

PRACTICE NOTE

January 2024

Requirements re stationery etc and publicity/fundraising materials for: Not for profit companies limited by guarantee

Pursuant to company law, not for profit companies limited by guarantee must include the following on all correspondence and official documents including letters, invoices, email footers, the company's website and on publicity and fundraising materials:

- the full name of the company, as registered at Companies House (irrespective of whether or not the company operates under a different "working" name¹);
- that it is a company limited by guarantee;
- that it is registered in England and Wales;
- the registered company number; and
- its registered office address.

Naming the directors

If you want to include the names of the directors in the company's materials, you must list ALL of them. The alternative is to list none of them.

Example wording

[Insert full name of company], a not for profit company limited by guarantee registered in England and Wales, company number [insert company number] whose registered office is at [insert address of registered office].

¹ Not for profit companies limited by guarantee do not have to include "Limited" or "Ltd" in their name provided that they qualify for and have sought exemption from Companies House, either when incorporating or subsequently.

Displaying the company's name and status at its registered office

The name and status of the company should also be displayed at its registered office; any other place where it carries on business; or where its statutory registers are available for inspection by the public (except where such address is residential/living accommodation).

The simplest way of complying with this requirement is to state:

*"[registered name of company], a not for profit company limited by guarantee:
company number [insert company registration number]"*

Consequences of failure to comply with disclosure requirements

A breach of any the requirements referred to in this note may have civil and criminal law consequences, including that the company and/or its directors may be liable on summary conviction to a fine.

Further disclosure

Please note that as well as the above general rules, there may be other legislation and regulations applicable to the company which may require further disclosure.

Filanthropia Consulting

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This note provides a general summary only and it does not constitute legal advice. It is recommended that specific advice is sought in relation to the particular facts of a given situation.