

Western Australia

Limited Partnerships Rules 1909

As at 01 Jul 2005

Version 01-b0-03

Extract from www.slp.wa.gov.au, see that website for further information

Western Australia

Limited Partnerships Rules 1909

CONTENTS

1.	Citation	1
1A.	Interpretation	1
2.	The Registrar of Companies	1
3.	Fees	1
4.	Forms	2
	Appendix	3
	Notes	
	Compilation table	12

Limited Partnerships Rules 1909

1. Citation

These rules may be cited as the *Limited Partnerships Rules 1909*¹.

[Rule 1 inserted in Gazette 30 Dec 1983 p. 5023.]

1A. Interpretation

In these rules, “**the Act**” means the *Limited Partnerships Act 1909*.

[Rule 1A inserted in Gazette 30 Dec 1983 p. 5023.]

2. The Registrar of Companies

Whenever any act is by the Act directed to be done to or by the Registrar² such act shall be done to or by the Registrar of Companies or in his absence to or by such person as the Attorney General may for the time being authorise.

3. Fees

The fees to be paid to the Registrar under the Act shall be as follows:

- (a) On the original registration of a limited partnership the sum of \$142.

[(b) deleted]

r. 4

- (c) By any person inspecting the statements filed by the Registrar in the Register Office the sum of \$4 for each inspection.
- (d) By any person requiring a Certificate of the registration of any limited partnership or a certified copy of or extract from any registered statement the sum of \$9.50 for each certificate and for such certified copy or extract the sum of \$4 for each folio of 72 words.

[Rule 3 amended in Gazette 30 Dec 1983 p. 5024; 26 Sep 1986 p. 3681; 8 Nov 1991 p. 5720; 31 Aug 1993 p. 4687; 27 Jun 1995 p. 2540; 28 Jun 2005 p. 2901.]

4. Forms

The forms in the Appendix hereto with such variations as the circumstances of each case may require shall be the forms to be used for the purposes of the Act.

Appendix

Forms to be used for the purposes of the Act

No. of Certificate.

Form No. L.P. 1.

LIMITED PARTNERSHIPS ACT 1909

Application for Registration of a Limited Partnership



A \$..... fee stamp must be affixed here.

WE, the undersigned, being the partners of the firm hereby apply for registration as a limited partnership, and for that purpose supply the following particulars, pursuant to Section 8 of the Limited Partnerships Act 1909:

The Firm Name. }

The General Nature of the Business. }

The Principal Place of Business. }

The Term, if any for which the Partnership is entered into, and the date of its commencement. } Term (if any) years. } If no definite term the conditions of existence of the partnership. }

Date of Commencement.

The Partnership is Limited.

Table with 2 columns: Full Name and Address of each of the Partners, and * Amount contributed or undertaken to be contributed by each Limited Partner, and whether paid or to be paid in cash or how otherwise.

Appendix

General Partners.....
.....
.....
.....
Limited Partners.....
.....
.....

* Separate statement (Form L.P. 3) of the amounts contributed or undertaken to be contributed must accompany this application for the purpose of payment of capital duty pursuant to Section 11 of the Act.

Signatures of all the Partners {
.....
.....
.....

Date.....

Presented or forwarded for filing by.....
.....
.....
.....

No. of Certificate.

Form No. L.P. 2.

LIMITED PARTNERSHIPS ACT 1909

Notice of Change in the Limited Partnership



A \$..... fee stamp must be affixed here.

*

* Here insert name of firm or partnership.

Notice is hereby given, pursuant to Section 9 of the Limited Partnerships Act 1909, that the changes specified below have occurred in this limited partnership: —

- (a) Change in the Firm Name. { Previous name
New name
- (b) Change in the General Nature of the Business. { General nature of business as previously carried on
General nature of business as now carried on.
- (c) Change in the Principal place of Business. { Previous place of business
New place of business
- (d) Change in the Partners, or the Name of any Partner. {

NOTE — Changes brought about by death, by transfer of interests, by increase in the number of partners, or by change of name of any partner, must be here notified.

Appendix

(e) Change in the Term or Character of the Partnership.	{ Previous term (if any), but, if no definite term, then the conditions under which the partnership was constituted. } { New term (if any), but, if no definite term, then the conditions under which the partnership is now constituted. }
---	--

(f) Change in the Sum Contributed by any Limited Partner. }

NOTE — Any variation in the sum contributed by any limited partner must be here stated. A statement (Form L.P. 4) of any increase in the amount of the partnership capital, whether arising from an increase of contributions, or from introduction of fresh partners, must be made on a separate form, for the purpose of payment of capital duty, pursuant to Section 11 of the Act.

(g) Change in the Liability of any Partner by reason of his becoming a Limited instead of a General Partner, or a General instead of a Limited Partner. }

Presented or forwarded for filing by

Signature of firm

Date

NOTE — Each change must be entered in the proper division (a), (b), (c), (d), (e), (f) or (g), as the case may be.
Provision is made in this form for notifying all the changes required by the Act to be notified, but it will frequently happen that only one

item of change such as change in the principal place of business, for instance, has to be notified. In any such case the word “Nil” should be inserted in the other divisions.

