



COMPANIES OFFICE OF JAMAICA

BUSINESS NAMES POLICIES

POLICY 1/ 2011 – NEW BUSINESS NAMES APPLICATIONS

Where an Applicant for a Business Name has a previously registered business name which has not been closed, the Applicant must pay all outstanding fees in respect of the registered business name prior to registering another.

Provided however, that where an Applicant has been allowed through inadvertence on the part of the Registrar, to register a second Business Name without closing/ and or updating the first business name, the Registrar may in his absolute discretion close the file registered through inadvertence in which case the Applicant shall be responsible for paying all the outstanding fees in respect of the second registered name prior to registering another.

POLICY 2/2011 - NAME OF APPLICANT DIFFERENT FROM NAME ON TRN/CHANGES TO APPLICANT'S NAME

Where the name of an Applicant as stated on the Application for registration differs from the name contained on his/her TRN he/she must submit a copy of his/her Birth Certificate evidencing the correct name.

Where an Applicant has changed his/her name by means of marriage, deed poll or otherwise a certified copy of the Deed poll or Marriage Certificate must be submitted with the Application.

POLICY 3/2011 - CERTIFICATION REQUIRED BY CERTAIN TRADE & PROFESSIONS

Where an Applicant is required to be registered under any other legislation prior to practicing his trade or profession a certified copy of the certification from the relevant professional or regulatory body must accompany the Application for registration. A certificate may be certified to be a true copy of the original by a Justice of the Peace or an Attorney-at-Law.

The attached schedule contains a list of professions and occupations requiring certification. The list however is not exhaustive.

POLICY 4/2011 REQUIREMENT FOR WORK PERMIT WHERE APPLICANT IS A NON- CARICOM NATIONAL

Where an Applicant who is not a CARICOM National makes an application for a business name shall submit together with his application for registration a work permit from the Ministry of Labour indicating that he is allowed to engage in work within the island.

POLICY 5/2011-CLOSURE OF BUSINESS NAMES

(A) REGISTRATION CERTIFICATE TO BE PRESENTED WITH NOTICE OF CLOSURE

Where an Applicant has submitted a notification of closure of business prior to the expiration of the registration date on the Certificate of Registration, the Certificate must be presented with the closure notification.

Where however, a notification of closure is submitted after the registration date on the Certificate has expired the Certificate need not be presented.

(B) BUSINESS MUST BE BROUGHT UP TO DATE IF CLOSURE APPLICATION NOT FILED PRIOR TO EXPIRATION DATE

Where the notification of closure is submitted after the expiration of the date contained on the Certificate of Registration the Applicant is required to bring the business up-to-date by completing the prescribed form and paying the relevant fees before the Registrar will register notice of the closure.

(C) DATE OF CLOSURE

The date of closure of the business is the date the notification of closure is received by the Registrar and the relevant fee paid.

Where however, an Applicant has notified another government department such as the **Tax Audit and Assessment Department / Inland Revenue Department** of the closure of the business, but has failed to file notice of the closure with the Registrar, the Registrar may, in his sole discretion, accept as the effective date of closure, the date the business was deemed closed by that department, provided that proof of the closure is validated by that Department.

A letter notifying the relevant government department of the closure of the business, stamped and dated by the department may be accepted as proof of the closure of the business with that department.

(D) SIGNING NOTIFICATION OF CLOSURE

All proprietors are required to sign the notification of closure of the business. Where a proprietor is unable to sign the notice, a Statutory Declaration by one of the other proprietors of the business as to the reason for the Proprietor's failure to sign must be submitted.

Where a Sole Proprietor is deceased his/her Personal Representative or Executor of may sign the notification of closure. A certified copy of the Letters of Administration or Probate must accompany the notice.

(E) CLOSURE OF BUSINESS NAME WHERE APPLICANT MAKES 3 OR MORE SIMULTANEOUS CHANGES

Where a Proprietor simultaneously makes three (3) or more major changes to any of the registered particulars of the business name the business must be closed and reregistered.

