
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Limited Liability Partnerships (Application
of Company Law) Regulations 2024

Part 3

AMENDMENTS TO THE LIMITED LIABILITY PARTNERSHIP
(APPLICATION OF COMPANIES ACT 2006) REGULATIONS 2009

Chapter 2

AN LLP'S NAME

Direction to change name wrongly registered

13. After regulation 13A (direction to change name used for criminal purposes), inserted by regulation 12 of these Regulations, insert—

“Direction to change name wrongly registered

13B. Section 76B applies to LLPs, modified so that it reads as follows—

“76B Direction to change name wrongly registered

- (1) The Secretary of State may direct an LLP to change its name if—
 - (a) it appears to the Secretary of State that the LLP's registration by that name was in contravention of any requirement imposed by the provisions of this Part that are applied to LLPs by the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 (S.I. 2009/1804), or
 - (b) the Secretary of State did not, at the time at which the name was registered, form the opinion mentioned in section 53, 56A or 57A, but had proper grounds for doing so.
- (2) The direction must be in writing and must specify the period within which the LLP is to change its name.
- (3) The period must be a period of at least 28 days beginning with the date of the direction.
- (4) The Secretary of State may by further direction in writing extend the period. Any such direction must be given before the end of the period for the time being specified.
- (5) An LLP may apply to the court to set aside a direction under subsection (1).
- (6) Any application under subsection (5) must be made within the period of three weeks beginning with the date of the direction.

(7) On an application under subsection (5) the court may set the direction aside or confirm it.

(8) If on an application under subsection (5) the direction is confirmed, the court must specify the period within which the direction is to be complied with.

(9) Where a direction is given under subsection (1), the registrar may omit from the material on the register that is available for public inspection any mention of the name to which the direction relates.

(10) If an LLP applies to the court under subsection (5) to set aside a direction, the LLP is not required to comply with the direction while the proceedings are ongoing.

(11) If an LLP fails to comply with a direction under subsection (1), an offence is committed by—

- (a) the LLP, and
- (b) every designated member of the LLP who is in default.

(12) 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.””