

## APPLICATION FORM

# Proprietary Company Limited by Shares

Please read the following before completing this application form.

By completing and submitting the application you confirm as follows:

1. if applicable, the occupier of the registered office consents to being named as the company's registered office by completing and signing the attached consent form;
2. the named director(s) has consented to being named as a director of the company by completing and signing the attached consent form;
3. the named secretary(ies) has consented to being named as a secretary of the company by completing and signing the attached consent form;
4. the named public officer has consented to being named as public officer of the company by completing and signing the attached consent form; and
5. you have satisfied yourself that the proposed company name (and any proposed trading name) does not breach the intellectual property rights of any other person.

Please note that the law gives extensive protection to intellectual property rights and the fact that a company name is available for registration does not mean that it will not breach some other person's intellectual property rights.

If the original members want to own a specific class of shares (e.g. "Class X" etc.) it may be necessary to document the precise terms of the issue of those shares. The constitution does not provide for "pro-forma terms" for any particular share class, as they vary from company to company. Please contact us if you require specific share classes.

The original members may also wish to include a pre-emptive rights provision, giving themselves first right to acquire shares on the issue or transfer of shares, or on the death or default of a shareholder. We generally recommend that such provisions are contained in a shareholders agreement or buy-sell deed, rather than in the constitution. Please contact us if you require a shareholders agreement or a buy-sell deed.

If you have any questions about completing the application form please contact:

**Christopher Davis**

Principal

Phone: (07) 3014 6530

Email: cdavis@mcw.com.au

**Taryn Hartley**

Principal

Phone: (07) 3014 6513

Email: thartley@mcw.com.au

By completing and submitting the form you confirm as follows:

- a. It is the purchaser's responsibility to ensure that the information supplied is correct.
- b. If new documents have to be prepared as a result of errors in the information a further fee will be payable.

Please ensure you complete all details below, and contact us with any questions you have prior to submitting the form.

### PRICES

Registration of Proprietary Company and preparation of electronic company register (including a \$512.00 ASIC registration fee)	\$842 including GST
Registration of Proprietary Company and preparation of hardcopy register (including a \$15 postage fee and a \$512.00 ASIC registration fee)	\$967 including GST
Same day urgent registration of Proprietary Company and preparation of hardcopy company register (including courier fees and a \$512.00 ASIC registration fee) – instructions received before 10:00am	\$1037 including GST

### PURCHASER'S DETAILS

First Name:

Name of firm (if applicable):

Telephone:

Fax:

Email address:

Street Address:

Suburb/City:

State:

Postcode:

Postal Address:  
(if different from above)

Suburb/City:

State:

Postcode:

### WHAT STATE / TERRITORY IS THE COMPANY TO BE REGISTERED IN?

QLD      NSW      ACT      VIC      TAS      SA      WA      NT

### COMPANY NAME

First choice

Second choice

### IS THE NAME A REGISTERED BUSINESS NAME?

Yes      No

If yes please specify:

- a. Registered Business Number
- b. Name and address of registered owner(s) of the registered business name

\* A Not-for-profit declaration is required. Please contact us for the declaration.

### IS THE COMPANY A SPECIAL PURPOSE COMPANY?

Yes      No

If yes please specify:

Home unit (HUNT)

Trustee of a Superannuation Fund (PSTC)

Charitable Purpose Company (PNPC)\*

## BUSINESS NAME/INTELLECTUAL PROPERTY

Please note that even if the proposed company name is available, its use may still breach the intellectual property rights of some other person including trademarks etc. If you require our assistance in determining whether the use of such name infringes on any other person's intellectual property rights please indicate below. If you indicate "No" or leave this question blank you warrant to us that you do not require assistance in this regard and we give no warranty or advice in relation to the use of the proposed company name.

Do you want us (through recommended patent and trademark attorneys) to undertake a report on whether the company name will in fringe another person's intellectual property rights? Yes      No

## IDENTIFY ULTIMATE HOLDING COMPANY

Will the company have an Ultimate Holding Company upon registration? Yes      No

If yes please provide the following details of the Ultimate Holding Company:

Name

ACN / ABN / ARBN

Country of Registration (if not Australia)

## REGISTERED OFFICE AND PRINCIPAL PLACE OF BUSINESS

**McInnes Wilson Lawyers is willing to provide the services of a company secretary for an annual fee**

Registered Office address

Suburb/City State Postcode

Is the Registered Office occupied by the company? Yes No

If no, what is the Occupier's name (e.g. accountant, lawyer etc)

Has the Occupier consented to the premises being used as the Registered Office? Yes No

**If yes, please complete the attached consent form**

Principal Place of Business

Same as above

Address

Suburb/City State Postcode

## DIRECTORS

(Only natural persons may be a director; at least 1 director must ordinarily reside in Australia)

