



Companies Act 1985

1985 CHAPTER 6

PART XI

COMPANY ADMINISTRATION AND PROCEDURE

CHAPTER I

COMPANY IDENTIFICATION

348 Company name to appear outside place of business.

- (1) Every company shall paint or affix, and keep painted or affixed, its name on the outside of every office or place in which its business is carried on, in a conspicuous position and in letters easily legible.
- (2) If a company does not paint or affix its name as required above, the company and every officer of it who is in default is liable to a fine; and if a company does not keep its name painted or affixed as so required, the company and every officer of it who is in default is liable to a fine and, for continued contravention, to a daily default fine.

Modifications etc. (not altering text)

C1 S. 348 applied (with modifications) (6.4.2001) by S.I. 2001/1090, reg. 4, Sch. 2 Pt. I

349 Company's name to appear in its correspondence, etc.

- (1) Every company shall have its name mentioned in legible characters—
 - (a) in all business letters of the company,
 - (b) in all its notices and other official publications,
 - (c) in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of the company, and

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- (d) in all its bills of parcels, invoices, receipts and letters of credit.
- (2) If a company fails to comply with subsection (1) it is liable to a fine.
- (3) If an officer of a company or a person on its behalf—
- (a) issues or authorises the issue of any business letter of the company, or any notice or other official publication of the company, in which the company's name is not mentioned as required by subsection (1), or
 - (b) issues or authorises the issue of any bill of parcels, invoice, receipt or letter of credit of the company in which its name is not so mentioned,
- he is liable to a fine.
- (4) If an officer of a company or a person on its behalf signs or authorises to be signed on behalf of the company any bill of exchange, promissory note, endorsement, cheque or order for money or goods in which the company's name is not mentioned as required by subsection (1), he is liable to a fine; and he is further personally liable to the holder of the bill of exchange, promissory note, cheque or order for money or goods for the amount of it (unless it is duly paid by the company).

Modifications etc. (not altering text)

- C2** S. 349 applied (with modifications) (6.4.2001) by S.I. 2001/1090, reg. 4, Sch. 2 Pt. I
- C3** S. 349(2)–(4) applied (S.) (4.2.1991) by Companies Act 1989 (c. 40, SIF 27), ss. 112(8), 213(2)
- S. 349(2)–(4) applied (with modifications) (E.W.) (1.8.1993) by 1993 c. 10, ss. 68(3), 99(1)

350 Company seal.

- [^{F1}(1) A company which has a common seal shall have its name engraved in legible characters on the seal; and if it fails to comply with this subsection it is liable to a fine.]
- (2) If an officer of a company or a person on its behalf uses or authorises the use of any seal purporting to be a seal of the company on which its name is not engraved as required by subsection (1), he is liable to a fine.

Textual Amendments

- F1** S. 350(1) substituted by Companies Act 1989 (c. 40, SIF 27), ss. 130(7), 213(2), Sch. 17 para. 7

Modifications etc. (not altering text)

- C4** S. 350 applied (with modifications) (6.4.2001) by S.I. 2001/1090, reg. 4, Sch. 2 Pt. I

351 Particulars in correspondence, etc.

- (1) Every company shall have the following particulars mentioned in legible characters in all business letters and order forms of the company, that is to say—
- (a) the company's place of registration and the number with which it is registered,
 - (b) the address of its registered office,
 - (c) in the case of an investment company (as defined in section 266), the fact that it is such a company, and
 - (d) in the case of a limited company exempt from the obligation to use the word "limited" as part of its name, the fact that it is a limited company.

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- (2) If in the case of a company having a share capital there is on the stationery used for any such letters, or on the company's order forms, a reference to the amount of share capital, the reference must be to paid-up share capital.
- (3) Where the name of a public company includes, as its last part, the equivalent in Welsh of the words "public limited company" ("cwmni cyfyngedig cyhoeddus"), the fact that the company is a public limited company shall be stated in English and in legible characters—
 - (a) in all prospectuses, bill-heads, letter paper, notices and other official publications of the company, and
 - (b) in a notice conspicuously displayed in every place in which the company's business is carried on.
- (4) Where the name of a limited company has "cyfyngedig" as the last word, the fact that the company is a limited company shall be stated in English and in legible characters—
 - (a) in all prospectuses, bill-heads, letter paper, notices and other official publications of the company, and
 - (b) in a notice conspicuously displayed in every place in which the company's business is carried on.
- (5) As to contraventions of this section, the following applies—
 - (a) if a company fails to comply with subsection (1) or (2), it is liable to a fine,
 - (b) if an officer of a company or a person on its behalf issues or authorises the issue of any business letter or order form not complying with those subsections, he is liable to a fine, and
 - (c) if subsection (3) or (4) is contravened, the company and every officer of it who is in default is liable to a fine and, in the case of subsection (3), to a daily default fine for continued contravention.

Modifications etc. (not altering text)

C5 S. 351(1)(2)(5)(a) applied with modifications by S.I. 1985/680, regs. 4–6, Sch.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Companies Act 1985, Chapter I.