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STATUTORY INSTRUMENTS

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**1994 No. 644**

**PARTNERSHIP**

**The Partnerships (Unrestricted Size) No. 11 Regulations 1994**

*Made* - - - - *7th March 1994*

*Coming into force* - - *29th March 1994*

The Secretary of State, in exercise of the power conferred on him by sections 716(2)(d) and 744 of the Companies Act 1985(1), hereby makes the following Regulations:

1. These Regulations may be cited as the Partnerships (Unrestricted Size) No.11 Regulations 1994, and shall come into force on 29th March 1994.

2.—(1) Section 716(1) of the Companies Act 1985 does not prohibit the formation of partnerships consisting of more than 20 persons—

- (a) for the purpose of carrying on business as patent agents, where each such person is a patent agent,
- (b) for the purpose of carrying on business as registered trade mark agents, where each such person is a registered trade mark agent, or
- (c) for the purpose of carrying on business as either patent agents or registered trade mark agents, or as both patent agents and registered trade mark agents, where the partnership concerned satisfies the conditions prescribed by paragraphs (a) and (b) of Rule 3 of the Patent Agents (Mixed Partnerships and Bodies Corporate) Rules 1994(2) or Rule 3 of the Registered Trade Mark Agents (Mixed Partnerships and Bodies Corporate) Rules 1994(3).

(2) In these Regulations,

- (a) “patent agent” means a person whose name is entered in the register kept pursuant to rules made under section 275 of the Copyright, Designs and Patents Act 1988(4), and
- (b) “registered trade mark agent” means a person whose name is entered in the register kept pursuant to rules made under section 282 of that Act.

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(1) 1985 c. 6; section 716(2)(d) was inserted by the Companies Act 1989 (c. 40), section 145 and Schedule 19, paragraph 15(2); section 744 contains a definition of “prescribed” relevant to the exercise of the power conferred by section 716(2)(d).  
(2) S.I.1994/362. These Rules were made by the Secretary of State pursuant to the power conferred upon him by section 279 of the Copyright, Designs and Patents Act 1988.  
(3) S.I.1994/363. These Rules were made by the Secretary of State pursuant to the power conferred upon him by section 283 of the Copyright, Designs and Patents Act 1988.  
(4) 1988 c. 48.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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3. In Regulation 1 of the Partnerships (Unrestricted Size) No.1 Regulations 1968(5), paragraph (a) is revoked.

7th March 1994

*Neil Hamilton*  
Parliamentary Under Secretary of State,  
Department of Trade and Industry

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## EXPLANATORY NOTE

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

Section 716 of the Companies Act 1985 prohibits the formation of partnerships consisting of more than 20 persons. The Regulations exempt from that prohibition any partnership formed for the purpose of carrying on business as patent or registered trade mark agents where each partner is entered on the register of patent agents or registered trade mark agents, kept pursuant to section 275 or 282 of the Copyright, Designs and Patents Act 1988 (see [S. I.1990/1457](#) and [S. I.1990/1458](#) for rules made under those sections). It also exempts mixed partnerships of patent agents and registered trade mark agents where the partnership concerned satisfies conditions prescribed pursuant to the Secretary of State's powers under that Act ([S. I.1994/362](#) and [1994/363](#)).

The Regulations also revoke that part of [S. I.1968/1222](#) (the Partnerships (Unrestricted Size) No.1 Regulations) which related to partnerships carrying on business as patent agents.