



PRACTICE NOTE

PN21/2016

Date: 23rd Jan 2020

Changing the Name of a Company Formed Under the Isle of Man Companies Acts 1931 - 2004

Introduction

This practice note sets out the procedure for changing the name of a company. It is intended as a general guide only and must be read in conjunction with the relevant legislation. It should not be relied upon as it does not have any binding force.

Procedure for changing the name of a company

Apply to the Companies Registry for approval of the proposed name (Section 19(1), Companies Act 1931), on our website at www.gov.im/categories/business-and-industries/companies-registry. Click on 'Check name availability' and type in the name you are querying. If the name appears to be available, select the option to apply for the name. Fill in the details on the following screen, and ensure that under 'Application Type' you select 'Change of Name'.

The decision on the name will be emailed to you if you have supplied an email contact address, otherwise you will be informed of the decision by post.

If the proposed name contains a sensitive word or phrase, considerable time will be saved if you provide as much information as possible when you apply for approval of the new company name.

Be sure to show all punctuation, spelling and abbreviations (including the use of "LIMITED" or "LTD", "PUBLIC LIMITED COMPANY" or "PLC") exactly as you want them to appear in the new name.

If the name is approved, the company must now pass a Special Resolution to change the company name.

The Special Resolution should be an original, signed by the Chairperson of the Board; or a printed copy of the original, certified as a true copy by an officer of the company. A Special Resolution will also be accepted having been signed by all the members of the company as a written resolution. Resolutions filed more than one calendar month after they are passed will incur late fees as per the usual scale.

Please ensure the new name on the Special Resolution is exactly the same as the name that you applied for.

When the Resolution has been presented, checked and found to be correct, the Registry will issue the Change of Name Certificate. The change of name is only effective from the date the Resolution is accepted; it cannot be backdated.

The Change of Name Certificate can either be collected from the Companies Registry or posted to the Registered Office, as required.

You do not need to present any additional documents to effect the change of company name, e.g. copies of minutes of meetings or copies of the Memorandum and Articles of Association showing the new name.

IF THE COMPANY IS REGULATED BY THE FINANCIAL SERVICES AUTHORITY, YOU WILL ALSO NEED THEIR AGREEMENT TO ANY CHANGE.

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.registry@gov.im

Statutory forms and practice notes are available free of charge from the website: www.gov.im/categories/business-and-industries/companies-registry Forms can also be obtained from legal stationers, accountants, advocates and Corporate Service Providers whose addresses can be found in the business section of the telephone book or at: www.manx-ads.com

A list of Licence holders is available on the web site of the Financial Supervision Authority at www.iomfsa.gov.im/Licenceholders.

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

Isle of Man Law Society

27 Hope Street

Douglas

Isle of Man, IM1 1AR

Telephone: +44 (0)1624 662910

Fax: +44 (0)1624 679232

E-mail: enquiries@iomlawsociety.co.im

Website: www.iomlawsociety.co.im

Documents may be submitted to the Department at any time during office hours Monday to Thursday (9.00am to 4.30pm) and Friday 9.15am to 4.00pm 'over the counter' in the Companies Registry.

Submission may also be effected by post or after office hours by way of the letterbox located in the main door of the registries building on Deemsters Walk, Bucks Road, Douglas Presenters requiring acknowledgement of receipt of a document should provide a stamped self-addressed envelope.

The Companies Registry will remain closed on the first Wednesday of each month until 11.00 hrs for staff training. Documents can still be delivered to the first floor or left in the letterbox.

For the purpose of determining the date of submission of a document, documents submitted after 4.30 p.m. on any working day (Day 1) but before 9.00 a.m. on the following working day (Day 2), will be treated as having been submitted on Day 1. For the avoidance of doubt, documents submitted before 9.00 a.m. on the day immediately following a weekend or Bank Holiday will be treated as having been submitted on the last working day prior to the weekend or Bank Holiday.

It is the responsibility of presenters to ensure that documents arrive in the Companies Registry within the filing periods prescribed.

We are aware that post can on occasion be delayed. However presenters should be aware of that and post documents in plenty of time. The Companies Registry cannot operate a system which allows for such delays as to do so would simply amount to an extension to the filing periods set down by law.

Please note: The Department does not currently accept statutory documents by fax or E-Mail.

COMPANIES REGISTRY

Registries Building

Deemsters Walk, Bucks Road

Douglas, Isle of Man

IM1 3AH

Telephone: +44 (0)1624 689389

E-mail: companies@gov.im

Website: www.gov.im/categories/business-and-industries/companies-registry