



SAINT LUCIA

CHAPTER 13.03

REGISTRATION OF BUSINESS NAMES ACT

Revised Edition

Showing the law as at 31 December 2008

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

REGISTRATION OF BUSINESS NAMES ACT

Acts 8 of 1956 in force 31 March 1956

Amended by Act 20 of 1990 in force 26 January 1991

REGISTRATION OF BUSINESS NAMES RULES – Section 19

Statutory Instrument 24/1959 in force 25 July 1959

Amended by S.I. 131/2000 in force 1 August 2000

REGISTRATION OF BUSINESS NAMES (FEES) RULES – Section 19

Statutory Instrument 22/1991 in force 20 April 1991

CHAPTER 13.03

REGISTRATION OF BUSINESS NAMES ACT

ARRANGEMENT OF SECTIONS

Section

1.	Short title.....	5
2.	Interpretation.....	5
3.	Firms and persons to be registered	6
4.	Registration by nominee	7
5.	Manner and particulars of registration.....	7
6.	Statement to be signed by persons registering	8
7.	Time for registration	9
8.	Registration of changes in firm.....	9
9.	Penalty for default in registration.....	9
10.	Disability of persons in default	10
11.	Penalty for false statements.....	11
12.	Duty to furnish particulars to Registrar	11
13.	Registrar to file statement and issue certificate of registration	12
14.	Index to be kept	12
15.	Removal of names from register	12
16.	Misleading business names	13
17.	Registrar	13
18.	Inspection of statements registered	13
19.	Cabinet may make rules	14
20.	Publication of true names.....	14
21.	Offences by corporation.....	15
22.	Recovery of penalties.....	15

SCHEDULE

16

CHAPTER 13.03

REGISTRATION OF BUSINESS NAMES ACT

(Acts 8 of 1956 and 20 of 1990)

AN ACT to provide for the registration of firms and persons carrying on business under business names and for connected purposes.

Commencement [31 March 1956]

1. SHORT TITLE

This Act may be cited as the Registration of Business Names Act.

2. INTERPRETATION

(1) In this Act—

“**business**” includes profession;

“**business name**” means the name or style under which any business is carried on, whether in partnership or otherwise;

“**christian name**” includes any forename;

“**Court**” means the High Court or a judge of the High Court;

“**firm**” means an unincorporate body of 2 or more individuals, or one or more individuals and one or more corporations, or 2 or more corporations, who have entered into partnership with one another with a view to carrying on business for profit;

“**foreign firm**” means any firm, individual, or corporation whose principal place of business is situate outside the State;

“**individual**” means a natural person and does not include a corporation;

“**initials**” include any recognised abbreviation of a christian name;

“**Registrar**” means the Registrar of the High Court;

“**showcards**” means cards containing or exhibiting articles dealt with, or samples or representations thereof.

(Amended by Act 20 of 1990)

- (2) References in this Act to a former christian name or surname shall not, in the case of any person, include a former christian name or surname where that name or surname has been changed or disused before the person bearing the name had attained the age of 18 years or has been changed or disused for a period of not less than 20 years; and, in the case of a married woman, shall not include her name or surname by which she was known previous to the marriage.
- (3) An individual or firm shall not require to be registered under this Act by reason only of a change of his or her name, or of the name of a member of the firm, if the change has taken place before the person who has changed his or her name has attained the age of 18 years or if not less than 20 years have elapsed since it took place.

3. FIRMS AND PERSONS TO BE REGISTERED

Subject to the provisions of this Act—

- (a) every firm having a place of business in Saint Lucia and carrying on business under a business name which does not consist of the true surnames of all partners who are individuals and the corporate names of all partners who are corporations without any addition other than the true christian names of individual partners or initials of such christian names;
- (b) every individual having a place of business in Saint Lucia and carrying on business under a business name which does not consist of his or her true surname without any addition other than his or her true christian names or the initials;
- (c) every individual or firm having a place of business in Saint Lucia, who, or a member of which, has either before or after the commencement of this Act changed his or her name, except in the case of a woman in consequence of marriage;

- (d) every company as defined in the Commercial Code, carrying on business under a business name which does not consist of its corporate name without any addition,

shall be registered in the manner directed by this Act. However—

- (i) where the addition merely indicates that the business is carried on in succession to a former owner of the business, that addition shall not of itself render registration necessary,
- (ii) where 2 or more individual partners have the same surname, the addition of an “s” at the end of that surname shall not of itself render registration necessary,
- (iii) where the business is carried on by a trustee in bankruptcy or the official receiver or a receiver or manager appointed by the Court, registration shall not be necessary,
- (iv) a purchase or acquisition of property by 2 or more persons is not of itself to be deemed carrying on a business whether or not the owners share any profits arising from the sale of the property.

