

CO301

**BUSINESS NAMES ACT 1962**

**BUSINESS NAMES AMENDMENT REGULATIONS 1990**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Business Names Amendment Regulations 1990*.

**Principal regulations**

2. In these regulations the *Business Names Regulations 1962\** are referred to as the principal regulations.

[\*Published in the Gazette of 27 September 1962 at pp. 2663-72. For amendments to 9 August 1990 see pp. 195-196 of 1989 Index to Legislation of Western Australia.]

**Regulation 8 repealed and  
a regulation substituted**

3. Regulation 8 of the principal regulations is repealed and the following regulation is substituted—

**General requirements for documents  
lodged with Commissioner**

“ 8. A document to be lodged for registration with the Commissioner under the Act or these regulations shall comply with the following requirements—

- (a) the document shall be on paper of medium weight and good quality and of international A4 size;
- (b) the document shall be printed, typewritten or handwritten and shall be clearly legible;
- (c) the document shall not be a carbon copy;
- (d) when the document comprises 2 or more sheets, the sheets shall be bound together securely; and
- (e) the document shall be folded lengthwise and, as so folded, shall have endorsed on the outside—

- (i) on the upper right-hand corner the registered number (if any) allotted by the Commissioner to the business name to which the document relates;

- (ii) the name, address and telephone number of the solicitor or other person by, or on whose behalf the document is lodged; and

- (iii) words to the following effect—

“ Lodged in the office of the Commissioner for Corporate Affairs on

Commissioner for Corporate Affairs. ”.

**Regulation 9 amended**

4. Regulation 9 of the principal regulations is amended by deleting “Registrar” and substituting the following—

“ Commissioner ”.

**Regulation 10 repealed and  
a regulation substituted**

5. Regulation 10 of the principal regulations is repealed and the following regulation is substituted—

**Fees**

“ 10. The fees set out in the Third Schedule shall be paid to the Commissioner for the several matters referred to in the Schedule. ”.

**Second Schedule amended**

6. The Second Schedule to the principal regulations is amended in Form 2 by deleting “Registrar of Companies” and substituting the following—

“ Commissioner for Corporate Affairs ”.

**Third Schedule repealed and  
a Schedule substituted**

7. The Third Schedule to the principal regulations is repealed and the following Schedule is substituted—

THIRD SCHEDULE		(Regulation 10)
Fees		\$
1.	Upon lodging a statement pursuant to section 7 (1) of the Act .....	70.00
2.	For certificate of registration under section 7 (5) of the Act .....	6.00
3.	Upon lodging a statement pursuant to section 11 (1) of the Act .....	60.00
4.	On the late lodging of any document under the Act, in addition to any other fee—	
	(a) if lodged within one month after the period prescribed by law .....	10.00

	\$
(b) if lodged more than one month after the period prescribed by law in addition to the fee payable under paragraph (a) .....	20.00
The Commissioner, if satisfied that just cause existed for the late lodgement, may waive in whole or in part either fee prescribed by this item.	
5. For every inquiry with respect to any business name specified in the inquiry .....	8.00
6. For certificate under S.23 (1) (b) of the Act .....	6.00
7. For every inquiry whether a name proposed to be adopted as a business name does not contravene section 9 (1) of the Act—for each name .....	8.00
8. For any other act by the Commissioner required or authorized to be done under the Act and for which a fee is not elsewhere prescribed .....	8.00
9. For every application for consent of the Minister to the use of a business name .....	20.00
10. For every order of the Minister granting consent to the use of a business name .....	26.00
11. On a subpoena served on the Commissioner to produce any document in his custody .....	15.00
And, in addition, if the Commissioner so requires, such other expenses as are reasonably incurred in the production of the document, including the sum of 20 cents for each page or copy of a page of each document so produced.	

Inspection Fees and Supply of Uncertified  
Copies of Statements

12. (a) For every inspection of a document or documents lodged with the Commissioner in relation to a business name or of any transparency or reproduction of such document or documents .....	8.00
(b) For the supply of an uncertified copy or print of any document where the fee prescribed by paragraph (a) has been paid— for each page of print .....	1.00
(c) For the supply of an uncertified copy or print of a document without inspection having been made— for the first 2 pages of the print .....	8.00
for each additional page .....	1.00

Certified Copies and Extracts

13. For certifying by the Commissioner under section 23 (1) (a) of the Act a copy of or extract from a document or transparency forming part of the register—	
(a) where a printed or typewritten copy of or extract from that document or transparency is supplied by the applicant—	
for one page .....	8.00
for each additional page .....	1.00
(b) in any other case—	
for one page .....	9.00
for each additional page .....	1.00

By His Excellency's Command,

G. PEARCE, Clerk of the Council.