



TO: Cooper Grace Ward
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1. Applicant details

Firm name:					
Contact name:					
Telephone:		Fax:			
Email address:					
Postal address:					
Suburb/City:		State:		Postcode:	
Street address:					
Suburb/City:		State:		Postcode:	

2. Business name

Business name to be registered:		
Period of registration:	<input type="checkbox"/> 1 year	<input type="checkbox"/> 3 years

3. Holder of business name ('Holding Entity')

ABN:					
The Holding Entity is:	<input type="checkbox"/> an individual <input type="checkbox"/> a company <input type="checkbox"/> a trust (please complete the below with the trustee's details)				
If the Holding Entity/trustee is an individual:	Full name:				
	Residential street address:				
	Suburb/City:		State:		Postcode:
	Date of birth:		Country of birth:		
If the Holding Entity/trustee is a company:	Name of company:			ACN:	

4. Addresses

The principal place of business is the address of the business being carried on under the business name (this cannot be a PO box). The address for service and email address are the addresses that ASIC will send important documents to.

Principal place of business:	Address:				
	Suburb/City:		State:		Postcode:
Address for service:	Address:				
	Suburb/City:		State:		Postcode:
Email address:					

5. OPTIONAL – Payment by credit card

If you would like to pay by credit card, please complete the section below. If you would prefer we disburse the costs associated with registering your business name to your next account, please leave this section blank.

Card type:	<input type="checkbox"/> MasterCard	<input type="checkbox"/> Visa	
Card number:		Expiry date (mm/yy):	/
Name of cardholder:		Amount:	
Signature of cardholder:	_____		
Date:	/ /	Contact phone no.:	

6. Declaration

By signing below, the Holding Entity:

1. confirms that it has read and understood the **declarations in the Annexure** to this application form;
2. declares that all of the **declarations in the Annexure** are true;
3. authorises Cooper Grace Ward Lawyers to make each of the **declarations in the Annexure** on the Holding Entity's behalf;
4. declares that the information supplied in this application is complete and accurate;
5. authorises Cooper Grace Ward Lawyers to submit this application via the ASIC Connect website on behalf of the Holding Entity under the terms and conditions of the ASIC Electronic Lodgement Protocol;
6. consents to be registered as the owner of the business name; and
7. consents to notices required to be sent to the Holding Entity from ASIC in accordance with the *Business Names Registration Act 2011* (Cth) to be sent to the email address specified in item 4 above.

 Signed on behalf of the Holding Entity

 Date

Please send this form to Cooper Grace Ward.

Annexure

Declarations of Holding Entity

The Holding Entity declares that:

1. it is not disqualified from holding a business name in accordance with section 32 of the *Business Names Registration Act 2011* (Cth);
2. if the Holding Entity is:
 - (a) an individual, it;
 - (b) a body corporate, each director and secretary (or their equivalents) of the body corporate;
 - (c) a partnership, each partner of the partnership;
 - (d) an unincorporated association or other body, each member of the committee of management of the unincorporated association or body;
 - (e) a trust, each trustee of the trust; or
 - (f) a joint venture, each joint venturer,

is not disqualified from managing corporations under section 206B(1) of the *Corporations Act 2001* (Cth) and has not, within the last 5 years, been:

- (g) convicted of; or
- (h) released from prison after being convicted of, and serving a term of imprisonment for,

any of the criminal offences referred to in section 32(1)(c) or section 32(1)(d) of the *Business Names Registration Act 2011* (Cth).

(Section 32 of the *Business Names Registration Act 2011* (Cth) and section 206B(1) of the *Corporations Act 2001* (Cth) can be found below)

Business Names Registration Act 2011 (Cth)

32 Disqualified entities

- (1) An entity is **disqualified** if:
 - (a) the entity is a person disqualified from managing corporations under subsection 206B(1) of the *Corporations Act 2001* because the person is convicted of an offence; or
 - (b) a person involved in the management of the entity is disqualified from managing corporations under subsection 206B(1) of the *Corporations Act 2001* because the person is convicted of an offence; or
 - (c) the entity is a person who is not disqualified under subsection 206B(1) of the *Corporations Act 2001*, but is convicted of an offence against a law of the Commonwealth, a State, a Territory or a foreign country that involves dishonesty and is punishable by imprisonment for at least 3 months; or
 - (d) the entity is a person who is not disqualified under subsection 206B(1) of the *Corporations Act 2001*, but is convicted of an offence against the law of a foreign country that is punishable by imprisonment for a period of more than 12 months; or
 - (e) a person involved in the management of the entity is not disqualified under subsection 206B(1) of the *Corporations Act 2001*, but is convicted of an offence referred to in paragraph (c) or (d) of this subsection.

- (2) The entity is **disqualified**:
- (a) in a case mentioned in paragraph (1)(a)—during the period for which the entity is disqualified under subsection 206B(2) of the *Corporations Act 2001*; and
 - (b) in a case mentioned in paragraph (1)(b)—during the period for which the person involved in the management of the entity is disqualified under subsection 206B(2); and
 - (c) in a case mentioned in paragraph (1)(c) or (d):
 - (i) if the entity does not serve a term of imprisonment—for a period of 5 years after the day on which the entity is convicted; or
 - (ii) if the entity serves a term of imprisonment—for a period of 5 years after the day on which the entity is released from prison; and
 - (d) in a case mentioned in paragraph (1)(e):
 - (i) if the person involved in the management of the entity does not serve a term of imprisonment—for a period of 5 years after the day on which the person is convicted; or
 - (ii) if the person involved in the management of the entity serves a term of imprisonment—for a period of 5 years after the day on which the person is released from prison.
- (3) The Minister may, on application in writing by a person, determine that:
- (a) where the person is the entity that would otherwise be disqualified—the entity is not disqualified despite the conviction; and
 - (b) where the person is involved in the management of an entity that would otherwise be disqualified—the entity is not disqualified despite the conviction.
- (4) A determination under subsection (3) must be in writing but is not a legislative instrument.

Corporations Act 2001 (Cth)

206B Automatic disqualification

- (1) A person becomes disqualified from managing corporations if the person:
- (a) is convicted on indictment of an offence that:
 - (i) concerns the making, or participation in making, of decisions that affect the whole or a substantial part of the business of the corporation; or
 - (ii) concerns an act that has the capacity to affect significantly the corporation's financial standing; or
 - (b) is convicted of an offence that:
 - (i) is a contravention of this Act and is punishable by imprisonment for a period greater than 12 months; or
 - (ii) involves dishonesty and is punishable by imprisonment for at least 3 months; or
 - (c) is convicted of an offence against the law of a foreign country that is punishable by imprisonment for a period greater than 12 months.

The offences covered by paragraph (a) and subparagraph (b)(ii) include offences against the law of a foreign country.