



# Economic Crime and Corporate Transparency Act 2023

## 2023 CHAPTER 56

### PART 1

#### COMPANIES ETC

##### *Company names*

#### **17 Direction to change name used for criminal purposes**

- (1) The Companies Act 2006 is amended as follows.
- (2) Before section 75 insert—

*“Provision of misleading information”.*

- (3) Before section 76 insert—

*“Misleading indication of activities and names used for criminal purposes”.*

- (4) After section 76 insert—

#### **“76A Power to direct change of name used for criminal purposes**

- (1) The Secretary of State may direct a company to change its name if it appears to the Secretary of State that the name has been used, or is intended to be used, by the company to facilitate—
  - (a) the commission of an offence involving dishonesty or deception, or
  - (b) the carrying out of conduct that, if carried out in any part of the United Kingdom, would amount to such an offence.

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*Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 17. (See end of Document for details)*

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- (2) The direction must be in writing and must specify the period within which the company is to change its name.
- (3) The period must be a period of at least 28 days beginning with the date of the direction.
- (4) The Secretary of State may by further direction in writing extend the period.  
Any such direction must be given before the end of the period for the time being specified.
- (5) A company may apply to the court to set aside a direction under subsection (1).
- (6) Any application under subsection (5) must be made within the period of three weeks beginning with the date of the direction.
- (7) On an application under subsection (5) the court may set the direction aside or confirm it.
- (8) If on an application under subsection (5) the direction is confirmed, the court must specify the period within which the direction is to be complied with.
- (9) Where a direction is given under subsection (1), the registrar may omit from the material on the register that is available for public inspection any mention of the name to which the direction relates.
- (10) If a company applies to the court under subsection (5) to set aside a direction, the company is not required to comply with the direction while the proceedings are ongoing.
- (11) If a company fails to comply with a direction under subsection (1), an offence is committed by—
- (a) the company, and
  - (b) every officer of the company who is in default.
- For this purpose a shadow director is treated as an officer of the company.
- (12) 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.”
- (5) In section 1047 (registered name of overseas company), in subsection (4), after paragraph (f) insert—
- “(g) section 76A (power to direct change of name used for criminal purposes);”.

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**Commencement Information**

- I1** S. 17 in force at Royal Assent for specified purposes, see [s. 219\(1\)\(2\)\(b\)](#)
- I2** S. 17 in force at 4.3.2024 in so far as not already in force by [S.I. 2024/269](#), [reg. 2\(m\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 17.