STATUTORY INSTRUMENTS

2017 No. 1233

COMPANIES

CHARITIES

The Index of Company Names (Listed Bodies) Order 2017

Made - - - -	*7th December 2017*
Laid before Parliament	*8th December 2017*
Coming into force - -	*1st January 2018*

The Secretary of State makes the following Order in exercise of the powers conferred by section 1099(4)(a) of the Companies Act 2006(**a**):

Citation and commencement

1. This Order may be cited as the Index of Company Names (Listed Bodies) Order 2017 and comes into force on 1st January 2018.

Amendment of the Companies Act 2006

2. In section 1099(3) of the Companies Act 2006(**b**) (bodies other than companies whose names must be kept in the registrar's index of company names), after paragraph (e) insert—

"(f) charitable incorporated organisations within the meaning of Part 11 of the Charities Act 2011(**c**);

(g) Scottish charitable incorporated organisations within the meaning of Chapter 7, Part 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10)".

Tracey Crouch
Parliamentary Under Secretary of State
7th December 2017 Department for Digital, Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 1099 of the Companies Act 2006 in consequence of Part 11 of the Charities Act 2011 (c. 25) and the Charitable Incorporated Organisations (General) Regulations 2012 (S.I. 2012/3012), which make provision for the formation and registration of charitable incorporated organisations (CIOs).

(**a**) 2006 c. 46.
(**b**) Section 1099(3)(e) was amended by paragraphs 99 and 101 of Schedule 4 to the Co-operative and Community Benefit Societies Act 2014 (c. 14).
(**c**) 2011 c. 25.

A CIO is a legal form created specifically to meet the needs of charities under the Charities Act 2006 (the provisions have now been consolidated into the Charities Act 2011). The provisions of the Charities Act 2011 relating to the registration of CIOs extend to England and Wales only. Equivalent provision has been made for the Scottish charitable incorporated organisation in Scotland by Chapter 7 of Part 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10).

Section 1099 of the Companies Act 2006 (c. 46) requires the registrar of companies to keep an index of the names of certain companies, but also of other bodies listed in subsection (3) of that section.

Article 2 of this instrument adds CIOs to the list of bodies in section 1099(3). Consequently, the registrar of companies must keep the names of CIOs in the index of company names.

An impact assessment has been prepared for this instrument and has been laid before Parliament together with this instrument.

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