4. REGISTRATION BY NOMINEE

Where a firm, individual, or corporation having a place of business within Saint Lucia carries on the business wholly or mainly as nominee or trustee of or for another person, or other persons or another corporation, or acts as general agent for any foreign firm, the first mentioned firm, individual, or corporation shall be registered in manner provided by this Act, and, in addition to the other particulars required to be furnished and registered, there shall be furnished and registered the particulars mentioned in the Schedule.

However, where the business is carried on by a trustee in bankruptcy or the official receiver or a receiver or manager appointed by the Court, registration under this section shall not be necessary.

5. MANNER AND PARTICULARS OF REGISTRATION

- (1) Every firm or person required under this Act to be registered shall furnish to the Registrar a statement in writing in the prescribed form containing the following particulars—

- (a) the business name;
 - (b) the general nature of the business;
 - (c) the principal place of the business;
 - (d) where the registration to be effected is that of a firm, the present christian name and surname, any former christian name or surname, the nationality, the usual residence, and the other business occupation (if any) of each of the individuals who are partners, and the corporate name and registered or the principal office of every corporation which is a partner;
 - (e) where the registration to be effected is that of an individual, the present christian name and surname, any former christian name or surname, the nationality, the usual residence, and the other business occupation (if any) of such individual;
 - (f) where the registration to be effected is that of a corporation, its corporate name and registered or principal office;
 - (g) if the business is commenced after the commencement of this Act, the date of the commencement of the business.
- (2) Where a business is carried on under 2 or more business names, each of those business names must be stated.

6. STATEMENT TO BE SIGNED BY PERSONS REGISTERING

The statement required for the purpose of registration must in the case of an individual be signed by him or her, and in the case of a corporation by a director or secretary, and in the case of a firm either by all the individuals who are partners, and by a director or the secretary of all corporations which are partners or by some individual who is a partner, or a director or the secretary of some corporation which is a partner, and in either of the last 2 cases must be verified by a statutory declaration made by the signatory.

However, the statutory declaration stating that any person other than the declarant is a partner, or omitting to state that any person other than as aforesaid is a partner, is not evidence for or against any such other person in respect of his or her liability or non-liability as a partner, and that the Court may, on application of any person alleged

or claiming to be a partner, direct the rectification of the register and decide any question arising under this section.

7. TIME FOR REGISTRATION

- (1) The particulars required to be furnished under this Act shall be furnished within 28 days after the firm or person commences business or the business in respect of which registration is required, or commences to use the business name as the case may be, or in the case of a firm or person carrying on business at the date of the commencement of this Act, within 28 days of that date.
- (2) This section applies, in the case where registration is required in consequence of a change of name, as if for references to the date of the commencement of the business there were substituted references to the date of such change.

8. REGISTRATION OF CHANGES IN FIRM

Whenever a change is made or occurs in any of the particulars registered in respect of any firm or person, such firm or person shall, within 28 days after such change, or such longer period as the Registrar may, on application being made in any particular case, whether before or after the expiration of such 28 days, allow, furnish to the Registrar a statement in writing in the prescribed form specifying the nature and date of the change signed, and where necessary verified, in like manner as the statement required on registration.

9. PENALTY FOR DEFAULT IN REGISTRATION

If any firm or person by this Act required to furnish a statement of particulars or of any change in particulars shall without reasonable excuse default in so doing in the manner and within the time specified by this Act, every partner in the firm or the person so in default is liable to a fine not exceeding \$5 for every day during which the default continues, and the magistrate shall order a statement of the required particulars or change in the particulars to be furnished to the Registrar within such time as may be specified in the order.

10. DISABILITY OF PERSONS IN DEFAULT

- (1) Where any firm or person by this Act required to furnish a statement of particulars or of any change in particulars shall have made default in so doing, then the rights of that defaulter under or arising out of any contract made or entered into by or on behalf of such defaulter in relation to the business in respect to the carrying on of which particulars were required to be furnished at any time while he or she is in default shall not be enforceable by action or other legal proceeding either in the business name or otherwise.

