

## Optional Information Gathering Checklist - Australian Company Formation

(This is not an ASIC form)

### Proposed lodging party

**lodging party name** \_\_\_\_\_

ASIC registered agent number (if any) \_\_\_\_\_

office, level, building name or PO Box no. \_\_\_\_\_

street number & name \_\_\_\_\_

suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_

telephone ( ) \_\_\_\_\_

facsimile ( ) \_\_\_\_\_

DX number \_\_\_\_\_ suburb/city \_\_\_\_\_

### State or territory in which the company will be taken to be registered

A.C.T.

N.T.

S.A.

Vic.

N.S.W.

Qld.

Tas.

W.A.

### Proposed details of the company

**type and class of company**  
(tick one box from each list)

**type of company**  
proprietary company

**class of company**  
limited by shares  
 unlimited with a share capital

public company

limited by shares  
 limited by guarantee  
 unlimited with a share capital  
 no liability

Will the proposed company have a specifically chosen company name?    yes                       no

**if no**, the company name on registration will be its Australian Company Number (ACN).

**if yes**, the chosen company name is, \_\_\_\_\_

ASIC company name reservation number, if any \_\_\_\_\_

Tick the proposed 'name ending' elements/formats

<input type="checkbox"/> Pty. (ie with a full stop)	<input type="checkbox"/> Pty (ie without a full stop)	<input type="checkbox"/> Proprietary
<input type="checkbox"/> Ltd. (ie with a full stop)	<input type="checkbox"/> Ltd (ie without a full stop)	<input type="checkbox"/> Limited
<input type="checkbox"/> N.L. (ie with full stops)	<input type="checkbox"/> NL (ie without full stops)	<input type="checkbox"/> No Liability
<input type="checkbox"/> no 'name ending' elements (only for proposed companies limited by guarantee proposing to exclude "Limited" or "Ltd" from their name or <u>public unlimited</u> companies)		

Is the proposed company name identical, or effectively identical (ie disregarding things such as the 'name ending' elements, punctuation, spacing, plurals, singular), to a State registered business name(s)\* already 'owned' by you/the client?     Yes                       No

**if Yes**, the State business name(s) registration details are:

State Registered Business Name(s) Number(s) : State(s)/Territory(s) of Registration

\* This is a different thing from a **National** Australian Business Number (ABN)

#### for public companies limited by guarantee only

(insert amount) **The amount of the member's guarantee will be:**    \$ \_\_\_\_\_

#### proposed registered office

(if applicable - At the office of) C/-

office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_

street number & name \_\_\_\_\_

suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_

Will the company occupy these premises?     yes     no

if no, name of occupier \_\_\_\_\_

#### for public companies only, the proposed office hours

(public company) (a)  Registered office of the public company will be open to the public each business day from at least 10am to 12 noon and 2pm to 4pm.

(b)  Registered office of the public company will be open to the public each business day for at least 3 hours between 9am and 5pm.

if (b), insert hours    **open**                      am/pm                      **close**                      am/pm

#### proposed principal place of business in Australia

(if same as registered office, write - or circle here - 'as above')

office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_

street number & name \_\_\_\_\_

suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_

## Ultimate holding company

Will the company have an ultimate holding company upon registration?

No  Yes

company name \_\_\_\_\_

ACN or ARBN or ABN (if regd in Aust) \_\_\_\_\_

Country of incorporation (if not Aust) \_\_\_\_\_

## Proposed director and secretary details (must be natural persons, not, for example, companies)

A proprietary company must have a minimum of 1 director (resident in Australia). For a proprietary company, the office of secretary is now optional, but if appointed one must reside in Australia. A public company must have a minimum of 3 directors (2 resident in Australia) and 1 secretary (resident in Australia).

<b>Person 1</b>	<b>family name</b>	<b>all given names</b>	
	full former name (if any)	_____	
	unit, floor, building name (if any)	_____	
	street number & name	_____	
	suburb / city	state/territory	post code
	country (if not Australia)	_____	
	date of birth	/ /	place of birth (town/city) (state/country)
	<b>office to be held</b>	<input type="checkbox"/> <b>director</b>	<input type="checkbox"/> <b>secretary</b>
Is this address the usual residential address of the proposed officeholder?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <b>If NO, see note 1 below</b>

<b>Person 2</b>	<b>family name</b>	<b>all given names</b>	
	full former name (if any)	_____	
	unit, floor, building name (if any)	_____	
	street number & name	_____	
	suburb / city	state/territory	post code
	country (if not Australia)	_____	
	date of birth	/ /	place of birth (town/city) (state/country)
	<b>office to be held</b>	<input type="checkbox"/> <b>director</b>	<input type="checkbox"/> <b>secretary</b>
Is this address the usual residential address of the proposed officeholder?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <b>If NO, see note 1 below</b>

