
PRACTICE NOTE

NMVPN3/2021

Date: 18 August 2021

The Companies Act 2006
Changing the Name of a Company

Introduction

NOTE:- This Practice Note is issued by the Department of Enterprise in its capacity as Registrar of Companies under the Companies Act 2006 ("the Act"). All references, unless specifically stated, are to that Act only.

Copies of Acts of Tynwald dealt with by the Companies Registry can be found on the following website administered by the Attorney General:

<http://www.legislation.gov.im/cms/index.php>

This practice note sets out the procedures whereby a company can change its name and whereby the Department can revoke the existing name and assign a new company name, under the provisions of sections 14 and 15 of the Act.

This practice note is intended as a general guide only and must be read in conjunction with the relevant legislation. It has no legal status and should not be relied upon as a substitute for legal advice.

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1. **The company changing its name**

- 1.1 Any company, subject to its articles, can apply to the Department to change its name. To make this process easier and quicker, the company's registered agent may make a written application for approval of the proposed new name and provide enough information about the proposed new name to enable us to make a decision as soon as possible, without having to refer the matter

back to you. The form (and any other form) can be downloaded from the website www.companiesregistry.gov.im .

- 1.2 Once you have received our approval of the new name, the company must pass the appropriate resolution in accordance with its articles authorising an application to be made to us to change its name. That resolution does not require to be filed, but is referred to on the change of name application form.
- 1.3 In order to register the change of name, the company's registered agent must complete and submit Form IM02 to us. If the name is acceptable for registration, we will register the change and issue the company with a certificate of change of name and register a copy on the public record. The change of name takes effect from the date of our certificate, and **NOT** from the resolution date.
- 1.4 If the Department refuses to accept the application for change of name for registration, you have, under section 208(4) of the Act, the right of appeal to the Isle of Man High Court of Justice against such refusal.

2. The Department changing the company name

- 2.1 The Department has the power under section 15 of the Act to direct a company to change its name if the Department considers that it does not comply with sections 11, 12 or 13 of the Act (does not end with a specified suffix, contains restricted words or is otherwise offensive or misleading). A time limit for applying to change the name will be set in the direction of not less than 21 days after its date.
- 2.2 During that time period, the company must follow the procedures set out in paragraph 1 above, and apply to us to use another company name in place of the existing one.
- 2.3 If the company fails to do so, we may revoke the company name and assign the company a new name acceptable to us. We will issue a certificate of change of name to the company and file a copy on the public record. There is no right of appeal against the new name assigned.

3. Fees payable

- 3.1 No fees are payable on the registration of a change of company name.
- 3.2 A duplicate copy of the certificate of change of name costs **£9.00**.

4. Further information

Our staff will willingly answer general queries by telephone or e-mail but cannot give legal advice. If you require such advice you should consult an Advocate. The telephone number for the Companies Registry is: 01624 689389 and the e-mail address is: companies@gov.im

Statutory forms and practice notes are available free of charge from the website: www.gov.im/categories/business-and-industries/companies-registry .

A list of licenced TCSP providers is available on the Isle of Man Financial Supervision Authority website at <https://www.iomfsa.im/register-search/>.

Details of Isle of Man Advocates are available from the Isle of Man Law Society at:

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