The following shall be deemed major changes when made simultaneously:

- Name of business
- Address of business
- Nature of business

POLICY 6/2011 - SIMILARITY IN BUSINESS NAMES

Where a Business Name has been refused on the ground that it is too similar or close to the name of an existing company or business name, the Registrar may approve the name for registration, upon the presentation of a letter of consent signed by a majority of or all of the directors in case of a company or by all of the proprietors in the case of a business name.

POLICY 7/2011 - VERIFICATION OF APPLICANT'S RESIDENTIAL ADDRESS

Every applicant for a business name must submit with his application proof of his residential address.

An Applicant's address may be verified by any of the following documents addressed to, containing or written in the Applicant's name:

- Utility bills
- Correspondence from government body, banks or UWI/UTECH
- Voters I.D.
- Driver's license
- Rent receipt

In the event that the Applicant is unable to provide any of the above he may submit a Voluntary Declaration signed before a Justice of the Peace as to the location of his residential address.

POLICY 8/2011 - AUTHORIZATION OF CHANGES TO DOCUMENTS

Where an amendment notice has been issued in respect of an application and the Applicant is unable to attend the Companies Office to make the changes a copy of the amended form together with a request that the amended form be substituted for the original documents may be faxed to the Registrar.

POLICY 9/2011 - WORDS IN BUSINESS NAME REQUIRING JUSTIFICATION

The use of certain words in a proposed business name which refer to a profession, occupation or other business activity requires the production of certification from the relevant professional or regulatory body upon submission of the Application for registration. The following is a non-exhaustive list of words referred to above:

- "Engineer"
- "Medical"

- ❑ “Dental”
- ❑ “Bank”
- ❑ “Cambio”
- ❑ “Pharmacy”
- ❑ “University”

SCHEDULE OF PROFESSIONS & TRADES REQUIRING CERTIFICATION

PROFESSION/ OCCUPATION/TRADE	PROFESSIONAL/REGULATORY BODY	CERTIFICATION
Accountant (Public/ Chartered)	Public Accountancy Board	Practising Certificate
Architect	Architects Registration Board	Certificate of Registration
Attorney-at-Law	General Legal Council	Practising Certificate
Barber	Local Board of Health for respective Parish Council	License
Beauty Therapist/Cosmetologist/ Hair Dresser	Local Board of Health for respective Parish Council	License
Dentist	Dental Council of Jamaica	Practising Certificate
Dietician	Council for Professions Supplementary to Medicine	Practising Certificate
Engineer	Professional Engineers Registration Board	Practising Certificate
Land Surveyor	Land Surveyors Board	Practising Certificate
Medical Practitioner	Medical Council of Jamaica	Practising Certificate
Medical Laboratory Technician	Council for Professions Supplementary to Medicine	Certificate of Registration
Nurse/ Mid - Wife	Nursing Council	Certificate of Registration
Occupational Therapist	Council for Professions Supplementary to Medicine	Certificate of Registration
Optician & Optometry Professional	Registrar General	Letter of Registration or current gazette containing applicants

Pharmacist	Pharmacy council of Jamaica	Certificate of Registration
Physiotherapist	Council for Professions Supplementary to Medicine	Certificate of Registration
Radiographers	Council for Professions Supplementary to Medicine	Certificate of Registration
Real Estate Dealers/ Real Estate Salesman	Real Estate Board	Certificate of Registration
Speech Therapist	Council for Professions Supplementary to Medicine	Certificate of Registration
Veterinary Surgeon	Veterinary Council of Jamaica	Certificate of Registration
Nursing Home	Chief Medical Officer	Certificate of Registration
Pest Control Operator	Pesticides Control Authority	License
Dealer in second hand gold	Resident Magistrate for parish in which applicant intends to deal	License
Lottery Agents	Betting, Gaming & Lotteries Commission	License