The statement must be signed at the end by the firm, and delivered for registration within 7 days of the change or changes taking place.

Appendix

No. of Certificate.

Form No. L.P. 3.

LIMITED PARTNERSHIPS ACT 1909

* _____

Statement of the Capital contributed or undertaken to be contributed by Limited Partners made pursuant to Section 11 of the *Limited Partnerships Act 1909*.

The amounts contributed or undertaken to be contributed in cash or otherwise by the Limited Partners of the firm* are as follows: —

Names and Addresses of Limited Partners.	Amounts contributed or to be contributed in cash or otherwise. (If otherwise than in cash, that fact, with particulars, must be stated.)

Signature of a General Partner

Date

NOTE — The Stamp Duty on the Nominal Capital is 50c for every \$200, or fraction of \$200, contributed or to be contributed by each Limited Partner.

This statement must accompany the application Form L.P. 1 for registration of a Limited Partnership.

Presented or forwarded for registration by

*Here insert name of firm or Limited Partnership.

No. of Certificate.

Form No. L.P. 4.

LIMITED PARTNERSHIPS ACT 1909

* _____

Statement of Increase of Capital contributed in cash or otherwise, by Limited Partners, pursuant to Section 11 of the *Limited Partnerships Act 1909*.

The Capital of the Limited Partnership* has been increased by the addition thereto of sums contributed in cash or otherwise, by the Limited Partners, as follows: —

Names of Limited Partners	Increase or additional sum now contributed (If otherwise than in cash, that fact, with particulars must be stated).	Total amount contributed (If otherwise than in cash, that fact with particulars, must be stated).

Signature of a General Partner

Date

NOTE — In the case of a new Limited Partner, the first and third columns only will be used.

The Stamp Duty on an increase of Capital is 50c for every \$200 or fraction of \$200, contributed by each Limited Partner.

This Statement is to be filed within 7 days of the increase taking place.

Presented or forwarded for registration by

*Here insert name of firm or Limited Partnership.

Appendix

CERTIFICATE OF REGISTRATION OF A LIMITED PARTNERSHIP

I HEREBY CERTIFY, that the firm _____, having lodged a statement of particulars pursuant to Section 8 of the *Limited Partnerships Act 1909*, is this day registered as a limited partnership.

Given under my hand at Perth this _____ day of 20 _____.

Fee Stamps \$

Stamp Duty on Capital \$

Registrar of Limited Partnerships.

PURSUANT TO SECTION 10 OF THE *LIMITED PARTNERSHIPS ACT 1909*

NOTICE IS HEREBY GIVEN, that under an arrangement entered into on the _____ day of _____, 20____, _____ ceases to be a General Partner and becomes a Limited Partner in the firm of “_____” carrying on business as _____ at _____

Dated this _____ day of _____ 20_____.

Signature

Witness to the signature of

(Name)

(Address)

PURSUANT TO SECTION 10 OF THE *LIMITED
PARTNERSHIPS ACT 1909*

NOTICE IS HEREBY GIVEN, that under an arrangement entered into on
the day of , 20 ,
of the firm of “ ” carrying on business as
at has assigned his share as a Limited Partner in the above
named firm to

Dated this day of 20 .

Signature

Witness to the signature of

(Name)

(Address)

*[Appendix amended by Act No. 113 of 1965 s. 8(1); amended in Gazette
30 Dec 1983 p. 5024.]*

Notes

¹ This is a compilation of the *Limited Partnerships Rules 1909* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Limited Partnerships Rules 1909</i>	5 Mar 1909 p. 677-9	5 Mar 1909
<i>Decimal Currency Act 1965</i> assented to	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))
<i>Limited Partnerships Amendment Rules 1983</i>	30 Dec 1983 p. 5023-4	1 Jan 1984 (see r. 2)
<i>Limited Partnerships Amendment Rules 1986</i>	26 Sep 1986 p. 3681	1 Oct 1986 (see r. 2)
<i>Limited Partnerships Amendment Rules 1991</i>	8 Nov 1991 p. 5720	8 Nov 1991
<i>Limited Partnerships Amendment Rules 1993</i>	31 Aug 1993 p. 4687	1 Sep 1993 (see r. 2)
<i>Limited Partnerships Amendment Rules 1995</i>	27 Jun 1995 p. 2540	1 Jul 1995 (see r. 2)
Reprint 1: The <i>Limited Partnerships Rules 1909</i> as at 21 Mar 2003 (includes amendments listed above)		
<i>Limited Partnerships Amendment Rules 2005</i>	28 Jun 2005 p. 2901	1 Jul 2005 (see r. 2)

² The *Limited Partnerships Act 1909* s. 15 reads as follows:

“

The Commissioner within the meaning of the *Consumer Affairs Act 1972* shall be the Registrar of limited partnerships, and the office for the registration of companies in Perth shall be the office for the registration of limited partnerships.

”