



BELIZE

**BUSINESS NAMES ACT
CHAPTER 247**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

**BUSINESS NAMES ACT
CHAPTER 247**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

This edition contains a consolidation of the following laws-

Page

BUSINESS NAMES RULES

3

CHAPTER 247

BUSINESS NAMES RULES

ARRANGEMENT OF RULES

1. Short title.
2. Interpretation.
3. Acts of Registrar.
4. Registrar to give notice of refusal or intended removal.
5. When Registrar may remove name.
6. Notice of appeal.
7. Copies of papers.
8. Decision in writing.
9. Power to enlarge time.
10. Fees.

CHAPTER 247**BUSINESS NAMES RULES***(Section 18)*CAP. 105.
CAP. 204.
2/1986.

Title.

1. These Rules may be cited as the

BUSINESS NAMES RULES.

Interpretation.

2. In these Rules-

CAP. 247.

“Act” means the Business Names Act;

“judge” means a judge of the Supreme Court in Chambers.

Acts of Registrar.

3. Whenever any act is by the Act required to be done by the Registrar, such act shall be done by the Registrar or by a Deputy Registrar.

Registrar to give
notice of refusal or
intended removal.

4. Where the Registrar, pursuant to 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 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 a judge within twenty-one days of such notice.

When Registrar
may remove name.

5. If within twenty-one 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 decision.

6. Any person intending to appeal to a judge from any decision of the Registrar under section 16(1) of the Act shall, within twenty-one days of the date of the notice of such decision, deliver to the Registrar a notice of appeal in Form 10 in the Appendix to these Rules.

Notice of appeal.

Such notice shall be accompanied by a statement of the grounds of appeal and of the appellant's case in support thereof.

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 Registrar of the Supreme Court for submission to a judge.

Copies of papers.

8. The decision of a judge shall be communicated to the appellant in writing.

Decision in writing.

9. The time prescribed in these Rules for doing any act thereunder by or to the Registrar, or by or to a judge may be enlarged by a judge upon such terms as he may direct, and such enlargement may be granted though the time has expired for doing such act.

Power to enlarge time.

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

Fees.
2/1986.

(a) On a statement of particulars required by section 5 of the Act, the sum of twenty-five dollars. Such fee shall cover the issue of one certificate of registration.

(b) On any statement of Particulars required by the Schedule to the Act when such particulars are not furnished with the statement of particulars required by section 5 of the Act, the sum of one hundred dollars. Such fee shall cover the issue of one certificate of registration.

- (c) On a statement of any change within the meaning of section 8 of the Act, the sum of one hundred dollars. Such fee shall cover the issue of one certificate of the registration of such statement.
- (d) By any person inspecting under the provisions of section 17 of the Act the documents filed by the Registrar, the sum of fifty dollars for each inspection.
- (e) On the application of any person requiring under the provisions of section 17 of the Act a certificate of registration of any firm, individual or corporation or a certified copy of or extract from any registered statement, the sum of twenty-five dollars for a certificate of registration and for each certified copy or extract the sum of fifteen dollars and forty cents for each folio of seventy-two words.
- (f) By any person appealing to a judge from a decision of the Registrar, the sum of two hundred dollars.

Forms.

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

APPENDIX

FORM 1

THE STATEMENT MUST BE DELIVERED TO THE REGISTRAR

No. of Certificate

THE BUSINESS NAMES ACT

Application for Registration by an Individual

I, the undersigned, hereby apply for registration pursuant to the provisions of the 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. (See Note A.)

(5) Any former Christian name (or names) or surname of the individual. (See Note B.)

(6) The nationality of the individual.

(7) The nationality of origin of the individual, if not the same as the present nationality.

(8) The usual residence of the individual.

(9) The other business occupation (if any) of the individual.

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

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

Dated this day of 20 .

(Signature)

See Note C.

Note A. Christian name includes any forename.

Note B.- “References in this Act to a former Christian name or surname shall not, in the case of natural-born Belize subjects, include a former Christian name or surname where that name or surname as been changed or disused before the person bearing the name had attained the age of eighteen years; and, in the case of a married woman, shall not include the name or surname by which she was known previous to the marriage.”

