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Stationery, emails and websites for companies

What needs to be where?

I still see a lot of companies not complying with the requirements¹ to state full name and other details on stationery, websites, emails and so on. Lots haven't caught up with the inclusion of email and websites from 2008. So here's a handy guide to what needs to go where, for UK companies and LLPs².

Business letters, emails, order forms, websites³

- Full company name (including Limited, PLC, LLP etc).
- The part of the UK in which it is registered (eg England and Wales).
- Registered number.
- Registered office address.

Emails are included because they are "business letters" in electronic form, and the rules apply to electronic formats as well as hard copies. Remember that replies and forwards should have the same information on them. Emails with no text content are unlikely to be business letters and would not be included.

"Websites" does not mean every page of a website, but it includes any part of a website relating to the company that the company has caused or authorised to appear. That would include Facebook company pages, LinkedIn company profiles, pages for an individual company within a group website and substantial entries in a directory website. It can be problematic when the site template (eg LinkedIn) contains no space for this information. An order form within a website must include the information.

¹ Mainly contained in the [Companies \(Trading Disclosures\) Regulations 2008](#)

² **Company** includes LLP in this note. For **director** read **member**. Similar requirements apply to a foreign company with a UK establishment but they are not covered in detail here.

³ But see below for service and sales websites

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Special cases: for a company exempt from the obligation to use the word "limited" as part of its name or a community interest company, the fact that it is a limited company. For a company in insolvency⁴, the fact that it is in administration, being wound up etc, or is in a moratorium. Listed and AIM companies are required to publish certain documents and announcements on the websites. Companies regulated by the FSA must state "Authorised and regulated by the Financial Services Authority". For a company or LLP practising as solicitors (a Recognised Body) the words "regulated by the Solicitors Regulation Authority" and a list of the members or directors, identified as such and distinguishing non-solicitors, or a statement that a list is open to inspection at the office (a sole director's name must be stated).

If share capital is stated, it must refer to paid-up share capital. Where a company's business letter includes the name of a director, other than in the text or as a signatory, the letter must disclose the name of every director (except that LLPs with over 20 members can give the address of the principal place of business and say that a list can be inspected there).

VAT invoices must show the VAT number and [the other information required](#).

Other publications and documents

The following must include the full company name⁵:

- Letters, order forms and websites, as above.
- Notices and other official publications.
- Bills of exchange, promissory notes and endorsements.
- Cheques and orders for money, goods or services signed by or on behalf of the company.
- Bills of parcels⁶, invoices and other demands for payment, receipts and letters of credit.
- Applications for licences to carry on a trade or activity.
- All other forms of business correspondence and documentation.

The sweeper at the end does not allow much to be left out. Even business cards are probably included. Again these items are included if in electronic form.

The registered name must be stated in full (including Limited, PLC, LLP etc) but certain very minor changes (case, punctuation, accents, abbreviation to Ltd or PLC) are allowed⁷. The old rule that a director was personally liable on cheques etc which did not carry the full company name was repealed in 2008.

⁴ [The Companies \(Trading Disclosures\) \(Insolvency\) Regulations 2008](#)

⁵ [The Companies \(Trading Disclosures\) Regulations 2008](#)

⁶ I don't know what these are either

⁷ [Section 85 Companies Act 2006](#)

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Service and sales websites

A company providing an **information society service**⁸ must provide the following on its website⁹:

- The name of the service provider (the company's full registered name in a context showing that it is the service provider).
- The geographical address at which it is established and, if different, its registered office. Note that a PO box or accommodation address is not "geographical".
- Details of the company, including e-mail address. Another means of "direct and effective" communication must also be provided as well as an email address before conclusion of any contract.
- The part of the UK in which it is registered (eg England and Wales).
- Registered number.
- Where the service provider is registered in a trade register, details of the register and his registration number; where the provision of the service is subject to an authorisation scheme, details of the relevant supervisory authority; or where the service provider it is a member of a regulated profession, the details of its professional body, its professional title and the Member State granting it and a reference to the professional rules applicable to the service provider and the means to access them.
- VAT registration number.

If the website is used to conclude online contracts, add the following:

- A description of the different technical steps the customer must follow to conclude the contract, whether or not any contract will be filed by the service provider and, if so, whether it will be accessible by the customer, and of the technical means by which the customer can identify and correct input errors before he places an order.
- The language(s) offered for the conclusion of the online contract.
- Any applicable code of conduct, and how customers can consult the code.

⁸ A service normally provided for remuneration, at a distance, by means of computer equipment, and at the individual request of a recipient of a service. Note that contracts need not be concluded through the website.

⁹ [Electronic Commerce \(EC Directive\) Regulations 2002](#)

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If the Distance Selling Regulations¹⁰ apply, the following information must be provided:

- The company's identity and, where the contract requires payment in advance, its address.
- A description of the main characteristics of the goods or services.
- The price, including all taxes.
- The cost of delivery.
- Any arrangements applying to payment and delivery.
- A notice of the right to cancel the contract during a 7-day cooling off period, other than in excepted cases, and for services a warning of the loss of rights if services start during the 7 days.
- If customers are to use a premium rate telephone number, the cost of the call.
- The period for which any special offer remains valid.
- The minimum duration of any permanent or recurrent contract.

When selling goods by direct selling it is also wise to include terms requiring the consumer to pay return carriage costs when cancelling under the Regulations.

Premises

The full registered name must be displayed at any place where the company carries on business and also at its registered office and at any place where its statutory records can be inspected. It must be easily seen by any visitor whether in or outside business hours (though if the premises are inside a shared building not accessible at certain times, there is probably no infringement so long as it is visible when the company's own premises are closed but the building is open). If a location is shared by six or more companies, each must display its name for at least 15 seconds at least once every three minutes. There are exemptions for living accommodation (but not if it is the registered office or the inspection place) and for companies dormant since incorporation. Insolvency practitioners' offices are exempt in respect of their insolvent companies.

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¹⁰ [The Consumer Protection \(Distance Selling\) Regulations 2000](#).
Broadly, distance supplies of goods or services to consumers.