd’ which was itself part of a larger campaign specifically supporting the retention of the word “co-operative”.

The majority, 170 responses, did not specify whether or not they thought the “sensitive” list should be reduced, of these, 162 specified words which they considered important to retain. The campaign to retain the protections afforded to the word “co-operative” submitted 106 such responses. The campaign by the British Chambers of Commerce to retain protections afforded to “Chamber of” submitted 20 such responses.

There were 2 responses which answered “possibly” to this 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?**

The majority of responses, 175, did not answer this question.

Of those that did, 26 responses did not think the “same as” list should be reduced.

There were 54 responses in favour of reducing the “same as” list and 18 of these recommended specific words for removal.

## **Next Steps**

We will draft regulations over the coming months and make these available for comment on the [www.gov.uk](http://www.gov.uk) website.

## Annex A - List of “sensitive” words to be retained and removed

<b>Words to be REMOVED</b>
Abortion
Authority
Banknote
Board
Data protection
Disciplinary
Discipline
European
Giro
Group
Holding
Human Rights
International
National
Oversight
Pregnancy termination
Register
Registered
Registration
Registry
Regulation
Rule committee
United Kingdom
Watchdog
<b>Words to be RETAINED</b>
Accredit / Accreditation / Accredited / Accrediting
Adjudicator
Association
Assurance / Assurer
Audit office / Auditor General
Bank/ Banking
Benevolent
Britain / British
Chamber of
Charitable / Charity
Charter / Chartered
Child maintenance / Child support
Commission
Co-operative
Council
Dental / Dentistry
Duke

England / English
Federation
Friendly Society
Foundation
Fund
Government
Health centre / Health service / Health visitor
His Majesty
HPSS / HSC
Inspectorate
Institute / Institution
Insurance / Insurer
Judicial appointment
King
Licensing
Medical centre / NHS
Midwife / Midwifery
Mutual
Northern Ireland / Northern Irish
Nurse / Nursing
Ombudsman
Parliament / Parliamentarian / Parliamentary
Patent / Patentee
Police
Post Office
Prince
Queen
Reassurance / Reassurer
Registrar
Regulator
Reinsurance / Reinsurer
Royal / Royalty
Scotland / Scottish
Sheffield
Social service
Society
Special school
Standards
Stock exchange
Trade union
Tribunal
Trust
Underwrite / Underwriting
University / Polytechnic
Wales / Welsh
Windsor



## Annex B - List of Respondents

Please note that the names of individuals, who responded independently, have been removed from this list in order to protect their personal identities.

Wilder Coe LLP, Chartered Accts
National Energy Foundation
Centre for Voluntary Sector Research, Sheffield Hallam University
Merlin Information Systems Group Ltd
Unknown (Accts to micro clients)
Home Office
British Chambers of Commerce
Blake Laphorn LLP - Co Secretarial Team
MackLamm Ltd
RSM Tenon Ltd
Oakwood Corporate Services Ltd
CLAS Co-operative Ltd
Par Hill Research Ltd
Centrifuge Consulting Ltd
Local United
Co-operatives UK
Headington Fairtrade Co-op Ltd
Ener-G Holdings Plc
Voluntary Action Harrow
Co-operative Solutions LLC
Tamworth Co-operative Society Ltd
DEUK
CDA ( BRAVE Ltd)
Community Engagement Pioneers
UKCreditUnions Ltd
Co-operatives North East
Go Local Food Ltd
Unicorn Grocery
Delta-T Devices Ltd
Co-operative Futures
Go-op
Co-operatives West Midlands
Plunkett Foundation
West Midlands Co-operative Group
Dark Optimism
Twin Pines Co-operative Foundation
Colchester Executive Job Club
FC United of Manchester
The Channel Islands' Co-operative Society Ltd
Radstock Co-operative Society Ltd
Confederation of British Industry

The Law Society of Northern Ireland
The Co-operative College
Davies Consultancy
Institution of Civil Engineers
The Scottish Government
North East Chamber of Commerce
Privy Council Office
DWF LLP
Anglia Co-operative Society
CIPFA
Hackney Co-operative Developments
Change AGENTS Network UK Ltd
Cutlers Company in Hallamshire
Anglia Co-operative
Power for Good Co-operative Ltd
UCU - The University & College Union
Co-operatives UK - Central & Eastern Regional AGM of the Co-op Group (Petition)
Department of Enterprise, Trade and Investment (N Ireland)
Southampton Co-operative Development Agency
Charity Commission for England and Wales
Chelmsford Star Co-operative Society Ltd
Fulston Manor School Young Co-operative Group
Hastings Online Times
Engineering Council
CORE 50 Ltd
ISG plc
South East Co-op Support Ltd
National Business Register LLP
Addleshaw Goddard LLP
Suma Wholefoods
@UKPLC
The Welding Institute & TWI Certification Ltd
Somerset Co-operative Services CIC
Greenmarque Ltd
Olmec Co-operative CIC
Co-operantics LLP
Co-operatives Yorkshire and Humber
Chartered Insurance Institute
Chartered Institute of Plumbing and Heating Engineering
The Midcounties Co-operative Ltd
The Quality Assurance Agency for Higher Education
IOSH - The Institution of Occupational Safety & Health
Association of Company Registration Agents
Welsh Government (Legal Services)
The Institute of Physics
Sound Bites Wholefood Shop

