This chapter details the relatively few legal controls and restrictions on partnerships and partnership agreements, together with aspects of contract law and litigation issues. In terms of contract law, the issues are capacity to become a partner, illegality and partnerships, and restraint of trade clauses in partnership agreements. With regard to the latter, the issues are validity and severance of such clauses as a matter of public policy, and enforcement. Medical and solicitors' partnerships are specifically considered in that context. The controls on partnership and business names in the Companies Act 2006 are set out, followed by the possibility of passing-off actions in tort. Finally, the position of partnerships, not being legal persons, as either complainants or defendants is considered.
3. Legal Controls on Partnerships

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