

**2007 No. 462**

**COMPANIES**

**BUSINESS NAMES**

**The Company and Business Names (Amendment No. 2)  
Regulations (Northern Ireland) 2007**

*Made* - - - - *7th November 2007*

*Coming into operation* - *8th November 2007*

*Approved by resolution of the Assembly on 10th December 2007*

The Department of Enterprise, Trade and Investment<sup>(a)</sup>, in exercise of the powers conferred by Article 39 of the Companies (Northern Ireland) Order 1986<sup>(b)</sup> and Articles 5 and 8 of the Business Names (Northern Ireland) Order 1986<sup>(c)</sup>, makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Company and Business Names (Amendment No. 2) Regulations (Northern Ireland) 2007 and come into operation on 8th November 2007.

(2) In these Regulations—

“the 1984 Regulations” mean the Company and Business Names Regulations (Northern Ireland) 1984<sup>(d)</sup>; and

“the Order” means the Business Names (Northern Ireland) Order 1986.

**Amendment to Regulations**

2.—(1) The 1984 Regulations are amended as follows.

(2) In column 1 of the Schedule, at the appropriate places insert—

(a) “HPSS”;

(b) “HSC”; and

(c) “NHS”.

(3) In column 2 of the Schedule, insert—

(a) “Department of Health, Social Services and Public Safety”<sup>(e)</sup> directly opposite the entries in column 1 relating to “HPSS” and “HSC”.

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(a) Formerly the Department of Economic Development: see S.I. 1999/283 (N.I. 1) Article 3(5)

(b) S.I. 1986/1032 (N.I. 6)

(c) S.I. 1986/1033 (N.I. 7)

(d) S.R. 1984 No.49, as amended by S.R. 2004 No. 334 and S.R. 2007 No. 344

(e) Formerly the Department of Health and Social Services for Northern Ireland: see S.I. 1999/283 (N.I. 1) Article 3(6)

### **Business names**

3.—(1) Article 4(1)(b) of the Order does not apply to the carrying on of a business under a name which includes a specified word or expression by a person—

- (a) to whom the business is transferred on or after the date on which these Regulations came into operation; and
- (b) who carries on the business under the name which was its lawful business name immediately before that transfer,

during the period of 12 months beginning with the date of the transfer.

(2) Article 4(1)(b) of the Order does not apply to the carrying on of a business under a name which includes a specified word or expression by a person who—

- (a) carried on that business immediately before the date on which these Regulations came into operation; and
- (b) continues to carry it on under the name which immediately before that date was its lawful business name.

(3) For the purposes of this regulation “specified word or expression” means—

- (a) “HPSS”;
- (b) “HSC”; or
- (c) “NHS”.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 7th November 2007



*M Bohill*

A senior officer of the Department of Enterprise, Trade and Investment

## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations amend the Company and Business Names Regulations (Northern Ireland) 1984 (S.R. 1984 No. 49).

Regulation 2 provides that the expressions “HPSS”, or “HSC” or “NHS” cannot form part of a company’s registered name or a business name without the prior written approval of the Department.

A person who wishes to use “HPSS” or “HSC” as part of a company’s registered name or as a business name must also—

- (a) request, in writing, the views of the Department of Health, Social Services and Public Safety as to the use of either expression; and
- (b) submit to the Department of Enterprise, Trade and Investment a statement that such a request has been made and a copy of any response received from the Department of Health, Social Services and Public Safety.

Regulation 3 includes savings for business names which included the expressions “HPSS”, “HSC” or “NHS” prior to the entry into operation of these Regulations.

An Impact Assessment has not been produced in respect of these Regulations as there is no impact on the costs to business.