

## The Business Names Rules, 1940

Dated June 27th, 1940, made by His Honour Ernest Allan Collymore,  
Chief Judge of the Court of Common Pleas, pursuant to Section 18  
of the Registration of Business Names Act, 1940.

1. These Rules may be cited as the Business Names Rules, 1940, and shall come into operation from and immediately after June, 1940.
2. The Act means the Registration of Business Names Act, 1940.
3. Whenever any act is by the Act required to be done by the Registrar such act shall be done by the Registrar or the Deputy Registrar or anyone duly appointed to act in their stead.

### Procedure under Section 16

4. Where the Registrar, pursuant to Section 16 (1) of the Act, decides to refuse to register any business name or, as the case may be, to remove any business name from the register, he shall send by registered post to the firm or individual applying for registration or, as the case may be, registered in respect of such business name, a notice in writing of such decision, and such notice shall contain a statement that any person aggrieved by such decision may appeal to the Chief Judge of the Court of Common Pleas within twenty one days of such notice.
5. If within twenty one days from the date of the notice of a decision of the Registrar under Section 16 (1) of the Act to remove a business name from the register no notice of appeal is received from such decision of the Registrar, and if on appeal such decision of the Registrar is upheld, the Registrar shall remove such business name from the register in accordance with his decision.
6. Any person intending to appeal to the Chief Judge of the Court of Common Pleas from any decision of the Registrar under Section 16 (1) shall, within twenty one days of the date of the notice of such decision, send by registered post or deliver to the Registrar a notice of appeal in writing in the prescribed form. Such notice shall be accompanied by a statement of the grounds of appeal and of the appellant's case in support thereof.
7. The Registrar shall, on receipt of such notice of appeal together with the prescribed documents, notify the Chief Judge of the Court of Common Pleas who shall fix a time and date for the hearing of such appeal at which the appellant and the Registrar may attend and be heard. If the appellant does not attend or is not represented during the hearing of such appeal the Chief Judge of the Court of Common Pleas may proceed to adjudicate on the matter. The hearing may be postponed or adjourned.
8. The decision of the Chief Judge of the Court of Common Pleas shall be communicated to the appellant in writing by the Registrar.
9. The time prescribed in these rules for doing any act thereunder by or to the Registrar may be enlarged by the Chief Judge of the Court of Common Pleas upon such terms as he may direct, and such enlargement may be granted though the time has expired for doing such act.
10. The fees to be paid to the Registrar under the Act are as follows:—
  - (a) On a Statement of Particulars required by Section 5 of the Act the sum of five shillings, and such fee shall cover the issue of one certificate of registration.
  - (b) On any Statement of Particulars required by the Schedule to the Act when such particulars are not furnished with the Statement of Particulars required by Section 5 of the Act the sum of five shillings, and such fee shall cover the issue of one certificate of registration.

(c) On any statement of any change within the meaning of Section 8 of the Act the sum of two shillings and sixpence, and such fee shall cover the issue of one certificate of the registration of such statement.

(d) By any person inspecting under the provisions of Section 17 of the Act the documents filed by the Registrar, the sum of one shilling for each inspection.

(e) On the application of any person requiring under the provisions of Section 17 of the Act a certificate of registration of any firm, individual or corporation or a certified copy of or extract from any registered statement the sum of two shillings for a certificate of registration, and for any other entry, copy or extract the sum of sixpence per folio of seventy two words of the entry, copy or extract, but not exceeding one shilling.

(f) By any person appealing to the Chief Judge of the Court of Common Pleas the sum of one pound.

11. All forms prescribed by the act or these rules shall conform with the forms in the appendix to these rules with such adaptations or variations as in the opinion of the Registrar may be necessary.

(Signed) E. A. COLLYMORE,  
Chief Justice.

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#### APPENDIX

##### Forms to be used under the Act.

1. Application for Registration by an individual or firm.
2. Application for Registration by an individual or corporation having a place of business within this island and carrying on the business wholly or mainly as nominee or trustee of or for another person or other persons or another corporation or acting as general agent for any foreign firm.
3. Statement pursuant to Section 8 of the Act of Nature of Change in the Particulars registered by an individual, firm or corporation and date of change.
4. Notice pursuant to Section 15 of the Act of Cessation of Business by a registered firm or individual.
5. Form of Appeal from the decision of the Registrar under Section 16 (1).
6. Certificate of Registration.

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FORM 1  
Form of Application for Registration.

Name of Business.

General Nature of Business.

Principal Place of Business.

Registered Office of Business (if any)

Names and Surnames of Individuals or  
Individual in full.

Any former Christian or Surname.

Present Nationality.

Nationality of Origin.

Address of each Individual.

Other Business Occupation (if any)  
of each Individual.

Corporate Name of Corporation.

Date of Commencement of Business  
(if after 15th June, 1940)

Signed.....

**BUSINESS NAMES RULES, 1940**

**FORM 2**

**Application for Registration by a Nominee**  
**(To be filed with Form 1.)**

Name of person or persons or corporation  
on whose behalf business is carried on.

Any former christian name or surname of  
such person or persons.

Present nationality of such person  
or persons.

Nationality of origin of such person  
or persons.

Registered place of business of  
corporation or corporations.

Address of such person or persons.

Business name of person or firm as agent  
for whom business is carried on.

Business address of such persons or firms.

Signed.....

**BUSINESS NAMES RULES, 1940**

**FORM 3**

**Statement giving notice of changes**

To the Registrar,

I/We hereby give you notice of the following changes in the firm of which require to be registered under Section 8 of the Registration of Business Names Act, 1940.

Signed.....

**PARTICULARS**

Change of name of firm.

Change of persons with names in full of new individuals.

Change of place of business.

Change of registered office.

Date of change.

Change of nature of business.

Any other change.

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FORM 4

Notice of Cessation of Business.

To the Registrar,

I/We hereby give you notice in accordance with the requirements of Section 15 of the Registration of Business Names Act, 1940, that the business carried on under the name of \_\_\_\_\_ day of 19 \_\_\_\_ has ceased to carry on business as from the day of \_\_\_\_\_ 19 \_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_

Signed Name

Address

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FORM 5.

Notice of Appeal against Decision of Registrar.

I/We \_\_\_\_\_ (full name) of \_\_\_\_\_ (address) hereby give notice of my/our intention to appeal to the Chief Judge of the Court of Common Pleas from the decision of the Registrar in the matter of the application for registration (removal from the register) of the firm of \_\_\_\_\_ given on the \_\_\_\_\_ day of \_\_\_\_\_ whereby etc.

Accompanying this notice is a statement of the grounds of my/our appeal and of my/our case in support thereof, for the decision of the Chief Judge of the Court of Common Pleas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_

Signed.....

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\_\_\_\_\_

FORM 6

Certificate of Registration

\_\_\_\_\_

I hereby certify that the firm of

of

has been registered in the Register of Business Names under No.

as of the date \_\_\_\_\_ of 19

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 19

Registrar.