

## **FAQs: SCIO's on the Index of Company Names**

From 1 January 2018 Scottish Charitable Incorporated Organisations (SCIOs) and Charitable Incorporated Organisations (CIOs) appear in the **Registrar's Index of Company Names**, which is maintained by **Companies House**. Charities that are companies already appear on the index.

See our FAQs below for more information:

- 1. What has changed?**
- 2. Why are SCIO's being added to the Index of Company Names?**
- 3. Do SCIO's have to report to Companies House now?**
- 4. Will people who look at the Index of Company Names be able to tell the difference between a SCIO and a company?**
- 5. What are the rules around the use of 'sensitive words or expressions' in a SCIOs name?**
- 6. What do we need to do if we are setting up a SCIO, or looking to change our SCIO's name?**

## 1. What has changed?

Under the Index of Company Names (Listed Bodies) Order 2017 SCIO names (and the English and Welsh equivalent CIOs) will appear alongside the names of companies (and other entities) when a user makes a search through Companies House's **CHS** or **WebCheck** search.

## 2. Why are SCIO's being added to the Index of Company Names?

This will help protect SCIOs' names, for instance in the event of others looking to set up a company or CIO with the same name as a SCIO.

We recommend that if you're looking to set up a SCIO or any other kind of charity you check the index first to make sure your proposed name is not already in use by another organisation.

## 3. Do SCIO's have to report to Companies House now?

No. OSCR will still be the single regulator for all SCIOs and will provide updates to Companies House directly.

You may need to report to other regulators depending on what you do, for example the Care Inspectorate if you are a care provider.

## 4. Will people who look at the Index of Company Names be able to tell the difference between a SCIO and a company?

Yes, the difference will be made clear on the Index of Company Names.

## 5. What are the rules around the use of 'sensitive words or expressions' in a SCIOs name?

**The Company, Limited Liability Partnership and Business Names (Sensitive Words and Expressions) Regulations 2014** set out 'sensitive words or expressions' that Companies House must check and approve before they can be used in a SCIO name. For example:

- Foundation

- Association
- Trust
- Society
- Fund

For full details of ‘sensitive words or expressions’, please see the Companies House [website guidance](#) (Annex A).

While ‘charity’ and ‘charitable’ are sensitive words, you do **not** need to seek approval from Companies House before applying to OSCR for incorporation of a SCIO with one of these words in its name. If we decide to incorporate the SCIO, this will allow Companies House to include it on the Index of Company Names.

## 6. What do we need to do if we are setting up a SCIO, or looking to change our SCIO’s name, and we think the proposed name includes a ‘sensitive word or expression’?

Where the proposed name for the SCIO includes a ‘sensitive word or expression’ you will need to contact Companies House to get approval before you apply to OSCR.

Applications should be sent to [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk) with ‘SCIO’ in the subject line of your email.

Before applying to Companies House you should look at their [website guidance](#), in particular Annex A, which sets out the criteria for approval.

Some words require you to seek the view of a government department or other body before you send your email to Companies House. This is made clear in [Annex A](#). You are also advised to read Annexes B and C. If the relevant body has no objection to your proposed name it will provide you with a ‘statement of non-objection’ you should give to Companies House as part of the application for prior approval. For example:

- if you are looking to incorporate a SCIO with a name including the words ‘Fund’ or ‘Bank’ you must be able to provide a letter or email of non-objection from the Financial Conduct Authority.

Certain words or expressions will require you to provide evidence or additional information to Companies House. For example:

- if you are looking to incorporate a SCIO with the word 'Foundation' in its name you must be able to show that it has a pool of money or a regular source of finance available to promote its objects. It must also include a non-profit distribution clause in its constitution (this is required in any case for charitable status).

When OSCR is looks at an application for incorporation as a SCIO or a change of name that includes a sensitive word or expression we will:

- expect applicants to confirm that they have the prior permission of Companies House to use it.
- also check that the proposed name is not 'objectionable' in one of the ways set out in the Charities and Trustee Investment (Scotland) Act 2005. Some of these overlap with the sensitive word or expressions. See [Making changes to your charity](#) for more information.

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