Note C.- 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 not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars 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 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

THE BUSINESS NAMES ACT

Application for Registration by a Firm

(Insert name of firm) hereby apply for registration under the provisions of the 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) Any other business name or names under which the business is carried on.

	1	2	3	4	5	6	7
(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. (See Note B.)							
(7) Any former Christian name or names or surname of every individual partner in the firm. (See Note C.)							
(8) The nationality of every individual partner in the firm.							
(9) The nationality of origin (if other than the present nationality) of every individual partner in the firm.							
(10) The usual residence of every individual who is-and the registered or principal office of every corporation which is-a partner in the firm.							
(11) 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 not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars 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 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.

Note B.-Christian name includes any forename.

Note C.-“References in this Act to a former Christian name or surname shall not, in the case of natural-born Belize subjects, 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 eighteen years: and, in the case of a married woman, shall not include the name or surname by which she was known previous to the marriage.”

FORM 3

THE STATEMENT MUST BE DELIVERED TO THE REGISTRAR

No. of Certificate

THE BUSINESS NAMES ACT

Application for Registration by a Corporation having a place of business in Belize 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 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.

The following Statement of Additional Particulars (8), (9), (10), (11), (12) and (13) 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, provided that 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 (13) only need be furnished.

	1	2	3	4	5	6	7
(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. (See Note A.)							
(9) Any former name or names of any person on whose behalf the business is carried on. (See Note B.)							
(10) The nationality of every person on whose behalf the business is carried on.							
(11) The nationality of origin of every person on whose behalf the business is carried on if other than the present nationality.							
(12) The usual residence of every person on whose behalf the business is carried on.							
(13) Description of the class of beneficiaries.							

Note A.-Christian name includes any forename.

Note B.-"References in the Act to a former Christian name or surname

shall not, in the case of natural-born Belize subjects, 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 eighteen years; and, in the case of a married woman, shall not include the name or surname by which she was known previous to the marriage.”

The further following Statement of Additional Particulars is to be furnished in respect of any Corporation having a place of business within Belize and acting as General Agent for any *foreign firm.

(14) 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 three 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 C.

*"Foreign firm" means any firm, individual or Corporation whose principal place of business is situated outside Belize.

Note C.-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 not exceeding twenty-five dollars for every day during which the default continues, and where a Corporation is guilty of an offence under this Act, every Director, Secretary and Officer of the Corporation who is knowingly a party to the default will be guilty of a like

offence and 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 not exceeding three months, or to a fine not exceeding one hundred dollars, or to both such imprisonment and fine.

FORM 4

The Business Name

No. of Certificate

THE BUSINESS NAMES ACT

Statement of Additional Particulars to be furnished by an individual pursuant to section 4 of the Act.

1. Where any individual having a place of business in Belize 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), (4) and (5) must be furnished, provided that 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 (6) only need be furnished.

	1	2	3	4	5	6	7
(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. (See Note A.)							
(2) Any former name or names of any person on whose behalf the business is carried on. (See Note B.)							
(3) The nationality of every person on whose behalf the business is carried on.							
(4) The nationality of origin of every person on whose behalf the business is carried on, if other than the present nationality.							
(5) The usual residence of every person on whose behalf the business is carried on.							
(6) Description of the class of beneficiaries.							

Note A.-Christian name includes any forename.

Note B.-“References in this Act to a former Christian name or surname shall not, in the case of natural-born Belize subjects, 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 eighteen years; and, in the case of a married woman, shall not include the name or surname by which she was known previous to the marriage.”

2. Where any individual having a place of business within Belize 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 three 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 this day of 20 .
(Signature)
For instructions as to signing see Note C.

* “Foreign firm” means any firm, individual or Corporation whose principal place of business is situated outside Belize.

Note C.-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 not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

—————

FORM 5

The Business Name

No. of Certificate

THE BUSINESS NAMES ACT

Statement of Additional Particulars to be furnished by a Firm pursuant to section 4 of the Act.

1. Where any individual having a place of business in Belize 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), (4) and (5) must be furnished, provided that 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 (6) only need be furnished.