**Director 1 – please complete attached consent form**

First name(s)

Surname

Former names (if any)

Residential Address ASIC will not accept a "c/-", "care of" or business address

Street

Suburb/City State Postcode

Date of Birth

Place of Birth City State

**Director 2 – please complete attached consent form**

First name(s)

Surname

Former names (if any)

Residential Address ASIC will not accept a “c/-“, “care of” or business address

Street

Suburb/City

State

Postcode

Date of Birth

Place of Birth

City

State

**Director 3 – please complete attached consent form**

First name(s)

Surname

Former names (if any)

Residential Address ASIC will not accept a “c/-“, “care of” or business address

Street

Suburb/City

State

Postcode

Date of Birth

Place of Birth

City

State

**Director 4 – please complete attached consent form**

First name(s)

Surname

Former names (if any)

Residential Address ASIC will not accept a “c/-“, “care of” or business address

Street

Suburb/City

State

Postcode

Date of Birth

Place of Birth

City

State

## SECRETARY

(McInnes Wilson Lawyers is willing to provide the services of a company secretary for an annual fee)

First name(s)

Surname

Former names (if any)

Residential Address ASIC will not accept a "c/-", "care of" or business address

Street

Suburb/City

State

Postcode

Date of Birth

Place of Birth

City

State

## SHAREHOLDERS

### Shareholder 1

Same as Director 1

Full name / Entity name and ACN

Address

Suburb/City

State

Postcode

Number of shares

Class of shares (e.g. ordinary)

Issue price per share \$

(e.g. \$1.00 per ordinary share)

Are the shares beneficially held? Yes No

Are the shares fully paid? Yes No If no, paid to what amount? \$

### Shareholder 2

Same as Director 2

Full name / Entity name and ACN

Address

Suburb/City

State

Postcode

Number of shares

Class of shares (e.g. ordinary)

Issue price per share \$

(e.g. \$1.00 per ordinary share)

Are the shares beneficially held? Yes No

Are the shares fully paid? Yes No If no, paid to what amount? \$

**Shareholder 3**

Same as Director 4

Full name / Entity name and ACN

Address

Suburb/City

State

Postcode

Number of shares

Class of shares (e.g. ordinary)

Issue price per share \$ (e.g. \$1.00 per ordinary share)

Are the shares beneficially held? Yes No

Are the shares fully paid? Yes No If no, paid to what amount? \$

**Shareholder 4**

Same as Director 3

Full name / Entity name and ACN

Address

Suburb/City

State

Postcode

Number of shares

Class of shares (e.g. ordinary)

Issue price per share \$ (e.g. \$1.00 per ordinary share)

Are the shares beneficially held? Yes No

Are the shares fully paid? Yes No If no, paid to what amount? \$

## RETURNING THIS FORM

After completing this form please either:

- print, sign, and fax it to McInnes Wilson Lawyers at (07) 3221 2921; or
- print, sign, scan, and email it to McInnes Wilson Lawyers at mcwonline@mcw.com.au; or

To print this form for signing click here:

To email this form to McInnes Wilson Lawyers, after confirming instructions below, click here:

## CONFIRMATION OF INSTRUCTIONS

The purchaser agrees to purchase the goods and services indicated on this application form and acknowledges that legal or financial advice has not been given by McInnes Wilson Lawyers in relation to the preparation of the relevant document(s) and registration of the company. The purchaser acknowledges that McInnes Wilson Lawyers will incur Australian Securities and Investment Commission registration fees on behalf of the purchaser and warrants that all necessary consents by the officers of the company have been obtained as required under the **Corporations Act 2001 (Cth)**.

Signed by purchaser

Date (dd/mm/yy)

OR

Confirmed by purchaser

Date (dd/mm/yy)

Note: This application form will not be processed by McInnes Wilson Lawyers unless this section is completed.

## CREDIT CARD PAYMENTS

Please debit the following credit card for the supply of goods and services indicated on this application form.

Note: Payment by credit card will incur a fee of 1.07% (incl GST) for VISA and MasterCard, and 3% (incl GST) for AMEX, on the GST inclusive price.

