

Regulations made by the Secretary of State, laid before Parliament under section 29(6) of the Companies Act 1985 and section 6(2) of the Business Names Act 1985, for approval by resolution of each House of Parliament within 28 days beginning with the day on which the regulations were made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

1995 No. 3022

**COMPANIES
BUSINESS NAMES**

**The Company and Business Names
(Amendment) Regulations 1995**

Made - - - - *23rd November 1995*
Laid before Parliament *29th November 1995*
Coming into force - - *1st January 1996*

The Secretary of State, in exercise of his powers under section 29 of the Companies Act 1985⁽¹⁾ and sections 3 and 6 of the Business Names Act 1985⁽²⁾ hereby makes the following Regulations:—

1. These Regulations may be cited as the Company and Business Names (Amendment) Regulations 1995 and shall come into force on 1st January 1996.
2. In these Regulations:—
 - “the 1981 Regulations” means the Company and Business Names Regulations 1981⁽³⁾;
 - “the Act” means the Business Names Act 1985.
3. The Schedule to the 1981 Regulations shall be amended as follows:—
 - (a) in column (1) of that Schedule, after the words “Chamber of Commerce”, there shall be inserted on a new line the words “Chamber of Commerce, Training and Enterprise”;
 - (b) in column (1) of that Schedule, the words “Breed”, “Breeder”, “Breeding” and “Nursing Home”, and the words appearing opposite them in column (2) of that Schedule, shall be deleted;

(1) 1985 c. 6.

(2) 1985 c. 7.

(3) S.I. 1981/1685, as amended by S.I. 1982/1653 and S.I. 1992/1196.

- (c) in column (2) of that Schedule, for the words “Department of Education and Science”, in both places where they appear, there shall be substituted the words “Department for Education and Employment”.

4.—(1) Sections 2 and 3 of the Act shall not prohibit a person from carrying on any business under a name which includes any word or expression specified for the purposes of those sections by virtue of the amendment made by regulation 3(a) above to the 1981 Regulations, if—

- (a) he carried on that business immediately before 1st January 1996; and
(b) he continues to carry it on under the name which immediately before that day was its lawful business name.

(2) Nor shall sections 2 and 3 of the Act prohibit a person to whom a business has been transferred on or after 1st January 1996 from carrying on that business during the period of twelve months beginning with the date of transfer so long as he continues to carry it on under the name which was its lawful business name immediately before the date of transfer.

Phillip Oppenheim
Parliamentary Under-Secretary of State for
Company Affairs,
Department of Trade and Industry

23rd November 1995

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Company and Business Names Regulations 1981, (S.I.1981/1685, referred to here as the “1981 Regulations”), as amended by the Company and Business Names (Amendment) Regulations 1982 (S.I. 1982/1653) and the Company and Business Names (Amendment) Regulations 1992 (S.I. 1992/1196). The 1981 Regulations specify certain words and expressions for the purposes of section 26 of the Companies Act 1985 and section 2 of the Business Names Act 1985. Under those sections the Secretary of State’s approval is required for the use of such words and expressions in (respectively) a company or business name.

These Regulations amend the 1981 Regulations by inserting (regulation 3(a)) the expression “Chamber of Commerce, Training and Enterprise” into the list of those expressions.

They also delete from that list the words “Breed”, “Breeder” and “Breeding” and “Nursing Home” and the names of the relevant bodies which must be asked whether they have any objection to the use of those words.

The amendment to the 1981 Regulations made by regulation 3(a) is subject to transitional provisions in regulation 4. These allow the continued use of a business name lawfully used prior to the coming into force of regulation 3 until 12 months after any transfer of the business concerned.