	1	2	3	4	5	6	7
(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. (See Note A.)							
(2) Any former name or names of any person on whose behalf the business is carried on. (See Note B.)							
(3) The nationality of every person on whose behalf the business is carried on.							
(4) The nationality of origin of every person on whose behalf the business is carried on if other than the present nationality.							
(5) The usual residence of every person on whose behalf the business is carried on.							
(6) Description of the class of beneficiaries.							

Note A.-Christian name includes any forename.

Note B.-"References in this Act to a former Christian name or surname shall not, in the case of natural-born Belize subjects, 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 eighteen years; and, in the case of a married woman, shall not include the name or surname by which she was known previous to the marriage."

2. Where any firm having a place of business in Belize 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 three 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 this day of 20 . (S i g n a t u r e s)

.....

For instructions as to signing see Note

C.

* "Foreign firm" means any firm, individual or Corporation whose principal place of business is situated outside Belize.

Note C.-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
(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 specified time will, in addition to any disability imposed by the Act, entail liability on conviction to a fine not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

FORM 6

No. of Certificate

.....

THE BUSINESS NAMES ACT

Statement pursuant to 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 this 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 fourteen days after any change in any of the particulars registered or within such longer period as the Minister may on application being made in any particular case, whether before or after the expiration of such fourteen days, allow.

Failure without reasonable excuse to furnish the required Statement of Particulars registered within the time specified will, in addition to any disability imposed by the Act, entail liability on conviction to a fine not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

FORM 7

No. of Certificate

.....

THE BUSINESS NAMES ACT

Statement pursuant to Section 8 of the above Act of Nature of Change in the Particulars registered by a firm and Date of Change.

Here insert business name of firm.

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 nature and date of

change.

Dated this day of 20 .
(S i g n a t u r e)

.....

For instructions as to signing 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 cases (b) (1) and (2) must be verified by a Statutory Declaration made by the Signatory.

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

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 not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars, or to both such imprisonment and fine.

FORM 8

No. of Certificate

.....

THE BUSINESS NAMES ACT Here insert name of Corporation.

Statement pursuant to Section 8 of the above Act of Here insert name of Corporation and date 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.

Dated this day of 20 .
(Signature)
For instructions as to signing 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 fourteen days after any change of the particulars registered, or within such longer period as the Minister may on application being made in any particular case, whether before or after the expiration of such fourteen 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 not exceeding twenty-five dollars 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 not exceeding three months, or to a fine not exceeding one hundred dollars, or to both such imprisonment and fine.

FORM 9

*Here insert name and
 address of firm or individual No. of Certificate
 as the case may be.

THE BUSINESS NAMES ACT

Notice pursuant to Section 15 of the Act of Cessation of Business by a Registered Firm or Individual.

Notice is hereby given that*

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 three calendar months after the business has ceased to be carried on.

Failure to give the required notice within the time specified entails liability on conviction to a fine not exceeding one hundred dollars.

FORM 10

THE BUSINESS NAMES ACT

Insert full ~~name of appellant~~ *name of appellant* ~~address of appellant~~ *address of appellant* ~~Registrar under Section 16(1)~~ *Registrar under Section 16(1)*

I (We) ~~insert the decision~~ *insert the decision* hereby give notice of appeal to a Judge from the decision of the Registrar dated the ~~day of~~ *day of*, 20 ~~,~~ *,* whereby he decided (b) ~~.~~ *.*

(a) _____

(b) _____

Accompanying this notice is a Statement of the Grounds of Appeal and of my (our) case for the decision of the Judge.

Dated the _____ day of _____ 20 .

(S i g n e d)

.....

To the Registrar of the Supreme Court, Belize.

This notice must be delivered within twenty-one days of the date of the notice of the Registrar’s decision, to the Registrar of the Supreme Court, 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 Registrar.

FORM 11

No. of Certificate

THE 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 Oaths Act, (Cap. 130) and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

FORM 12

No. of
Certificate.....

THE BUSINESS NAMES ACT

Certificate of Registration

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

Dated this day of20 .

Registrar