

Transitional provision — omission of “unlimited company” or “cuideachta neamhtheoranta” by existing unlimited company

1247. (1) In this section—

“existing unlimited company” has the same meaning as it has in section 1246;

“new provisions” means the provisions of this Part as applied by this Part) relating to the use of either of the required sets of words (or their abbreviations) set out in subsection (2);

“transition period” means the period of 18 months beginning after the commencement of this section.

(2) For the purposes of this section, each of the following is a required set of words—

- (a) unlimited company,
- (b) cuideachta neamhtheoranta.

(3) During—

- (a) the transition period, or
- (b) if before the expiry of that period the company has changed its name to include either of the required sets of words, the period preceding the making of that change,

an existing unlimited company may omit the words “unlimited company” or “cuideachta neamhtheoranta” from its name.

(4) On and from—

- (a) the expiry of the transition period, or
- (b) the company changing its name to include either of the required sets of words,

whichever happens first, the new provisions shall apply as respects the name of an existing unlimited company.

(5) Without prejudice to the generality of subsection (4), on the expiry of the transition period (and the company has not changed its name before then to include either of the required sets of words), the name of an existing unlimited company, as set out in its memorandum, shall, subject to section 1237 (5), be deemed to be altered by the addition of—

- (a) “unlimited company” at the end thereof, or

(b) “cuideachta neamhtheoranta” at the end thereof,

as the case may be.

(6) Where an existing unlimited company's name, as set out in its memorandum, is altered by virtue of subsection (5), the Registrar shall issue to the company a fresh certificate of incorporation in respect of it, being a certificate of incorporation that is altered to meet the circumstances of the case.