<b>Person 3</b>	<b>family name</b>	<b>all given names</b>	
	full former name (if any)	_____	
	unit, floor, building name (if any)	_____	
	street number & name	_____	
	suburb / city	state/territory	post code
	country (if not Australia)	_____	
	date of birth	/ /	place of birth (town/city) (state/country)
	<b>office to be held</b>	<input type="checkbox"/> <b>director</b>	<input type="checkbox"/> <b>secretary</b>
Is this address the usual residential address of the proposed officeholder?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <b>If NO, see note 1 below</b>

<b>Person 4</b>	<b>family name</b>	<b>all given names</b>	
	full former name (if any)	_____	
	unit, floor, building name (if any)	_____	
	street number & name	_____	
	suburb / city	state/territory	post code
	country (if not Australia)	_____	
	date of birth	/ /	place of birth (town/city) (state/country)
	<b>office to be held</b>	<input type="checkbox"/> <b>director</b>	<input type="checkbox"/> <b>secretary</b>
Is this address the usual residential address of the proposed officeholder?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <b>If NO, see note 1 below</b>

<b>Person 5</b>	<b>family name</b>	<b>all given names</b>	
	full former name (if any)	_____	
	unit, floor, building name (if any)	_____	
	street number & name	_____	
	suburb / city	state/territory	post code
	country (if not Australia)	_____	
	date of birth	/ /	place of birth (town/city) (state/country)
	<b>office to be held</b>	<input type="checkbox"/> <b>director</b>	<input type="checkbox"/> <b>secretary</b>
Is this address the usual residential address of the proposed officeholder?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <b>If NO, see note 1 below</b>

**Note 1:** an alternative address (which must be in Australia) may only be used where ASIC approves an application under s 205D of the Corporations Act 2001. If approval has been given to use an alternative address, quote the ASIC approval number(s) here:

## Details of proposed members

(may be persons or other entities e.g. companies) and their proposed shareholding details (if any)  
**Applicable for all company types.** Complete details below of all the persons or entities proposing to become a member of the proposed company. If the company is to be 'limited by shares' or an 'unlimited company', complete also the share details table which follows in each case.

Name (family & given names or Corporation name) If a corporation, give ACN or ARBN or ABN also (if applicable). **If the same as one of the persons already mentioned as a proposed director or secretary, just write their 'person number' below e.g. 'Person 1' and then specify their proposed shareholding details (if any). (If joint holders of share/s, show both names here)**

unit or office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_  
 country (if not Australia) \_\_\_\_\_

share class code	number of shares taken up	amount (if any) agreed to be paid per share	total \$ (if any) paid on these shares	if not fully paid - amount unpaid per share	total \$ (if any) unpaid on these shares	fully paid? y/n	benf. held? y/n

Name (family & given names or Corporation name) If a corporation, give ACN or ARBN or ABN also (if applicable). **If the same as one of the persons already mentioned as a proposed director or secretary, just write their 'person number' below e.g. 'Person 1' and then specify their proposed shareholding details (if any). (If joint holders of share/s, show both names here)**

unit or office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_  
 country (if not Australia) \_\_\_\_\_

share class code	number of shares taken up	amount (if any) agreed to be paid per share	total \$ (if any) paid on these shares	if not fully paid - amount unpaid per share	total \$ (if any) unpaid on these shares	fully paid? y/n	benf. held? y/n

Name (family & given names or Corporation name) If a corporation, give ACN or ARBN or ABN also (if applicable). **If the same as one of the persons already mentioned as a proposed director or secretary, just write their 'person number' below e.g. 'Person 1' and then specify their proposed shareholding details (if any). (If joint holders of share/s, show both names here)**

unit or office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_  
 country (if not Australia) \_\_\_\_\_

share class code	number of shares taken up	amount (if any) agreed to be paid per share	total \$ (if any) paid on these shares	if not fully paid - amount unpaid per share	total \$ (if any) unpaid on these shares	fully paid? y/n	benf. held? y/n

## For public companies (other than NL or guarantee coys), shares issued other than for cash?

Will any shares be issued for a non-cash consideration? Yes  No

If Yes, will some or all of the share(s) be issued under a written contract? Yes  No

## Proposed applicant for registration of the company

(may be, for example, one of the proposed directors, secretaries, members, shareholders or an **individual** representative of the legal or accounting firm 'applying' to form the company - not a firm name.)

**Name of proposed applicant** (family & given names or corporation name - if a corporation, give ACN or ARBN or ABN also if applicable)

Is the proposed applicant a different person or entity to the lodging party (specified on page 1 above)? If **yes** specify below, where indicated, the address details for the applicant.

Even if the proposed applicant is the same person or entity as the lodging party, is the lodging party's address (specified on page 1 above) only either a PO Box address or a DX address (or both)? If **yes** specify below, where indicated, the non PO Box/non DX address details for the applicant.

Has the lodging party's address already been provided (on page 1 above) or will it be provided? If **no** (to either or both) specify below, where indicated, the address details for the applicant.

**Address details for applicant** (no PO Box addresses or DX addresses allowed)

unit/office \_\_\_\_\_ level \_\_\_\_\_ building name \_\_\_\_\_  
 street number & name \_\_\_\_\_  
 suburb/city \_\_\_\_\_ state/territory \_\_\_\_\_ postcode \_\_\_\_\_