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8 July 2002

Companies Registry External Circular No. 1/2002

Registration of Company Names

Section 5(1) of the Companies Ordinance requires that the memorandum of every company limited by shares or by guarantee must state the name of the company and –

- (a) if the name is in English, with “Limited” as the last word of the name;
- (b) if the name is in Chinese, with “有限公司” as the last 4 Chinese characters of the name; and
- (c) if the name is both in English and Chinese, with “Limited” as the last word of the name in English and “有限公司” as the last 4 Chinese characters of the name in Chinese respectively.

2. The intention behind the amended wording of section 5(1), which was introduced by the Companies (Amendment) Ordinance 1997, was to enable companies to register with an English name, a Chinese name or an English name **and** a Chinese name. However, in the past, applications to register a company name with a combination of English letters and Chinese characters have been submitted to the Companies Registry. A few of these have been allowed on an exceptional basis, having regard to the circumstances of the case.

3. Legal advice has now been received to the effect that the wording of section 5(1) does not allow a company name to have a combination of English letters and Chinese characters. Consequently, it follows that the Registrar of Companies does not have power to permit the registration of a company name which contains such a combination.

4. Accordingly, it has been necessary for the Companies Registry to review the department's policy of company name registration. With immediate effect, the current practice of permitting the registration of a company name with a combination of English letters and Chinese characters shall cease and no further applications for the registration of such company names will be accepted by the Registry.

5. Any enquiries concerning this circular may be directed to Miss Teresa Lai, Assistant Registry Manager (New Companies) at telephone number 2867 4790.

G W E JONES
Registrar of Companies

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