

Criteria for Disposing with the Word 'Limited' from the name of a company (Section 16 of the Companies Act)

Section 16 of the Companies Act provides that where a company has

- (a) been registered; or
- (b) is about to be registered

for promoting charity, commerce, art, science, religion or any other useful object and applies its income to promoting its objects and prohibit the payment of dividend to members, the Minister may direct that

- i) the company by special resolution change its name consisting of the omission of the word limited from its name.
- ii) be registered without the addition of the word 'Limited' to its name.

In making the request, a letter may be addressed to the Hon. Minister (attention to David Kelly & include contact addresses). Certified copies of the following documents should be submitted with the request:

- a. Certificate of Incorporation
- b. Articles of Incorporation **or** Memorandum & Articles of Association.

The company must be registered as a company limited by guarantee and not having a share capital.

Its Memorandum and Articles of Association **or** Articles of Incorporation must be substantially framed

as contained in Part A and Part B of the Tenth Schedule of the Companies Act.

Within one week after receiving the application, a Notice of Application will be prepared. This Notice is to be collected by the applicant and published for two consecutive weeks in a national newspaper within a given two months period.

The applicant is then required to return the clippings of the publication to this Ministry and thereafter, within one week a Licence will be granted.

The Licence will be gazetted and the applicants copy is to be taken to the Office of the Registrar of Companies where a new Certificate will be issued to reflect the omission of 'Limited' from the company's name.

NB. There is no charge by this Ministry; however the applicant is responsible for associated costs of publication and charges at the Office of the Registrar of Companies. In many instances however, applicants find it more advantageous to have the company registered first before applying for a licence as there is a difference in the cost of the publication of the notices involved.