



PUBLIC COMPANY LTD BY GUARANTEE
REGISTRATION ORDER FORM

NAME:

FIRM:

PHONE:

E-MAIL:

FREECALL 1800 773 477

COMPANY DETAILS

Preferred Company Name/s _____

Is this name a Registered Business Name owned by the member/s? If Yes, State/s or Territory/s registered? _____

Is this a Not for profit Company? If Yes, please select Charitable purposes only s150 company (refer over page)

Preferred State/Territory of Company Registration (please circle) QLD NSW ACT VIC TAS SA WA NT

Full Registered Office Address _____

Does the Company occupy the Registered Office? If No, name of Occupier _____

Full Principal Place of Business _____

Member Guarantee Amount _____ (see notes over, default amount of \$10 applies if none selected)

Name of Ultimate Holding Company (if applicable) _____

ACN/ARBN _____ OR Country of Incorporation (if NOT Australia) _____

COMPANY OFFICERS AND MEMBER/S

#1 (To be Chairman)

Family Name _____

Given Name/s _____

Street Address _____

Date of Birth _____ Place of Birth (Town/State/Country) _____

Position/s Held DIRECTOR SECRETARY PUBLIC OFFICER MEMBER

#2

Family/Company Name _____

Given Names/ACN _____

Street Address _____

Date of Birth _____ Place of Birth (Town/State/Country) _____

Position/s Held DIRECTOR SECRETARY PUBLIC OFFICER MEMBER

#3

Family/Company Name _____

Given Names/ACN _____

Street Address _____

Date of Birth _____ Place of Birth (Town/State/Country) _____

Position/s Held DIRECTOR SECRETARY PUBLIC OFFICER MEMBER

The declaration (over page) must be signed and submitted with this order on FREEFAX 1800 655 556.

COMPANY OFFICERS AND MEMBER/S (continued)

#4

Family/Company Name _____
Given Names/ACN _____
Street Address _____
Date of Birth _____ Place of Birth (Town/State/Country) _____
Position/s Held DIRECTOR SECRETARY PUBLIC OFFICER MEMBER

#5

Family/Company Name _____
Given Names/ACN _____
Street Address _____
Date of Birth _____ Place of Birth (Town/State/Country) _____
Position/s Held DIRECTOR SECRETARY PUBLIC OFFICER MEMBER

ADDITIONAL MEMBER/S

Full name _____
Address _____
Full name _____
Address _____
Full name _____
Address _____

ADDITIONAL INFORMATION

DECLARATION

I, _____, the applicant, declare that I hold the consents by each officer and member of the
(Print Name) company as required by s117(2) of the Corporations Act 2001 and authorise ACIS
Services Pty Ltd to make an application for company registration as my agent.

Signature required

PAYMENT DETAILS: Please debit the following card details by the amount of \$ _____

TYPE OF CARD: Visa Mastercard *Diners Club *Amex * 3% surcharge applies.

CARD NUMBER: _____ EXPIRY DATE: (/)

NAME ON CARD: _____ SIGNATURE: _____

Please return Pages 1 & 2 of this Form on FREEFAX 1800 655 556 or call with any queries.

NOTE ON PUBLIC COMPANIES LIMITED BY GUARANTEE

Unlike a company limited by shares, a company limited by guarantee does not have a share capital. Its members are admitted by the company in accordance with its admission rules (if any) and each member "guarantees" the payment of a set amount towards the payment of the company's debts in the event that the company is wound up. This guarantee applies to each member while they are members and for a period of 12 months after they cease being a member. Unless otherwise requested the guarantee amount inserted into the ACIS Constitution will be \$10.00.

As the name suggests, this type of company is a public company and, therefore, must comply with the requirements set out for public companies in the Corporations Act 2001. For example:

- The company must have at least 3 directors at all times (one of whom must be an Australian resident);
- The company must have an Australian resident secretary at all times;
- The company is required to have its financial statements audited each year;
- The annual levy imposed by ASIC is \$1000.00;
- A copy of the company's constitution and any amendments to it must be lodged with ASIC.

This form of company is commonly used for sporting clubs and not for profit organisations and is the vehicle generally preferred by the ATO to attain special tax treatment.

Special tax treatment may include tax exempt status or deductible gift recipient status. In order to be granted tax exempt status or deductible gift recipient status, the company must be established for charitable purposes and these must comply with the ATO guidelines for such organisations. In order to do this, the company's constitution must contain a statement of the company's objects (i.e. what it is that the company is established for and the activities it will undertake to achieve those objects). Therefore, if your company intends to apply for tax exempt status or deductible gift recipient status, please provide us with a statement of the company's objects with your order.

The company must also contain a statement of objects, if it intends to apply to omit the word "Limited" from its name under section 150 of the Corporations Act 2001.

Please note that ACIS does not provide advice in relation to the content of any statement of objects and particularly as to whether any such statement will comply with ATO or Corporations Act requirements.

Alternatively, if the company does not intend to make application as referred to above, no statement of objects is required, although one may be inserted if desired.

Where a statement of objects is included in the constitution, the company must only act in accordance with those objects.

SPECIAL PURPOSE COMPANY

Charitable purposes only – a company whose constitution requires it to pursue charitable purposes only and to apply its income in promoting those purposes; and prohibits the company making distributions to its members and paying fees to its directors; and requires its directors to approve all other payments the company makes to them.

s150 company – a company that meets the Charitable purposes only requirements stated above and wishes to omit "Limited" from its name. A Form 432 must be lodged with ASIC along with a non refundable \$330 lodgement fee.