



# Application for registration as an Australian company

Use this form to apply to ASIC for registration of a company under the *Corporations Act 2001*.

## Related Forms

208 - Notification of details of shares allotted other than for cash

207Z - Certification of compliance with stamp duty law

432 - Application to approve registration of a company name without the word "Limited"

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

## Lodgement details

### Who should ASIC contact if there is a query about this form?

Firm/organisation

Contact name/position description

ASIC registered agent number (if applicable)

Telephone number

Postal address or DX address

## 1 State/territory of registration

I apply for registration of the company under the *Corporations Act 2001* and nominate the State or Territory in which the company will be taken to be registered.

Give State or Territory

## 2 Details of the company

Does the company have a proposed company name?

Yes

If yes, the proposed company name is

Name reservation number (if any)

No

The company name on registration will be its Australian Company Number (ACN).

Tick the legal elements that apply

Pty.

Ltd.

Proprietary

Limited

No liability

NL

 no legal elements (s150 companies only)

### Section 150 companies

The exception to the requirement for using 'Limited' in the company name granted under s150 applies to public companies that are limited by guarantee only.

A Form 432 must be submitted with this application. Refer to the Guide for further details.

## 2 Continued ... Further details of the company

Is the proposed name identical to a registered business name(s)?

 Yes

If yes, I declare that I own, or am registering the company for the owner(s) of the identical business name(s), the registration details of which are listed below.

Business number	State/Territory of registration

 No

Type of company	Class of company	Special purpose (if applicable)
<input type="checkbox"/> proprietary company	<input type="checkbox"/> limited by shares <input type="checkbox"/> unlimited with a share capital	<input type="checkbox"/> home unit (HUNT) <input type="checkbox"/> super trustee (PSTC) <input type="checkbox"/> charitable purposes only (PNPC)
<input type="checkbox"/> public company	<input type="checkbox"/> limited by shares <input type="checkbox"/> limited by guarantee <input type="checkbox"/> unlimited with a share capital <input type="checkbox"/> no liability	<input type="checkbox"/> super trustee (ULSS) <input type="checkbox"/> charitable purposes only (ULSN) <input type="checkbox"/> s150 company ( <i>You must also lodge a Form 432—see Guide for details</i> )

A public company that is a super trustee, or is for charitable purposes or is a s150 company must have a constitution.

**Special purpose company**  
Refer to Guide for descriptions of special purpose companies.

If this is a special purpose company, tick the box below to make the declaration.

I declare that this company is a special purpose company as defined under Regulation 3 of the Corporations (Review Fees) Regulations 2003.

### Governance of a public company

The company will rely entirely on replaceable rules

The company has a constitution

**A proposed public company which has adopted a "Constitution" must lodge a copy of the constitution with this application.**

If the proposed company is to be a public company **limited by guarantee**, state the amount of the guarantee that each member agrees to in writing.

The amount of the member's guarantee is \$  (insert amount)

## 2 Continued ... Further details of the company

### Registered office

You cannot use a PO Box address

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

Office, unit, level

Street number and Street name

Suburb/City

State/Territory

Postcode

Does the company occupy the premises?

Yes

No

If no, name of occupier

Occupier's consent (Select box to indicate the statement below is correct)

The occupier of the premises has consented in writing to the use of the specified address as the address of the registered office of the company and has not withdrawn that consent.

### Office hours

For a public company

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

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

If b, insert hours open

 from  am/pm

close

 to  am/pm

Principal place of business in Australia

If same as registered office, write "as above".

Office, unit, level

Street number and Street name

Suburb/City

State/Territory

Postcode

### 3 Appoint officeholder

A public company must have a minimum of 3 directors (2 resident in Australia) and 1 secretary (resident in Australia).

A proprietary company must have a minimum of 1 director (resident in Australia). The office of secretary is optional, but if appointed one must reside in Australia.

Officeholder(s) appointment date shall be effective from the beginning of the day on which the company becomes registered.

