

# Are you making the right online disclosures?

## Legally required

All companies are legally obliged to make “trading disclosures” by virtue of the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015, made under the Companies Act 2006.

## Purpose

Disclosures make sure that a company’s identity and location are common knowledge. This enables those dealing with it to track it down at Companies House, take legal action against it if necessary and inspect its statutory records. It protects those running it by drawing attention to its limited liability status to ensure that third parties know the directors and shareholders can’t be sued personally.

## Information required

The company’s website has to set out:

- the company’s full registered name - which may be different from its trading name
- if the company is allowed to omit “Limited” or “Ltd” from its name, and the fact that it is a limited company
- the part of the UK in which it is registered
- its company registration number
- the full registered office address.

This information should be easy to find, e.g. on the homepage. It doesn’t have to appear on every page. **Tip.** A company can name its directors if it wants to, in which case the list must be complete and up to date. It can also state its paid-up share capital. However, companies rarely include this optional information to save having to update it.

## Not just websites

Companies also have to include the same information on all letters and other documents they produce, whether sent out in hard copy or electronically. The easiest way to comply is to include the information in your standard pre-printed letterhead and e-mail templates. **Tip.** Make sure to update your website, stationery and e-mail templates if your company’s name or registered office address changes, and to discard any old versions.

## Not incorporated - does this apply?

If a sole trader uses a business name that is not their surname, or a partnership uses a name that doesn’t include all of the names of its partners, it has to make similar trading disclosures - an address for service in the UK and their name. Partnerships have to disclose the name of each partner (a full list can be kept at the main office instead if there are more than 20 partners).

## Costly mistake

Breaching the trading disclosures requirements is a criminal offence, attracting fines of up to £1,000, plus a daily fine of up to £100 if the breach continues. The company and its directors can be prosecuted for this. There may also be implications for the company if it needs to take legal action to enforce a contract. If the other party has been put at a disadvantage by the company failing to make the proper disclosures, the company’s claim can be dismissed.

*Make sure your company’s name, registration number and location, and its registered office address are included on your website, e-mails and other documents.*