However—

- (a) the defaulter may apply to the Court for relief against the disability imposed by this section, and the Court, on being satisfied that the default was accidental, or due to inadvertence or some other sufficient cause, or that on other grounds it is just and equitable to grant relief, may grant such relief either generally or as respects any particular contracts, on condition of the costs of the application being paid by the defaulter, unless the Court otherwise orders, and on such other conditions (if any) as the Court may impose, but such relief shall not be granted except on such service and such publication of notice of the application as the Court may order, nor shall relief be given in respect of any contract if any party to the contract proves to the satisfaction of the Court that, if this Act had been complied with, he or she would not have entered into the contract;
 - (b) nothing herein contained shall prejudice the rights of any other parties as against the defaulter in respect of such contract as aforesaid;
 - (c) if any action or proceeding shall be commenced by any other party against the defaulter to enforce the rights of such party in respect of such contract, nothing herein contained shall preclude the defaulter from enforcing in that action or proceeding, by way of counterclaim, set off, or otherwise, such rights as he or she may have against that party in respect of such contract.
- (2) Without prejudice to the power of the Court to grant such relief as aforesaid, if any proceeding to enforce any contract is commenced by a defaulter in a district court, such last named

Court may, as respects that contract, grant such relief as aforesaid.

11. PENALTY FOR FALSE STATEMENTS

If any statement required to be furnished under this Act contains any matter which is false in any material particular to the knowledge of any person signing it, that person is liable to a fine not exceeding \$96, or to imprisonment for 3 months, or to both such fine and imprisonment.

12. DUTY TO FURNISH PARTICULARS TO REGISTRAR

- (1) The Registrar may require any person to furnish to him or her such particulars as he or she thinks necessary for the purpose of ascertaining whether or not such persons or the firm of which he or she is a partner should be registered under this Act, or an alteration made in the registered particulars, and may also, in the case of a corporation, require the secretary, or any other officer of a corporation performing the duties of secretary, to furnish such particulars, and if any person, when so required, fails to supply such particulars as it is in his or her power to give, or furnishes particulars which are false in any material particular, he or she is liable to a fine not exceeding \$96, or to imprisonment for 3 months, or to both such fine and imprisonment.
- (2) If, from any information so furnished it appears to the Registrar that any firm or person ought to be registered under this Act, or an alteration ought to be made in the registered particulars, the Registrar may require the firm or person to furnish to him or her the required particulars within such time as may be allowed by the Registrar, but, where any default under this Act has been discovered from the information acquired under this section proceedings under this Act shall not be taken against any person in respect of such default prior to the expiration of the time within which the firm or person is required by the Registrar under this section to furnish particulars to him or her.

13. REGISTRAR TO FILE STATEMENT AND ISSUE CERTIFICATE OF REGISTRATION

On receiving any statement or statutory declaration made under this Act, the Registrar shall cause the same to be filed, and he or she shall send by post or deliver a certificate of the registration to the firm or person registering, and the certificate or a certified copy of it shall be kept exhibited in a conspicuous position at the principal place of business of the firm or individual, and, if not kept so exhibited, every partner in the firm or the person, as the case may be, is liable to a fine not exceeding \$96.

14. INDEX TO BE KEPT

The Registrar shall keep an index of all the firms and persons registered under this Act.

15. REMOVAL OF NAMES FROM REGISTER

- (1) If any firm or individual registered under this Act ceases to carry on business, it is the duty of the persons who were partners in the firm at the time when it ceased to carry on business, or of the individual, or if he or she is dead, his or her personal representative, within 3 months after the business has ceased to be carried on, to deliver to the Registrar notice in the prescribed form that the firm or individual has ceased to carry on business, and if any person whose duty it is to give such notice fails to do so within such time as aforesaid, he or she is liable to a fine not exceeding \$96.
- (2) On receipt of such a notice as aforesaid the Registrar may remove the firm or individual from the register.
- (3) Where the Registrar has reasonable cause to believe that any firm or individual registered under this Act is not carrying on business, he or she may send to the firm or individual by registered post a notice that unless an answer is received to such notice within one month from the date thereof, the firm or individual may be removed from the register.
- (4) If the Registrar either receives an answer from the firm or individual to the effect that the firm or individual is not carrying on business, or does not, within one month after sending the

notice, receive an answer, he or she may remove the firm or individual from the register.