<b>Office held</b>	
<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Family name	Given names
<input type="text"/>	
Former name	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	Country (if not Australia)
<input type="text"/>	<input type="text"/>
Date of birth	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/>	
[D] [D] / [M] [M] / [Y] [Y]	
Place of birth (town/city)	(state/country)
<input type="text"/>	<input type="text"/>

### 3 Continued ... Appoint another officeholder

A public company must have a minimum of 3 directors (2 resident in Australia) and 1 secretary (resident in Australia).

A proprietary company must have a minimum of 1 director (resident in Australia). The office of secretary is optional, but if appointed one must reside in Australia.

Officeholder(s) appointment date shall be effective from the beginning of the day on which the company becomes registered.

<b>Office held</b>	
<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Family name	Given names
<input type="text"/>	
Former name	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	Country (if not Australia)
<input type="text"/>	<input type="text"/>
Date of birth	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/>	
[D] [D] / [M] [M] / [Y] [Y]	
Place of birth (town/city)	(state/country)
<input type="text"/>	<input type="text"/>

### 3 Continued ... Appoint another officeholder

A public company must have a minimum of 3 directors (2 resident in Australia) and 1 secretary (resident in Australia).

A proprietary company must have a minimum of 1 director (resident in Australia). The office of secretary is optional, but if appointed one must reside in Australia.

Officeholder(s) appointment date shall be effective from the beginning of the day on which the company becomes registered.

<b>Office held</b>	
<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Family name	Given names
<input type="text"/>	
Former name	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	Country (if not Australia)
<input type="text"/>	<input type="text"/>
Date of birth	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/>	
[D] [D] / [M] [M] / [Y] [Y]	
Place of birth (town/city)	(state/country)
<input type="text"/>	<input type="text"/>

### 3 Continued ... Appoint another officeholder

A public company must have a minimum of 3 directors (2 resident in Australia) and 1 secretary (resident in Australia).

A proprietary company must have a minimum of 1 director (resident in Australia). The office of secretary is optional, but if appointed one must reside in Australia.

Officeholder(s) appointment date shall be effective from the beginning of the day on which the company becomes registered.

<b>Office held</b>	
<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Family name	Given names
<input type="text"/>	
Former name	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	Country (if not Australia)
<input type="text"/>	<input type="text"/>
Date of birth	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/>	
[D] [D] / [M] [M] / [Y] [Y]	
Place of birth (town/city)	(state/country)
<input type="text"/>	<input type="text"/>

### 4 Identify ultimate holding company

<b>Will the company have an ultimate holding company upon registration?</b>	
<input type="checkbox"/> Yes	
└─ If yes, provide the following details of the ultimate holding company	
Company name	
<input type="text"/>	
ACN/ARBN/ABN	Country of incorporation (if not Australia)
<input type="text"/>	<input type="text"/>
<input type="checkbox"/> No	



## 6 Details of members

Use this section to notify the name and address of each person who consents to become a member.

If shares are jointly owned, provide names and addresses of all joint-owners on a separate sheet (annexure), clearly indicating the share class and with whom the shares are jointly owned.

Please complete a separate section below for each member.

### Member details and shareholding

Indicate whether the member is an individual or a company and provide the:

- name of the individual or company
- address of the individual or company, and
- shareholding.

<input type="checkbox"/> Family name <input style="width: 90%;" type="text"/>	Given names <input style="width: 90%;" type="text"/>
<b>OR</b>	
<input type="checkbox"/> Company name <input style="width: 95%;" type="text"/>	
ACN/ARBN/ ABN <input style="width: 80%;" type="text"/>	
Office, unit, level, or PO Box number <input style="width: 95%;" type="text"/>	
Street number and Street name <input style="width: 95%;" type="text"/>	
Suburb/City <input style="width: 70%;" type="text"/>	State/Territory <input style="width: 20%;" type="text"/>
Postcode <input style="width: 15%;" type="text"/>	Country (if not Australia) <input style="width: 80%;" type="text"/>

Address of individual or company

In the following table give:

- the class and number of shares the above member has agreed in writing to take up; and
- the amount the member has agreed in writing to pay for each share, or if the amount is not paid in full on registration, the amount the member has agreed in writing to be unpaid on the share.

