



# Public Company (Ltd by Guarantee) Registration Order Form

Name	<input type="text"/>	Phone	<input type="text"/>
Firm	<input type="text"/>	E-mail	<input type="text"/>

## Company Details

Preferred Company Name/s

The only way to check whether the name is truly available is via a trade mark search (see attached form).

Is this a registered business name wholly owned by one or more Officers or Members?  Yes  No If Yes, ABN/BN:

Type of Company (please select)  Not for Profit  Charitable purposes only (see notes over)

Preferred State/Territory of Company Registration (Please select):  Qld  NSW  ACT  Vic  Tas  SA  WA  NT

Full Registered Office Address

Does the Company occupy the Registered Office? If No, name of Occupier:

Full Principal Place of Business

Member Guarantee Amount  (see notes over, default amount of \$10 applies if none selected)

Name of Ultimate Holding Company (if applicable)

ACN/ARBN  or Country of Incorporation (if not Australia)

## Company Officers and Members

**IMPORTANT: Full, verifiable name and address details are required.**

**#1** To be Chairman

Family Name/Company

Given Names/ACN  TFN'

Street Address

Date of Birth  Place of Birth (Town/State/Country)

Position/s Held  Director  Secretary  Public Officer  Member

**#2**

Family Name/Company

Given Names/ACN  TFN'

Street Address

Date of Birth  Place of Birth (Town/State/Country)

Position/s Held  Director  Secretary  Public Officer  Member

**#3**

Family Name/Company

Given Names/ACN  TFN'

Street Address

Date of Birth  Place of Birth (Town/State/Country)

Position/s Held  Director  Secretary  Public Officer  Member

**The declaration (over page) must be signed and submitted with this order.**

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## #4

Family Name/Company			
Given Names/ACN		TFN*	
Street Address			
Date of Birth		Place of Birth (Town/State/Country)	
Position/s Held	<input type="checkbox"/> Director <input type="checkbox"/> Secretary <input type="checkbox"/> Public Officer <input type="checkbox"/> Member		

## #5

Family Name/Company			
Given Names/ACN		TFN*	
Street Address			
Date of Birth		Place of Birth (Town/State/Country)	
Position/s Held	<input type="checkbox"/> Director <input type="checkbox"/> Secretary <input type="checkbox"/> Public Officer <input type="checkbox"/> Member		

\*Providing TFNs is optional, but will benefit ABN/TFN applications.

## Additional Members

**IMPORTANT: Full, verifiable name and address details are required.**

Name			
Street Address			
Name			
Street Address			
Name			
Street Address			

## Additional Information/Special Instructions


## Declaration

I, (Print Name)		the applicant, declare that I hold the consents by each officer and member of the company as required by s117(2), and where the company name is identical to a registered business name, I declare that I make this application for the company name as, or as a professional advisor of and with the authority of, the registered owner/s of the above identical business name/s and authorise Acis Services Pty Ltd to make an application for company registration as my agent.
Signature Required		

## Payment Details

Please debit the following card details by the amount of \$			
Type of Card	<input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Diners Club* <input type="checkbox"/> Amex*	*3% SURCHARGE APPLIES	
Card Number		Expires	
Name on Card		CCV	
		Signature	

Please return this completed form to [acis@acis.net.au](mailto:acis@acis.net.au), Freefax 1800 655 556 or Locked Bag 1, Fortitude Valley Q 4006

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## Note on Public Companies Limited by Guarantee

Unlike a company limited by shares, a company limited by guarantee does not have a share capital. Its members are admitted by the company in accordance with its admission rules (if any) and each member "guarantees" the payment of a set amount towards the payment of the company's debts in the event that the company is wound up. This guarantee applies to each member while they are members and for a period of 12 months after they cease being a member. Unless otherwise requested the guarantee amount inserted into the Acis Constitution will be \$10.00.