16. MISLEADING BUSINESS NAMES

- (1) Where any business name under which the business of a firm or individual is carried on contains the word “British” or any other word which, in the opinion of the Registrar, is calculated to lead to the belief that the business is under British ownership or control, and the Registrar is satisfied that the nationality of the persons by whom the business is wholly or mainly owned or controlled is at any time such that the name is misleading, the Registrar shall refuse to register such business name, or, as the case may be, remove such business name from the register, but any person aggrieved by a decision of the Registrar under this provision may appeal to the Governor General whose decision is final.
- (2) The registration of a business name under this Act shall not be construed as authorising the use of that name if, apart from such registration, the use thereof could be prohibited.
- (3) The power conferred by this section on the Registrar to refuse registration of a business name shall extend to any name which is in his or her opinion undesirable.
- (4) Where registration of a business name is refused under this section, any person carrying on business under that name is liable under section 9 to the same penalties as if he or she had without reasonable excuse made default in furnishing a statement of particulars with respect to that name.

17. REGISTRAR

The Registrar of the High Court is the Registrar for the purposes of this Act.

18. INSPECTION OF STATEMENTS REGISTERED

- (1) Any person may inspect the documents filed by the Registrar on payment of such fees as may be prescribed not exceeding \$0.25 for each inspection; and any person may require a certificate of the registration of any firm or person, or a copy of or extract

from any registered statement, to be certified by the Registrar, and there shall be paid for such certificate of registration, certified copy, or extract such fees as may be prescribed, not exceeding \$0.50 for the certificate of registration, and not exceeding \$0.12 for each folio of 72 words, of the entry, copy, or extract.

- (2) A certificate of registration, or a copy of or extract from any statement registered under this Act, if duly certified to be a true copy or extract under the hand of the Registrar (whom it shall not be necessary to prove to be the Registrar), shall in all legal proceedings, civil or criminal, be received in evidence.

19. CABINET MAY MAKE RULES

- (1) The Cabinet may make rules concerning any of the following matters—
 - (a) the fees to be paid to the Registrar under this Act;
 - (b) the forms to be used under this Act;
 - (c) the duties to be performed by the Registrar under this Act; and
 - (d) generally, the conduct and regulation of registration under this Act, and any matters incidental thereto.
- (2) All fees payable under any such rules shall be paid into the Treasury.

(Amended by Act 20 of 1990)

20. PUBLICATION OF TRUE NAMES

- (1) Every individual and firm required by this Act to be registered shall, in all trade catalogues, trade circulars, showcards, and business letters, on or in which the business name appears and which are issued or sent by the individual or firm to any person in any Commonwealth country, have mentioned in legible characters—
 - (a) in the case of an individual, his or her present christian name or the initials, and present surname, any former christian name or surname, his or her nationality if not British; and

- (b) in the case of a firm, the present christian names or the initials thereof and present surnames, any former christian names and surnames, and the nationality if not British, of all the partners in the firm, or in the case of a corporation being a partner, the corporate name.
- (2) If default is made in compliance with this section the individual or, as the case may be, every member of the firm is liable for each offence to a fine not exceeding \$24.

However, proceedings shall not be instituted under this section except by or with the consent of the Attorney General.

21. OFFENCES BY CORPORATION

Where a corporation commits an offence under this Act, every director, secretary, and officer of the corporation who is knowingly a party to the default commits a like offence and is liable to a like penalty.

22. RECOVERY OF PENALTIES

All offences under this Act may be prosecuted, and all penalties incurred may be imposed or recovered summarily.

SCHEDULE

(Section 4)

<i>Description of Firm, etc.</i>	<i>The additional particulars.</i>
Where the firm, individual, or corporation required to be registered carries on business as nominee or trustee.	The present christian name and surname, any former name, nationality, and usual residence, or, as the case may be, the corporate name, of every person or corporation on whose behalf the business is carried on. However, if the business is carried on under any trust and any of the beneficiaries are a class of children or other persons, a description of the class is sufficient.
Where the firm, individual or corporation required to be registered carries on business as general agent for any foreign firm.	The business name and address of the firm or person as agent for whom the business is carried on. However, if the business is carried on as agent for 3 or more foreign firms it is sufficient to state the fact that the business is carried on, specifying the countries in which such foreign firms carry on business.

