CE301*

Business Names Act 1962

Business Names Amendment Regulations (No. 2) 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Business Names Amendment Regulations (No. 2) 2004*.

2. The regulations amended

The amendments in these regulations are to the *Business Names Regulations 1962**.

[* Reprinted as at 21 June 2002. For amendments to 3 June 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 40 and Gazette 9 January 2004.]

3. Regulation 8 amended

Regulation 8(e)(iii) is amended by deleting "Corporate Affairs" in both places where it occurs and inserting instead —

" Fair Trading ".

4. First Schedule amended

The First Schedule is amended as follows:

- (a) in the First Column by deleting "7(1), (2); 8(1)" and inserting instead
 - " 7 "
- (b) in the First Column by deleting "12(1)(a), (b), (2), (4)" and inserting instead
 - " 12(1), (2), (3), (4) ";
- (c) by deleting the row relating to form 7.

5. Second Schedule amended

(1) The Second Schedule Form 1 is deleted and the following form is inserted instead —

"

Form 1 — Application for registration of a business name

| | 7. C. | | | | |
|----|---|--|--|--|--|
| Bu | Business Names Act 1962 s. 7 | | | | |
| Bu | Business Names Regulations 1962 Form 1 | | | | |
| A | Application for registration of a business name | | | | |
| P | lease use BLOCK L | ETTERS] | | | |
| | | Details of the business | | | |
| 1 | Business name to | | | | |
| | be registered | | | | |
| 2 | Alternative names | 2 nd preference: | | | |
| | (if above name not | 3 rd preference: | | | |
| | available) | 4 th preference: | | | |
| 3 | Existing business | | | | |
| | name [if any] | [if existing business name is to be cancelled, complete Form 5] | | | |
| 4 | Nature of business | | | | |
| | [be concise] | | | | |
| 5 | Address(es) in WA | Principal place | | | |
| | where business is or | of business: | | | |
| | is proposed to be | Other place: | | | |
| | carried on | | | | |
| | [include postcode(s)] | Other place: | | | |
| | | | | | |
| 6 | Address in WA for | | | | |
| | service of notices | | | | |
| | under the Act [postal | | | | |
| | address acceptable] | | | | |
| 7 | Commencement | | | | |
| | date of business | | | | |
| | Details of the persons who do or will carry on the business | | | | |
| 8 | Applicants who are | Surname: | | | |
| | individuals | Given names: Date of birth: | | | |
| | | Residential address: | | | |
| | [give date of birth if | (not P.O. Box No.) | | | |
| | under 18 years of age] | Signature: | | | |
| | [if insufficient space, | Surname: | | | |
| | attach an annexure] | Given names: Date of birth: | | | |
| | • | Residential address: | | | |
| | | (not P.O. Box No.) | | | |
| | | Signature: | | | |
| | | Have any of the above persons been convicted in WA or | | | |
| | | elsewhere — | | | |
| | | on indictment of an offence in connection with | | | |
| | | the promotion, formation or management of a | | | |
| | | corporation; | | | |
| | | of an offence involving fraud or dishonesty punishable on conviction with imprisonment for | | | |
| | | 3 months or more; or | | | |
| | | of any other offence relating to the management | | | |
| | | or administration of a corporation or the | | | |
| | | purchase or selling of shares in a corporation? | | | |
| | | Yes/No | | | |
| | | If yes you must contact the Department before you lodge | | | |
| | | this form. | | | |

| 9 | Applicants who are | Corporation name: | |
|----|---------------------------|----------------------|-------------------------------|
| | corporations | ACN: | |
| | corporations | Registered office: | |
| | F.1 000 | (not P.O. Box No.) | |
| | [the officer signing must | Officer's full name: | |
| | be a director or | Officer's signature: | Date: |
| | secretary of the | Officer's position: | |
| | corporation] | Corporation name: | |
| | | ACN: | |
| | [if insufficient space, | Registered office: | |
| | attach an annexure] | (not P.O. Box No.) | |
| | | Officer's full name: | |
| | | Officer's signature: | Date: |
| | 7 | Officer's position: | |
| | Details of person | who may be con | tacted about this application |
| 10 | Name: | | |
| | Address: | | |
| | Telephone: | | |
| | Fax: | | |
| | Email: | | |
| | | | |

(2) The Second Schedule Form 2 is amended by deleting "Corporate Affairs" and inserting instead —

" Fair Trading ".

