

- (b) any such expression as the Registrar may assign upon its incorporation.

Availability of name

26. (1) A name is available if it is not—

- (a) undesirable or unacceptable;
- (b) identical to an existing company, corporation or business;
- (c) identical to a name that is being reserved under this Act; or
- (d) a name of a kind that the Minister has directed the Registrar not to accept for registration.

(2) The Registrar shall have the power to determine whether a name referred to in paragraph (1)(a), (b) or (c) is undesirable, unacceptable or identical, as the case may be.

(3) The Registrar shall publish in the *Gazette* any direction referred to in paragraph (1)(d).

Confirmation of availability and reservation of name

27. (1) A person shall apply to the Registrar to confirm the availability of a proposed name.

(2) If the Registrar is satisfied that the proposed name is a name which is not subject to subsection 26(1), the Registrar shall confirm the availability of the proposed name.

(3) If a person is aggrieved with the decision of the Registrar under subsection (2), he may, within thirty days from the date of the decision of the Registrar, appeal to the Minister whose decision shall be final.

(4) A person may apply to the Registrar for the reservation of a name as—

- (a) the name of the proposed company prior to its incorporation;
or
- (b) the name to which a company proposes to change its name under section 28.

(5) Upon being satisfied that the name is not one which may be refused on any ground referred to in subsection 26(1) and upon payment of the prescribed fee, the Registrar may reserve the name for a period of thirty days from the date of lodgement of the application or such longer period as the Registrar may allow.

(6) The confirmation of availability of name or the reservation of name under this section does not in itself entitle the intended company, company or foreign company to be registered by that name, either originally or on a change of name.

(7) Subject to this Act, the Registrar shall not be liable for any loss or damage suffered by any person by reason of error or omission of whatever nature or however arising, if such error or omission was made in good faith and in the discharge of duties under this section.

Change of name

28. (1) A company may resolve that its name be changed by special resolution.

(2) The company shall notify the Registrar of the change of its name within thirty days from the date the special resolution was passed.

(3) If the Registrar is satisfied that the new name complies with the provisions of this Act and upon payment of a prescribed fee, the Registrar shall—

- (a) enter the new name of the company on the register in place of the former name; and
- (b) issue a notice of registration of the new name.