REGISTRATION OF BUSINESS NAMES RULES – SECTION 19

(Statutory Instruments 24/1959 and 131/2000)

Commencement [25 July 1959]

Short Title

1. These Rules may be cited as the Registration of Business Names Rules.

Definition

2. In these Rules the expression “the Act” means the Registration of Business Names Act.
3. Whenever any act is by the Act required to be done by the Registrar, such act shall be done by the Registrar of the High Court.

Procedure under Section 16

4. Where the Registrar, under 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 or she shall send by 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 Governor General within 21 days of such notice.
5. If within 21 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 from such decision is received by the Registrar, or if on appeal such decision of the Registrar is upheld, the Registrar shall remove such business name from the register in accordance with his or her decision.

Appeals to the Governor General

6. Any person intending to appeal to the Governor General from any decision of the Registrar under section 16(1) of the Act shall, within 21 days of the date of the notice of such decision, deliver to the Registrar a notice of appeal in Form 10.
Such notice shall be accompanied by a statement of the grounds of appeal and of the appellant's case in support.
7. A copy of the notice of appeal, together with a copy of the statement of the grounds of appeal and of the case in support thereof, and a copy of the notice of the Registrar's decision shall at the same time be delivered by the appellant to the Governor General.
8. The decision of the Governor General shall be communicated to the appellant in writing.
9. The time prescribed in these Rules for doing any act thereunder by or to the Registrar, or by or to the Governor General may be enlarged by the Governor General upon such terms as he or she may direct, and such enlargement may be granted though the time has expired for doing such act.

Fees

10. The fees to be paid to the Registrar under the Act shall be as follows—

(a) certificate of registration	\$100
(b) filing of application for registration	\$25
(c) filing of statement of any change	\$50
(d) filing of a notice of cessation	\$60
(e) on appeal	\$30
(f) certification of any document not being a certificate of registration	\$10
(g) certified copy of certificate of registration	\$20
(h) uncertified copy of any document	\$.75 per page
(i) search	\$5
(j) for filing of any document for which a fee is not provided in this schedule	\$25

(Amended by S.I. 131/2000)

Forms

11. The forms in the appendix, with such variations as the circumstances of each case require, shall be the forms to be used under the Act.

APPENDIX**FORM I**

The Statement must be delivered to the Registrar.

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT**Application for Registration by an Individual**

(See Section 3 (b) and (c).)

I, the undersigned, hereby apply for registration under the Registration of Business Names Act and for that purpose furnish the following statement of particulars—

(1) The business name

(2) The general nature of the business

(3) The principal place of the business

(4) The present Christian name (or names) and surname of the individual

(5) Any former Christian name (or names) or surname of the individual

(6) The nationality of the individual

(7) The usual residence of the individual

(8) The other business occupation (if any) of the individual

(9) The date of the commencement of the business, if the business was commenced after the date of the commencement of the Act

(10) Any other business name or names under which the business is carried on

Dated this day of 20 .

(Signature)

NOTE—Failure without reasonable excuse to furnish the required Statement of Particulars within the time specified will, in addition to any disability imposed by the Act entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment, for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

Where the individual applying for registration carries on the business wholly or mainly as nominee or trustee of or for another persons or other persons or a corporation, or acts as general agent for any foreign firm, the additional particulars specified in Form 4 must also be furnished on such Form and delivered to the Registrar in the manner and within the times before specified.

FORM 2.

The Statement must be delivered to the Registrar.

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

Application for Registration by a Firm

(See Section 3 (a) and (c).)

(Insert name of firm) hereby apply for registration under the provisions of the Registration of Business Names Act and for that purpose furnish the following statement of Particulars—

(1) The business name

(2) The general nature of the business

(3) The principal place of the business

(4) The date of the commencement of the business if the business was commenced after the date of the commencement of the Act

Revision Date: 31 Dec 2008

-
- (5) Any other business name or names under which the business is carried on
-
- (6) The present Christian name or names and surname of every individual who is—and the corporate name of every corporation which is—a partner in the firm
-
- (7) Any former Christian name or names or surname of every individual partner in the firm
-
- (8) The nationality of every individual partner in the firm
-
- (9) The usual residence of every individual who is—and the registered or principal office of every corporation which is—a partner in the firm
-
- (10) The other business occupation (if any) of every individual partner in the firm
-

Dated the day of 20 .