Credit card:

Visa           MasterCard           American Express

Total Remitted \$

Expiry date

    plus credit card fee specified above

Cardholder's Name

Card Number

Cardholder's Signature

Date

# Occupier's consent

## SECTION 100 OF THE CORPORATIONS ACT 2001 (CTH)

To: The Director(s)

I, authorised representative of  
occupier of the premises located at:

Pty Ltd  
, being the

consent to the use of this address as the registered office of

Pty Ltd

Date

Signature

Name (BLOCK LETTERS)



# Consent to act as Director

## SECTIONS 201D AND 205B OF THE CORPORATIONS ACT 2001 (CTH)

To \_\_\_\_\_ Pty Ltd

1. I consent to act as a director of the company.
2. In accordance with section 205B of the **Corporations Act 2001** (Cth) I give notice of the following personal details:

First Name

Surname

Former Given and Family Names (if any)

Residential Address  
(not a c/- or PO Box)

Date of Birth

Place of Birth (City & State)

Date

Signature

Name (BLOCK LETTERS)

# Consent to act as Director

## SECTIONS 201D AND 205B OF THE CORPORATIONS ACT 2001 (CTH)

To \_\_\_\_\_ Pty Ltd

1. I consent to act as a director of the company.
2. In accordance with section 205B of the **Corporations Act 2001** (Cth) I give notice of the following personal details:

First Name

Surname

Former Given and Family Names (if any)

Residential Address  
(not a c/- or PO Box)

Date of Birth

Place of Birth (City & State)

Date

Signature

Name (BLOCK LETTERS)

# Consent to act as Director

## SECTIONS 201D AND 205B OF THE CORPORATIONS ACT 2001 (CTH)

To \_\_\_\_\_ Pty Ltd

1. I consent to act as a director of the company.
2. In accordance with section 205B of the **Corporations Act 2001** (Cth) I give notice of the following personal details:

First Name

Surname

Former Given and Family Names (if any)

Residential Address  
(not a c/- or PO Box)

Date of Birth

Place of Birth (City & State)

Date

Signature

Name (BLOCK LETTERS)

# Consent to act as Director

## SECTIONS 201D AND 205B OF THE CORPORATIONS ACT 2001 (CTH)

To \_\_\_\_\_ Pty Ltd

1. I consent to act as a director of the company.
2. In accordance with section 205B of the **Corporations Act 2001** (Cth) I give notice of the following personal details:

First Name

Surname

Former Given and Family Names (if any)

Residential Address  
(not a c/- or PO Box)

Date of Birth

Place of Birth (City & State)

Date

Signature

Name (BLOCK LETTERS)

# Consent to act as Company Secretary

To \_\_\_\_\_ Pty Ltd

I consent to act as company secretary of the Company, subject to the provisions of the **Corporations Act 2001** (Cth) and the Constitution.

First Name

Surname

Former Given and Family Names (if any)

Residential Address  
(not a c/- or PO Box)

Date of Birth

Place of Birth (City & State)

Date

Signature

Name (BLOCK LETTERS)

# Consent to act as Public Officer

To: ..... Pty Ltd

I consent to act as public officer of the Company, in accordance with section 252 of the **Income Tax Assessment Act 1936** (Cth) and subject to the provisions of the Constitution.

Name

Address

Date

Signature

Name (BLOCK LETTERS)

# Consent to become a Member

To \_\_\_\_\_ Pty Ltd

1. I, \_\_\_\_\_ consent to become a member of \_\_\_\_\_ Pty Ltd, a company to be registered under the **Corporations Act 2001** (Cth) and which will be taken to be a proprietary company limited by shares.
2. I agree to take up the following number and class of shares in the company:  
No \_\_\_\_\_  
Class \_\_\_\_\_
3. I agree to pay the following amount (if any) for each share \$ \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name (BLOCK LETTERS) \_\_\_\_\_

# Consent to become a Member

To \_\_\_\_\_ Pty Ltd

1. I, \_\_\_\_\_ consent to become a member of \_\_\_\_\_ Pty Ltd, a company to be registered under the **Corporations Act 2001** (Cth) and which will be taken to be a proprietary company limited by shares.
2. I agree to take up the following number and class of shares in the company:  
No \_\_\_\_\_  
Class \_\_\_\_\_
3. I agree to pay the following amount (if any) for each share \$ \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name (BLOCK LETTERS) \_\_\_\_\_



# Consent to become a Member

To \_\_\_\_\_ Pty Ltd

1. I, \_\_\_\_\_ consent to become a member of \_\_\_\_\_ Ltd, a company to be registered under the Corporations Act 2001 (Cth) and which will be taken to be a proprietary company limited by shares.
2. I agree to take up the following number and class of shares in the company:  
No \_\_\_\_\_  
Class \_\_\_\_\_
3. I agree to pay the following amount (if any) for each share \$ \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name (BLOCK LETTERS) \_\_\_\_\_

# Consent to become a Member

To \_\_\_\_\_ Pty Ltd

1. I, \_\_\_\_\_ consent to become a member of \_\_\_\_\_ Ltd, a company to be registered under the **Corporations Act 2001 (Cth)** and which will be taken to be a proprietary company limited by shares.
2. I agree to take up the following number and class of shares in the company:  
No \_\_\_\_\_  
Class \_\_\_\_\_
3. I agree to pay the following amount (if any) for each share \$ \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name (BLOCK LETTERS) \_\_\_\_\_