
STATUTORY INSTRUMENTS

2009 No. 1804

**The Limited Liability Partnerships (Application
of Companies Act 2006) Regulations 2009**

PART 3

AN LLP'S NAME

CHAPTER 3

OTHER POWERS OF THE SECRETARY OF STATE

Provision of misleading information etc

13. Sections 75 and 76 apply to LLPs, modified so that they read as follows—

“Provision of misleading information etc

75.—(1) If it appears to the Secretary of State—

- (a) that misleading information has been given for the purposes of an LLP's registration by a particular name, or
- (b) that an undertaking or assurance has been given for that purpose and has not been fulfilled,

the Secretary of State may direct the LLP to change its name.

(2) Any such direction—

- (a) must be given within five years of the LLP's registration by that name, and
- (b) must specify the period within which the LLP is to change its name.

(3) The Secretary of State may by a further direction extend the period within which the LLP is to change its name. Any such direction must be given before the end of the period for the time being specified.

(4) A direction under this section must be in writing.

(5) If an LLP fails to comply with a direction under this section, an offence is committed by—

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

(6) 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.

Misleading indication of activities

76.—(1) If in the opinion of the Secretary of State the name by which an LLP is registered gives so misleading an indication of the nature of its activities as to be likely to cause harm to the public, the Secretary of State may direct the LLP to change its name.

(2) The direction must be in writing.

(3) The direction must be complied with within a period of six weeks from the date of the direction or such longer period as the Secretary of State may think fit to allow. This does not apply if an application is duly made to the court under the following provisions.

(4) The LLP may apply to the court to set the direction aside. The application must be made within the period of three weeks from the date of the direction.

(5) The court may set the direction aside or confirm it. If the direction is confirmed, the court shall specify the period within which the direction is to be complied with.

(6) If an LLP fails to comply with a direction under this section, an offence is committed by—

(a) the LLP, and

(b) every designated member of the LLP who is in default.

(7) 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.”.

Status:

Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009, Section 13.