Signatures.

(For instructions as to signatures, see Note A.)

NOTE A.—This Statement must in all cases be signed either—

(a) by all the individuals who are partners and by a director or the secretary of each corporation which is a partner; or

(b) (1) by some individual who is a partner; or

(2) by a director or the secretary of some corporation which is a partner; and in either of the cases (b) (1) and (2) must be verified by a statutory declaration made by the signatory.

Failure without reasonable excuse to furnish the required Statement of Particulars within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment, for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

Where the individual applying for registration carries on the business wholly or mainly as nominee or trustee of or for another person or other persons of a corporation, or acts as general agent for any foreign firm, the additional particulars specified in Form 4 must also be furnished on such Form and delivered to the Registrar in the manner and within the times before specified.

FORM 3

The statement must be delivered to the Registrar.

Number of Certificate

REGISTRATION OF BUSINESS NAMES ACT

APPLICATION FOR REGISTRATION BY A CORPORATION

having a place of business in Saint Lucia 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.

(Insert name of corporation)

hereby apply for registration under the provisions of the Registration of Business Names Act and for that purpose furnish the following statement of particulars—

(1) The business name

(2) The general nature of the business

(3) The principal place of the business

(4) The date of the commencement of the business if the business was commenced after the date of the commencement of the Act

(5) The other name or names (if any) under which the business is carried on

(6) The corporate name of the corporation applying for registration

(7) The registered or principal office of the corporation applying for registration

Revision Date: 31 Dec 2008

The following Statement of Additional Particulars (8), (9), (10), (11) and (12), is to be furnished in respect of the carrying on by such Corporation of the business wholly or mainly as nominee or trustee of or for another person or other persons or another Corporation, however, if the business is carried on under any trust and any of the beneficiaries are a class of children or other persons, then the particulars required under (12) only need be furnished.

(8) The present Christian name or names and surname or the corporate name of every person or corporation on whose behalf the business is carried on

(9) Any former name or names of any person on whose behalf the business is carried on

(10) The nationality of every person on whose behalf the business is carried on

(11) The usual residence of every person on whose behalf the business is carried on

(12) Description of the class of beneficiaries

The further following Statement of Additional Particulars is to be furnished in respect of any corporation having a place of business within Saint Lucia and acting as general agent for any *foreign firm.

(13) The business name and address of the foreign firm as agent for whom the business is carried on

If the business is carried on as Agent for 3 or more foreign firms it is sufficient to state the fact that the business is so carried on, specifying the countries in which such foreign firms carry on business.

Dated the day of 20 .

Signature.

(For instructions as to signing, see Note A.)

*“Foreign firm” means any firm, individual or corporation whose principal place of business is situate outside the Commonwealth countries.

NOTE A.—This statement must in all cases be signed by a director or the secretary of the corporation applying for registration.

Failure without reasonable excuse to furnish the required Statement of Particulars within the time specified will, in addition to any disability

imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues, and where a Corporation commits an offence under this Act, every director, secretary and officer of the corporation who is knowingly a party to the default will commit a like offence and are liable to a like penalty. Any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment for a term of 3 months or to a fine not exceeding \$96, or to both such imprisonment and fine.

FORM 4

The Business Name

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

*STATEMENT OR ADDITIONAL PARTICULARS TO BE FURNISHED BY AN INDIVIDUAL
UNDER SECTION 4 OF THE ACT*

1. Where any individual having a place of business in Saint Lucia carries on the business wholly or mainly as nominee or trustee of or for another person or other persons or a corporation, the particulars required under (1), (2), (3) and (4) must be furnished, however if the business is carried on under any trust and any of the beneficiaries are a class of children or other persons, then the particulars required under (5) only need be furnished.

(1) The present Christian name or names and surname or the corporate name of every person or corporation on whose behalf the business is carried on

(2) Any former name or names of any person on whose behalf the business is carried on

(3) The nationality of every person on whose behalf the business is carried on

(4) The usual residence of every person on whose behalf the business is carried on

(5) Description of class of beneficiaries

Revision Date: 31 Dec 2008

2. Where any individual having a place of business within Saint Lucia acts as general agent for any *foreign firm the following particulars must be furnished.

