

## Public Consultation on the Registration of Business Names Act 1963

No.	Question	Response
1	Do you use the Business Names Register or use services that provide information from that Register? If so, what is the information primarily used for?	Yes. Business Names Register information is held in Revenue's Integrated Business Intelligence (IBI) system. The information is retained in IBI as a resource for Revenue staff and can be helpful in ascertaining ownership and connected entities to a business.
2	What are your views on the requirement for all newspaper proprietors to register their business name under the Act? Should this requirement be extended to other types of media or repealed? Please provide reasons for your views.	N/A
3	What are your views on the disclosure of business name requirements? Should they be expanded, reduced or eliminated? Please provide reasons for your views.	The disclosure requirements seem to be adequate and there appears to be no reason to reduce or eliminate these requirements. Consideration could be given to extending the requirements to include web addresses for all businesses with on-line trading activities.
4	What are your views on extending the powers of the Registrar to amend or delete a name from the Business Names Register in certain circumstances? If so, please provide examples.	The registrar should have the power to ensure that the register is up to date. This should include the ability to make amendments where there is evidence that the information shown is inaccurate.
5	What are your views on the Registrar automatically updating the Business Names Register when the Companies Register and the Limited Liability Partnership list is updated?	This would provide real-time and up to date information and there should always be a legal entity or "natural person" associated with the business names of trading entities. All relevant information available should be utilised to keep the register current and accurate.
6	What are your views on requiring business name registration applicants to provide proof of identity to ensure that the information on the Business Names Register is accurate?	This proposal is supported and would act as a deterrent to potential fraud. Consideration could be given to including a Revenue identification number (Tax Registration Number (TRN) or PPSN) as one element of proof of identity.
7	What are your views on a minor registering a business name under the Act?	A minor registering a business name should continue to be allowed.
8	What are your views on the compulsory regular renewal of a business name to ensure the Business Names Register is current and accurate, and why? If your views support renewal of a business name, how often should this occur?	The register should be renewed on an annual basis and the onus, in the first instance, should be on individual businesses to keep their information up to date, with appropriate sanctions for failing to do so.

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9	What are your views on providing the Registrar with the power to bring and prosecute offences under the Act?	If the Registrar is provided with the necessary statutory powers to bring and prosecute offences, it should have a positive impact on compliance with the Act.
10	Do you have any observations to make in relation to the offences and penalties provided for under the Act?	The low value of fines could be viewed as inadequate in terms of a deterrent.
11	What are your views on the retention of fees by the Registrar for non-complying business name application forms?	N/A
12	What are your views on the mandatory e-filing of registration of business names forms?	It is a much more efficient and expeditious way to register a business name. Businesses are mandatory e-filers under Tax legislation and this proposal is in line with Revenue's approach.
13	What are your views in relation to the continuation of business names registration by the Registrar? Please provide reasons for your views?	The continuation of registration by the Registrar will fulfil a very necessary function in the State. It enables both the public and the business community to determine the identities of individuals, partnerships and companies that carry on business under a business name which is different from his, their or its own name.
14	The Department would welcome any other comments you may have in relation to the Act and the registration of business names.	<p>Consideration should be given to having each business owner being assigned a unique identifier number to facilitate a system trawl, if necessary, to establish/identify all the businesses with which the business owner is associated.</p> <p>There should be an obligation on the part of websites to identify physical location, etc. on their web pages. This is not being enforced in Ireland because of lack of priority of enforcement.</p>