



Companies Act 2006

2006 CHAPTER 46

PART 41

BUSINESS NAMES

CHAPTER 1

RESTRICTED OR PROHIBITED NAMES

[^{F1}Restrictions where a company has been required to change a name

Textual Amendments

- F1** [S. 1198A and cross-heading](#) inserted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), [ss. 25\(3\)](#), [219\(1\)\(2\)\(b\)](#); [S.I. 2024/269](#), reg. 2(t)

1198A Name that a company has been required to change

- (1) Where a relevant direction has been given to a company to change its name, or it has been ordered under section 73 to change its name, the company must not carry on business in the United Kingdom under the name that it was directed or ordered to change, except as mentioned in subsection (2).
- (2) Subsection (1) does not prevent the use by a company of a name if—
 - (a) the period for complying with the direction or order has not yet expired,
 - (b) the company complied with the direction or order and has since become registered with the name again following approval given under section 57B, or
 - (c) the direction was given, or the order was made, before section 25 of the Economic Crime and Corporate Transparency Act 2023 came fully into force.
- (3) If a company uses a name in contravention of this section an offence is committed by—

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Cross Heading: Restrictions where a company has been required to change a name. (See end of Document for details)

- (a) the company, and
 - (b) every officer of the company who is in default.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (5) In this section—
- “company” includes an overseas company;
 - “relevant direction” means a direction under section 67, 75, 76, 76A or 76B, other than a direction under section 76B(1)(b) given on the basis that, at the time at which a company’s name was registered, the Secretary of State had proper grounds for forming the opinion mentioned in section 57A.]

Modifications etc. (not altering text)

C1 S. 1198A applied (with modifications) (4.3.2024) by S.I. 2009/1804, **reg. 79A** (as inserted by [The Limited Liability Partnerships \(Application of Company Law\) Regulations 2024 \(S.I. 2024/234\)](#), regs. 1(2), 46; S.I. 2024/269, **reg. 2(a)**)

[^{F2}1198BName that another company has been required to change

- (1) Where a relevant direction has been given to a company to change its name, or it has been ordered under section 73 to change its name, another company must not carry on business in the United Kingdom under the name that the first company was directed or ordered to change if there is a person who has, or has had, a relevant relationship with both companies.
- (2) Subsection (1) does not prevent the use by a company of a name if—
 - (a) it is registered under this Act by that name,
 - (b) the period for complying with the direction or order has not yet expired, or
 - (c) the direction was given, or the order was made, before section 26 of the Economic Crime and Corporate Transparency Act 2023 came fully into force.
- (3) For the purposes of subsection (1) it is irrelevant whether the person has, or has had, a relevant relationship with both companies at the same time.
- (4) For the purposes of this section a person has a “relevant relationship” with a company if the person is—
 - (a) an officer, or
 - (b) a member or former member.
- (5) If a company uses a name in contravention of this section an offence is committed by—
 - (a) the company, and
 - (b) every officer of the company who is in default.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale and, for continued contravention, a daily default fine not exceeding one-tenth of level 3 on the standard scale.
- (7) In this section—
 - “company” includes an overseas company;

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Cross Heading: Restrictions where a company has been required to change a name. (See end of Document for details)

“relevant direction” means a direction under section 67, 75, 76A or 76B, other than a direction under section 76B(1)(b) given on the basis that, at the time at which a company’s name was registered, the Secretary of State had proper grounds for forming the opinion mentioned in section 57A.]

Textual Amendments

F2 S. 1198B inserted (26.10.2023 for specified purposes, 4.3.2024 in so far as not already in force) by Economic Crime and Corporate Transparency Act 2023 (c. 56), ss. 26, 219(1)(2)(b); S.I. 2024/269, reg. 2(u)

Modifications etc. (not altering text)

C2 S. 1198B applied (with modifications) (4.3.2024) by S.I. 2009/1804, reg. 79A (as inserted by The Limited Liability Partnerships (Application of Company Law) Regulations 2024 (S.I. 2024/234), regs. 1(2), 46; S.I. 2024/269, reg. 2(a))

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 2006, Cross Heading:
Restrictions where a company has been required to change a name.