The business name and address of the foreign firm as agent for whom the business is carried on

*“Foreign firm” means any firm, individual or corporation whose principal place of business is situate outside the Commonwealth countries.

If the business is carried on as Agent for 3 or more foreign firms it is sufficient to state the fact that the business is so carried on, specifying the countries in which such foreign firms carry on business.

Dated the day of 20 .

Signature.

(For instructions as to signing, see Note A.)

NOTE A.—This Statement must in all cases be signed by the individual applying for registration.

Failure without reasonable excuse to furnish the required Statement of Particulars within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment, for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

FORM 5

The Business Name

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

STATEMENT OF ADDITIONAL PARTICULARS TO BE FURNISHED BY A FIRM
UNDER SECTION 4 OF THE ACT

1. Where any firm having a place of business in Saint Lucia carries on the business wholly or mainly as nominee or trustee of or for another person or other persons or a Corporation, the particulars required under (1), (2), (3) and (4) must be furnished, however if the business is carried on under any trust and any of the beneficiaries are a class of children or other persons, then the particulars required under (5) only need be furnished.

(1) The present Christian name or names and surname or the corporate name of every person or corporation on whose behalf the business is carried on

(2) Any former name or names of any person on whose behalf the business is carried on

(3) The nationality of every person on whose behalf the business is carried on

(4) The usual residence of every person on whose behalf the business is carried on

(5) Description of class of beneficiaries

2. Where any firm having a place or business in Saint Lucia acts as General Agent for any foreign firm * the following particulars must be furnished.

The business name and address of the foreign firm as agent for whom the business is carried on

If the business is carried on as Agent for 3 or more foreign firms it is sufficient to state the fact that the business is so carried on, specifying the countries in which such foreign firms carry on business.

Dated the day of 20 .

Signatures.

(For instructions as to signing, etc., see Note A.)

*“Foreign firm” means any firm, individual or corporation whose principal place of business is situate outside the Commonwealth countries.

NOTE A.—This Statement must in all cases be signed either—

(a) by all the individuals who are partners and by a director or the secretary of every corporation which is a partner; or

(b) (1) by some individual who is a partner, or

Revision Date: 31 Dec 2008

(2) by a director or the secretary of some corporation which is a partner; and in either of the cases (b) (1) and (2) must be verified by a statutory declaration made by the signatory.

Failure without reasonable excuse to furnish the required Statement of Particulars within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment, for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

FORM 6.

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

STATEMENT UNDER SECTION 8 OF THE ABOVE ACT OF NATURE OF CHANGE
IN THE PARTICULARS REGISTERED BY AN INDIVIDUAL AND DATE OF CHANGE

The following is a statement of a change (and of the date of such change) which has been made or has occurred in the particulars registered in respect of

(Here insert business name of individual)

(Here insert nature and date of change)

Dated the day of 20 .

Signature.

(For instructions as to signing, see Note A.)

NOTE A.—This Statement must be signed by the individual and when signed must be delivered to the Registrar within 28 days after any change in any of the particulars registered or within such longer period as the Governor General may on application being made in any particular case, whether before or after the expiration of such 28 days, allow.

Failure without reasonable excuse to furnish the required statement of any change in the particulars registered within the specified time will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

FORM 7

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

STATEMENT UNDER SECTION 8 OF THE ABOVE ACT OF NATURE OF CHANGE
IN THE PARTICULARS REGISTERED BY A FIRM AND DATE OF CHANGE

The following is a statement of a change (and of the date of such change) which has been made or has occurred in the particulars registered in respect of

(Here insert business name of firm)

(Here insert nature and date of change)

Dated the day of 20 .

Signature.

(For instructions as to signing, etc., see Note A.)

NOTE A.—This Statement must be signed either

(a) by all the individuals who are partners, and by a director or the secretary of any corporation which is a partner; or

(b) (1) by some individual who is a partner, or

(2) by a director or the secretary of some corporation which is a partner; and in either of the cases (b) (1) and (2) must be verified by a statutory declaration made by the signatory.

Revision Date: 31 Dec 2008

This Statement, when signed must be delivered to the Registrar within 28 days after any change in any of the particulars registered or within such longer period as the Governor General may, on application being made in any particular case, whether before or after the expiration of such 28 days, allow.