As the name suggests, this type of company is a public company and, therefore, must comply with the requirements set out for public companies in the Corporations Act 2001. For example:

- the company must have at least 3 directors at all times (two of whom must be an Australian resident);
- the company must have an Australian resident secretary at all times;
- the company is prohibited from distributing dividends to its members;
- the company may be required to have its financial statements audited each year;
- the annual levy imposed by ASIC is \$1224.00 (except a charitable purposes only);
- a copy of the company's constitution and any amendments to it must be lodged with ASIC.

This form of company is commonly used for sporting clubs and not for profit organisations and is the vehicle generally preferred to attain special tax treatment.

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## Charitable Purposes Only

In order to access concessions available to Charities, your not for profit company must be registered by the Australian Charities and Not-for-Profits Commission ("ACNC") as a Charity. One requirement for registration is that the company's constitution must contain provisions which require it to pursue charitable purposes only and to apply its income in promoting those purposes. It must also prohibit the company from making distributions to its members and paying fees to its directors and requires its directors to approve all other payments the company makes to them.

In order to do this, the company's constitution must contain a statement of the company's objects (i.e. what it is that the company is established for and the activities it will undertake to achieve those objects). The company's objects must comply with the ACNC and ATO guidelines for such organisations.

If your company intends to apply for registration with the ACNC as a Charity or Not-for-Profit company, please provide us with a statement of the company's objects with your order.

Please note that Acis does not provide advice in relation to the content of any statement of objects and particularly as to whether any such statement will comply with ACNC, ATO or Corporations Act requirements or as to whether the company is eligible to be registered as a Charity or Not-for-Profit organisation.

Once a company is registered with ACNC as a Charity or Not-for-Profit company, the ACNC will advise the ATO and ASIC that the company is a Charity and this will permit the company to access the taxation and other concessions available to Charities.

Alternatively, if the company does not intend to apply for registration with ACNC, no statement of objects is required, although one may be inserted if desired.

Where a statement of objects is included in the constitution, the company must only act in accordance with those objects.



# Consent/s to Act

Proposed Company Name:

  

\*I/We, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company.

Signature

Full Name

  

Street Address

Date:

\*Strike out if not applicable

Proposed Company Name:

  

\*I/We, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company.

Signature

Full Name

  

Street Address

Date:

\*Strike out if not applicable

Proposed Company Name:

  

\*I/We, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company.

Signature

Full Name

  

Street Address

Date:

\*Strike out if not applicable



# Trade Mark Search Order Form

Name	<input type="text"/>	Phone	<input type="text"/>
Firm	<input type="text"/>	E-mail	<input type="text"/>

## Trade Mark Details

Trading Name

What are the key goods and/or services provided?

A registered trade mark provides exclusivity in relation to the same kind of goods or services provided by the owner. To ascertain whether a conflict exists, we need to clearly understand what goods and/or services will be offered.

### Important Note

- Searches may take up to 3 business hours.
- Orders awaiting the search result will then be processed unless the name conflicts with a registered trade mark.
- A detailed search report will be provided within 2 business days.

## What's in a name?

### Nothing much...just the future of your business

Choose your trading name carefully. Your name distinguishes your business from competitors, encapsulates identity and accrues goodwill.

Names that are descriptive of the business' function are difficult to register as trade marks. Without a registered trade mark your name will be vulnerable to use by others.

Tips for choosing a name that can be protected:

- Suggestive, e.g. Red Balloon is much easier to register than Online Gifts.
- Invented, e.g. Uber or Instagram.
- Unrelated, e.g. Apple is not related to computers or technology.

Contact us if you have any questions about registering a company name.

## Additional Information/Special Instructions

  
  
  
  

## Payment Details

Please debit the following card details by the amount of **\$198 (inc. GST)**

Type of Card	<input type="checkbox"/> Visa	<input type="checkbox"/> Mastercard	<input type="checkbox"/> Diners Club*	<input type="checkbox"/> Amex*	*3% SURCHARGE APPLIES
Card Number	<input type="text"/>	Expires	<input type="text"/>	CCV	<input type="text"/>
Name on Card	<input type="text"/>	Signature	<input type="text"/>		