**Note:** Beneficially held usually means that the owner of the shares receives direct benefit from the shares. Benefits could include receiving payments in relation to any dividends or having voting rights. You should seek your own legal advice if you are unclear whether the shares are beneficially held.

Share class code	Number of shares taken up	Amount agreed to pay per share	Total \$ paid on these shares	Amount unpaid per share	Total \$ unpaid on these shares	Fully paid (y/n)	Beneficially held (y/n)

## 6 Continued ... Details of another member

Use this section to notify the name and address of each person who consents to become a member.

If shares are jointly owned, provide names and addresses of all joint-owners on a separate sheet (annexure), clearly indicating the share class and with whom the shares are jointly owned.

Please complete a separate section below for each member.

### Member details and shareholding

Indicate whether the member is an individual or a company and provide the:

- name of the individual or company
- address of the individual or company, and
- shareholding.

<input type="checkbox"/>	Family name		Given names	
	<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	
<b>OR</b>				
<input type="checkbox"/>	Company name	<input style="width: 95%;" type="text"/>		
ACN/ARBN/ ABN				
<input style="width: 95%;" type="text"/>				
Office, unit, level, or PO Box number				
<input style="width: 95%;" type="text"/>				
Street number and Street name				
<input style="width: 95%;" type="text"/>				
Suburb/City				State/Territory
<input style="width: 95%;" type="text"/>				<input style="width: 95%;" type="text"/>
Postcode		Country (if not Australia)		
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>		

Address of individual or company

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## 6 Continued ... Details of another member

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Please complete a separate section below for each member.

### Member details and shareholding

Indicate whether the member is an individual or a company and provide the:

- name of the individual or company
- address of the individual or company, and
- shareholding.

<input type="checkbox"/>	Family name	Given names
	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<b>OR</b>		
<input type="checkbox"/>	Company name	
	<input style="width: 95%;" type="text"/>	
ACN/ARBN/ ABN		
	<input style="width: 95%;" type="text"/>	
Address of individual or company		
Office, unit, level, or PO Box number		
	<input style="width: 95%;" type="text"/>	
Street number and Street name		
	<input style="width: 95%;" type="text"/>	
Suburb/City		State/Territory
	<input style="width: 80%;" type="text"/>	<input style="width: 15%;" type="text"/>
Postcode	Country (if not Australia)	
<input style="width: 15%;" type="text"/>	<input style="width: 80%;" type="text"/>	

In the following table give:

- the class and number of shares the above member has agreed in writing to take up; and
- the amount the member has agreed in writing to pay for each share, or if the amount is not paid in full on registration, the amount the member has agreed in writing to be unpaid on the share.

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- name of the individual or company
- address of the individual or company, and
- shareholding.

<input type="checkbox"/>	Family name	Given names
	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<b>OR</b>		
<input type="checkbox"/>	Company name	
	<input style="width: 95%;" type="text"/>	
ACN/ARBN/ ABN		
	<input style="width: 95%;" type="text"/>	
Address of individual or company		
Office, unit, level, or PO Box number		
<input style="width: 95%;" type="text"/>		
Street number and Street name		
<input style="width: 95%;" type="text"/>		
Suburb/City		State/Territory
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>
Postcode	Country (if not Australia)	
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	

In the following table give:

- the class and number of shares the above member has agreed in writing to take up; and
- the amount the member has agreed in writing to pay for each share, or if the amount is not paid in full on registration, the amount the member has agreed in writing to be unpaid on the share.

**Note:** Beneficially held usually means that the owner of the shares receives direct benefit from the shares. Benefits could include receiving payments in relation to any dividends or having voting rights. You should seek your own legal advice if you are unclear whether the shares are beneficially held.

Share class code	Number of shares taken up	Amount agreed to pay per share	Total \$ paid on these shares	Amount unpaid per share	Total \$ unpaid on these shares	Fully paid (y/n)	Beneficially held (y/n)

## Declaration by applicant

I/we apply for registration of a company on the basis of the information in this form and any attachments. I/we have the necessary written consents and agreements referred to in the application concerning the member and officeholders and I/we shall give the consents and agreements to the company after the company becomes registered. The information provided in this application and in any annexures is true and correct at the time of signing.