OSCR - Office of the Scottish Charity Regulator
Everything Everywhere Ltd
Harper Adams University
Edwina Hart , Minister for Economy, Science & Transport - Welsh Government
Leeds, York & North Yorkshire Chamber of Commerce
Cambridgeshire Chambers of Commerce
Bedfordshire Chamber of Commerce
South Wales Chamber of Commerce
President of Hampshire Chamber of Commerce
Chief Executive of Hampshire Chamber of Commerce
Hertfordshire Chamber of Commerce & Industry
Norfolk Chamber of Commerce & Industry
West Cheshire & North Wales Chamber of Commerce
Liverpool Chamber of Commerce
Cornwall Chamber of Commerce
Coventry & Warwickshire Chamber of Commerce
Inverness Chamber of Commerce
Somerset Chamber of Commerce & Industry Ltd
Northern Ireland Chamber of Commerce
Aberdeen & Grampian Chamber of Commerce
Northamptonshire Chamber of Commerce
North & Western Lancashire Chamber of Commerce
Co-operatives UK
Meg Munn MP
Rt. Hon. David Blunkett
SGH Martineau LLP
Institution of Mechanical Engineers
Graduate Prospects
HEFCW - Higher Education Funding for Wales
Higher Education Wales
The Foundation for Science & Technology
JP Morgan Chase
University of Sunderland
NASUWT - The Teachers' Union
CMS - Co-operative & Mutual Solutions Ltd
DLA Piper UK LLP
Southern Co-operatives Ltd
Universities UK
GuildHE
London Community Housing Co-operative
Bristol Energy Co-operative
Starlings Housing Co-operative Ltd
Radical Routes Ltd
Lorgan Housing Co-op
The Co-operative Phone & Broadband
Wales Co-operative Centre

UKAS - United Kingdom Accreditation Service
Tesco PLC
University of East Anglia
Associate Development Solutions Ltd
Fireside Housing Co-operative Ltd
Institute of Chartered Secretaries & Administrators (ICSA)
Alternative Choice Ltd
London Community Housing Co-operative
Social Enterprise UK
ICAS - The Institute of Chartered Accountants of Scotland
Association for Project Management (APM)
Walden Pond Housing Co-op
Social Economy & Co-operative Development Cornwall Ltd t/a Kabin
Cornerstone Housing Co-op Ltd
Seeds for Change Oxford Collective Ltd
Institution of Structural Engineers
Queen Mary University of London
Community Power Cornwall
Association of School and College Leaders
Postlip Housing Association Ltd
Blackthorn Housing Co-operative Ltd
Co-operative Business Consultants Ltd
Brighton & Hove Community & Voluntary Sector Forum
Lincolnshire Co-operative Ltd
HEFCE - Higher Education Funding Council for England
Professions for Good
Financial Conduct Authority (FCA)
Bircham Dyson Bell LLP
Co-operatives South West
ACCA - The Association of Chartered Certified Accountants
Xanadu Housing Co-op
Co-operative & Community Finance
The Co-operative Group
DWA, Chartered Certified Accountants
ICAEW - The Institute of Chartered Accountants in England and Wales
Turo Technology LLP t/a software.coop
The Hive Housing Co-operative Ltd
Association of Colleges
Grant Thornton UK LLP
Scottish Parliamentary Corporate Body
University of Westminster
Tower Hamlets Co-operative Development Agency
Café Momo Ltd t/a Café Kino
Nottingham Co-operatives
Rootstock Ltd
Charity Law Association

Sheffield City Region LEP
Corporate Watch
The International Exhibition Co-operative Wine Society Ltd
The Science Council
Royal Society of Chemistry
The Law Society
Councillor Shaffaq Mohammed
Department of Health
Scottish Midland Co-operative Society Limited
Chris Williamson MP
Greg Mulholland MP
Nick Clegg MP

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