(3) The Second Schedule Form 3 is deleted and the following form is inserted instead —

Form 3 — Statement for renewal of registration of a business name

| Bu | Business Names Act 1962 s. 11(1) | | | | |
|----|--|------------------------------|--|--|--|
| Bu | Business Names Regulations 1962 Form 3 | | | | |
| St | Statement for renewal of registration of a business name | | | | |
| [P | lease use BLOCK L | ETTERS] | | | |
| | | Details of the business | | | |
| 1 | Registered business | | | | |
| | name | | | | |
| 2 | Registration | | | | |
| | number | | | | |
| 3 | Date registration | | | | |
| | expires | | | | |
| 4 | Nature of business | | | | |
| | [be concise] | | | | |
| 5 | Address(es) in WA | Principal place of business: | | | |
| | where business is | Outronation | | | |
| | being carried on Other place: | | | | |
| | [include postcode(s)] Other place: | | | | |
| | *************************************** | | | | |
| 6 | Address in WA for | | | | |
| | service of notices | | | | |
| | under the Act [postal | | | | |
| | address acceptable] | | | | |

| | Details of the persons who carry on the business | | | | |
|----|--|---|---------|---------------------------------------|--|
| 7 | Individuals | Surname: | | | |
| | | Given names: | | | |
| | | Surname: | | | |
| | | Given names: | | | |
| | | Surname: | | | |
| | | Given names: | | | |
| | | Have any of the a elsewhere — | ibove p | ersons been convicted in WA or | |
| | | on indictment of an offence in connection with the promotion, formation or management of a corporation; of an offence involving fraud or dishonesty punishable on conviction with imprisonment for 3 months or more; or of any other offence relating to the management or administration of a corporation or the purchase or selling of shares in a corporation? | | | |
| | | Yes/No | | | |
| | | If yes you must contact the Department before you lodge | | | |
| | | this form. | | | |
| 8 | Corporations | Corporation name: ACN: | | | |
| | | Corporation name: ACN: | | | |
| | | Corporation name: ACN: | | | |
| | I | Declar | ation | | |
| 9 | Declaration | I declare that the | e perso | ons named above are carrying | |
| | | | | e above business name and that | |
| | [making a false | | | form are true and correct. | |
| | declaration is an offence | Telephone: | | Email: | |
| | with a penalty of | Surname & given n | amec. | Dillwil. | |
| | \$1 000] | Signature: | ames. | Date: | |
| | | Corporation name: | | Date. | |
| | | ACN: | | | |
| | | Officer's full name | : | | |
| | | Officer's signature: | | Date: | |
| | | Officer's position: | | | |
| 10 | Capacity of person | | carryin | g on the business. | |
| | making declaration | | | irector or secretary of a corporation | |
| | [tick one box] | carrying on th | | | |
| | [Lick one box] | I | | | |

(4) The Second Schedule Form 4 is deleted and the following form is inserted instead —

Form 4 — Statement of change in registered particulars

| Bu St | siness Names Regula | n registered particulars | |
|----------|-------------------------|--------------------------|--|
| | Details of the business | | |
| 1 | Registered business | | |
| | name | | |
| 2 | Registration | | |
| | number | | |

| | Change of place(s) of the business [Act s. 12(1)(b)] | | | |
|----|--|--|--|--|
| | | • ` ` ` | | |
| 3 | New address(es) in | New principal | | |
| | WA where the | place of business: | | |
| | business is carried | Date opened: | | |
| | on | New additional | | |
| | [include postcode(s)] | place of business: | | |
| | | Date opened: | | |
| 4 | Address(es) in WA | Address: | | |
| | where the business | Date closed: | | |
| | no longer carried on | Address: | | |
| | [include postcode(s)] | Date closed: | | |
| | Change of ad | dress for service | of notices [Act s. 12(1)(c)] | |
| 5 | New address in WA | | | |
| | for service of | | | |
| | notices under the | | | |
| | Act [postal address | | | |
| | acceptable] | | | |
| 6 | Date of change | | | |
| | | f nature of the bu | siness [Act s. 12(1)(a)] | |
| 7 | New nature of | | (1)(u) | |
| , | business | | | |
| Q | Date of change | | | |
| _ | | ommonaed saum | ging on the business [A et s. 12(4)] | |
| | | | ying on the business [Act s. 12(4)] | |
| 9 | New individuals | Surname: Given names: | | |
| | carrying on the | Date of birth: | | |
| | business | Residential address: | | |
| | | (not P.O. Box No.) | | |
| | [give date of birth if | Date commenced: | | |
| | under 18 years of age] | Surname: | | |
| | | Given names: | | |
| | | Date of birth: Residential address: | | |
| | | (not P.O. Box No.) | | |
| | | Date commenced: | | |
| | 3, | Has a person specia | fied above been convicted in WA or | |
| | | elsewhere — | | |
| | | on indict | ment of an offence in connection with | |
| | | the prom | otion, formation or management of a | |
| | | corporati | | |
| | | | ence involving fraud or dishonesty | |
| | | | le on conviction with imprisonment for | |
| | | | or more; or | |
| | | | her offence relating to the management | |
| | | | istration of a corporation or the | |
| | | | or selling of shares in a corporation? | |
| | | Yes/No | | |
| | | | ntact the Department before you lodge | |
| 10 | N | this form. | | |
| 10 | New corporations | Corporation name: ACN: | | |
| | carrying on the | Registered office: | | |
| | business | (not P.O. Box No.) | | |
| | | Date commenced: | Date: | |
| | | Corporation name: | | |
| | | ACN: | | |
| | | Registered office: (not P.O. Box No.) | | |
| | | Date commenced: | Date: | |