Failure without reasonable excuse to furnish the required statement of any change of the particulars registered within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues; and any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment, for a term of 3 months, or to a fine not exceeding \$96 or to both such imprisonment and fine.

FORM 8

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

STATEMENT UNDER SECTION 8 OF THE ABOVE ACT OF NATURE OF CHANGE IN THE PARTICULARS REGISTERED BY A CORPORATION AND DATE OF CHANGE

The following is a statement of a change (and of the date of such change) which has been made or has occurred in the particulars registered in respect of

(Here insert name of Corporation.)

(Here insert nature and date of change.)

Dated the day of 20 .

Signature.

(For instructions as to signing, etc., see Note A.)

NOTE A.—This Statement must be signed by a Director or Secretary of the Corporation and, when signed, must be delivered to the Registrar within 28 days after any change in any of the particulars registered, or within such longer period as the Governor General may on application being made in any particular case, whether before or after the expiration of such 28 days, allow.

Failure without reasonable excuse to furnish the required statement of any change in particulars within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine of \$5 for every day during which the default continues, and every director, secretary or officer of the corporation who is knowingly party to the default will be liable to a like penalty. Any statement which contains any matter which is false in any material particular to the knowledge of any person signing it will entail liability on conviction to imprisonment for a term of three months or to a fine not exceeding \$96, or to both such imprisonment and fine.

FORM 9.

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

NOTICE UNDER SECTION 15 OF THE ACT OF CESSATION OF BUSINESS BY A REGISTERED FIRM OR INDIVIDUAL

Notice is hereby given that (Here insert name and address of firm or individual as the case may be) of _____, ceased to carry on business on the _____ day of _____, 20 ____.

Dated the _____ day of _____ 20 ____.

Signature or Signatures.

To the Registrar.

NOTE—This notice must in the case of a firm be signed by the persons who were partners of the firm at the time when it ceased to carry on business or, in the case of an individual, by the individual, except in the case of the death of an individual, when it must be signed by the personal representative of the deceased, and must in either case be delivered to the Registrar within 3 calendar months after the business has ceased to be carried on.

Failure to give the required notice within the time specified above entails liability on conviction to a fine not exceeding \$96.

Revision Date: 31 Dec 2008

REGISTRATION OF BUSINESS NAMES ACT

FORM OF APPEAL FROM THE DECISION OF THE REGISTRAR UNDER SECTION 16(1)

I (We (Insert full name and address of appellant) of _____ hereby give notice of appeal to the Governor General from the decision of the Registrar dated the _____ day of _____, 20____, whereby he or she decided (Insert the decision complained of.)

Accompanying this notice is a statement of the grounds of appeal and of my (our) case for the decision of the Governor General.

Dated the _____ day of _____ 20____.

(Signed)

To the Registrar,
Castries.

This notice must be delivered within 21 days of the date of the notice of the Registrar's decision, to the Registrar, together with a statement of the grounds of appeal and of the appellant's case in support thereof.

A copy of this notice of appeal, together with copies of the statement of the grounds of appeal and the case in support thereof, and a copy of the Registrar's decision must at the same time be sent by the appellant to the Governor General.

FORM 11

REGISTRATION OF BUSINESS NAMES ACT

FORM OF STATUTORY DECLARATION VERIFYING A STATEMENT FURNISHED UNDER THE ACT

I _____, of _____ do hereby solemnly and sincerely declare that all the particulars contained in the statement dated the _____ day of _____, 20____, and signed by me which is now produced and shown to me marked _____ are true.

I make this Declaration conscientiously believing the same to be true

and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to a fine and imprisonment.

FORM 12

No. of Certificate

REGISTRATION OF BUSINESS NAMES ACT

CERTIFICATE OF REGISTRATION

I hereby certify that a Statement furnished
by _____, of _____, under section _____ of the
above-mentioned Act was registered on the _____ day of
, 20

Dated this _____ day of _____ 20 .

Registrar.

REGISTRATION OF BUSINESS NAMES (FEES) RULES – SECTION 19

(Statutory Instrument 22/1991)

Commencement [20 April 1991]

1. SHORT TITLE

These Rules may be cited as the Registration of Business Names (Fees) Rules.

2. INTERPRETATION

In these Rules—

“**Act**” means the Registration of Business Names Act.

3. FEES

A fee of \$100 shall be paid to the Registrar for the issue of a certificate of registration under the Act.