
STATUTORY INSTRUMENTS

2009 No. 1941

**The Companies Act 2006 (Consequential Amendments,
Transitional Provisions and Savings) Order 2009**

Transitional provisions

Change of name by existing or transitional company

- 5.—(1) This article applies where, in the case of an existing or transitional company—
- (a) the company's articles are deemed to contain a statement of its name by virtue of section 28 of the Companies Act 2006 (provisions of memorandum treated as provisions of articles), and
 - (b) the company changes its name (by any means) on or after 1st October 2009.
- (2) The company is not required to amend its articles in order to effect the change of name.
- (3) The deemed statement in the company's articles ceases to have effect when the change of name takes effect.
- (4) The company is not required to send a copy of its articles to the registrar in accordance with section 26 of the Companies Act 2006.
- (5) Where the company, in complying with any obligation to send a person a copy of its articles, relies on paragraph 9(1)(a) or (b) of Schedule 2 to the Companies Act 2006 (Commencement No. 8, Transitional Provisions and Savings) Order 2008, it must—
- (a) if it relies on paragraph 9(1)(a) (provisions of old-style memorandum appended to other provisions of articles), omit the provision stating the company's former name;
 - (b) if it relies on paragraph 9(1)(b) (copy of old-style memorandum with indication of provisions deemed to be provisions of the articles), indicate that the provision stating the company's former name is no longer effective.
- (6) In this article—
- “existing company” and “transitional company” have the same meaning as in the Companies Act 2006 (Commencement No. 8, Transitional Provisions and Savings) Order 2008 (see article 2 of that Order); and
- “old-style memorandum” has the same meaning as in paragraph 9(1) of Schedule 2 to that Order (see sub-paragraph (2) of that paragraph).

Changes to legislation:

There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Section 5.