| | Person(s) who have <u>ceased</u> carrying on the business [Act s. 12(3)] | | | | |
|-----|--|----------------------------|---------|---------------------------------|--|
| 11 | Individuals who | Surname: | | | |
| | have ceased to | Given names: | | | |
| | carry on the | Date ceased: | | | |
| | business | Surname: Given names: | | | |
| | | Date ceased: | | | |
| 12 | Corporations that | Corporation name: | | | |
| | have ceased to | ACN: | | | |
| | carry on the | Date ceased: | | | |
| | business | Corporation name: | | | |
| | ousiness | ACN: Date ceased: | | | |
| | Details of all n | | g to | carry on the business | |
| | - | . , | _ | above has been completed] | |
| 13 | Individuals who | Surname: | | | |
| | continue to carry on | Given names: | | | |
| | the business | Address: | | | |
| | the business | Surname: | | | |
| | | Given names: Address: | | | |
| 14 | Corporations that | Corporation name: | | | |
| 17 | continue to carry on | ACN: | | | |
| | the business | Registered office: | | | |
| | the business | (not P.O. Box No.) | | | |
| | | Corporation name: | | | |
| | | ACN: Registered office: | | | |
| | | (not P.O. Box No.) | | | |
| | Change of details of | , | ıg on | the business [Act s. 12(2)] | |
| | Change of name | Old name: | | [| |
| 15 | [e.g. by marriage or | New name: | | | |
| | deed poll] | ACN (if corporation | ١٠ | | |
| | | Date of change: | .,. | | |
| 16 | Change of address | Surname & given name | 95.04 | | |
| 10 | Change of address | corporation name & A | | | |
| | | Old address: | C11. | | |
| | | New address: | | | |
| | | Date of change: | | | |
| | | Declarati | | | |
| | | ho must complete the | | | |
| | | | ed — a | any one of the persons carrying | |
| | on the business. | | .1 | | |
| | | bove is completed — | - the c | continuing and commencing | |
| | proprietors. | abarra is completed | th o | continuing and coosing | |
| | proprietors. | above is completed - | — the | continuing and ceasing | |
| | | above is completed | tho | person or corporation named in | |
| | the item. | above is completed - | — tile | person of corporation named in | |
| ſΕσ | or details of the above s | ee the Act s 12(1) (| 2) (3) |) & (4) 1 | |
| | Declaration | | | details on this form are true | |
| | 200141411011 | and correct. | | | |
| 18 | Signatures | Surname & given name | es: | | |
| | Signatures | Signature: | | Date: | |
| | [making a false | Surname & given name | es: | | |
| | declaration is an offence | Signature: | | Date: | |
| | with a penalty of | Corporation name: ACN: | | | |
| | \$1 000] | Officer's full name: | | | |
| | [the officer signing must | | | Date: | |
| | be a director or | Officer's position: | | | |
| | secretary of the | | | | |
| | corporation] | | | | |
| | | | | | |

| F101 — | Corporation name: | |
|--------|----------------------|-------|
| | ACN: | |
| | Officer's full name: | |
| | Officer's signature: | Date: |
| | Officer's position: | |

(5) The Second Schedule Form 5 is deleted and the following form is inserted instead —

Form 5 — Notice of cessation of business under business name

| N | | dations 1962 Form 5 f business under business na LETTERS] | me |
|---|--|---|-----------------------------|
| 1 | Registered business name | | · |
| 2 | Registration number | | |
| 3 | Notice of cessation | I/we give notice that the busin under the above business nam on in Western Australia as fro the day of | ne has ceased to be carried |
| 4 | Signatures of all persons in relation to whom the business name is registered [the officer signing must be a director or secretary of the corporation] | Surname & given names Signature: | Date: |
| | | Surname & given names Signature: | Date: |
| | | Corporation name: ACN: Officer's full name: Officer's signature: Officer's position: | Date: |
| | | Corporation name: ACN: Officer's full name: Officer's signature: Officer's position: | Date: |

- (6) The Second Schedule Form 6 is deleted.
- (7) The Second Schedule Form 7 is deleted.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.