## Signature of applicant

Provide family and given names OR corporation name (include ACN/ARBN if applicable)

If the applicant is an individual - 1 signature required.  
If the applicant is a corporation - a director or secretary to sign.

If the agent for the applicant is a firm – a member/partner of the firm to sign

Name of applicant							
<input type="text"/>							
Capacity of applicant							
<input type="checkbox"/>	Individual						
<input type="checkbox"/>	Corporation						
Name of officeholder							
<input type="text"/>							
<input type="checkbox"/>	Agent for individual or corporation						
Name of agent							
<input type="text"/>							
Signature of applicant							
<input type="text"/>							
Date signed							
<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
[D]	[D]		[M]	[M]		[Y]	[Y]

## Lodgement

Send completed and signed forms to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841

### For help or more information

Telephone 1300 300 630  
Email [info.enquiries@asic.gov.au](mailto:info.enquiries@asic.gov.au)  
Web [www.asic.gov.au](http://www.asic.gov.au)

# Guide: Application for registration as an Australian company

This guide does not form part of the prescribed form. It is included by ASIC to assist you in completing and lodging the Form 201.

Use this form to apply to ASIC for registration of a company under the *Corporations Act 2001 (Cth)* (Corporations Act).

## Related Forms

208 - Notification of details of shares allotted other than for cash

207Z - Certification of compliance with stamp duty law

432 - Application to approve registration of a company name without the word "Limited"

<b>Signature</b>	<p>This form must be signed by:</p> <ul style="list-style-type: none"> <li>• the applicant; or</li> <li>• a person who has consented to become a director or secretary or member of the company; or</li> <li>• the agent for the applicant, being a person who has authority to sign the form on behalf of the applicant(s).</li> </ul>
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<b>Lodgement period</b>	Nil – to be lodged when required.
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<b>Lodging fee</b>	<p>The law requires that full payment accompany this application.</p> <table style="width: 100%;"> <tr> <td>Public or proprietary company having a share capital</td> <td style="text-align: right;">\$400</td> </tr> <tr> <td>Public company limited by guarantee</td> <td style="text-align: right;">\$330</td> </tr> </table> <p>Application fees are subject to periodic change - if in doubt, contact ASIC on 1300 300 630 for the current fee information. A receipt will not be issued unless requested. Generally, a form is not regarded as being lodged until it is received and accepted by ASIC as being in compliance with s1274(8) of the Corporations Act.</p>	Public or proprietary company having a share capital	\$400	Public company limited by guarantee	\$330
Public or proprietary company having a share capital	\$400				
Public company limited by guarantee	\$330				

<b>Documents to be lodged with this application</b>	<p><b>For public companies</b></p> <p>If a written constitution governs the company, a copy of the constitution must also be lodged. A special purpose company, or a company being registered under s150 of the Corporations Act must be governed by a written constitution.</p> <p>Only public companies limited by guarantee (LMGT) can apply to be s150 companies (no legal elements). When applying for registration as a s150 company, a Form 432 <i>Application to approve registration of a company name without the word "Limited"</i> must also be lodged. The application fee of \$330 must accompany the Form 432.</p> <p>If shares will be issued for other than cash, then a Form 208 <i>Notification of details of shares allotted other than for cash</i>, or a copy of the 'contract' must be lodged.</p> <p>If the shares will be issued under written contract, then a Form 207Z <i>Certification of compliance with stamp duty law</i> must also be lodged.</p> <p><b>For proprietary companies</b></p> <p>If shares will be issued under written contract or issued for other than cash, a Form 207Z <i>Certification of compliance with stamp duty law</i> must be lodged.</p>
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<b>Company names</b>	<p>A name is available unless it is identical to:</p> <ul style="list-style-type: none"> <li>• a name that is currently reserved or registered under the Corporations Act for another body, or</li> <li>• a name that is included on the national business names register in respect of another individual or body who is not the person applying to have the name, or</li> <li>• is unacceptable for registration under the Corporations Regulations 2001.</li> </ul> <p>If it is proposed to register a name which is identical to a registered business name(s), we must be satisfied that the proposed company is entitled to the use of the name under s147. Therefore either the owner, or someone registering the company for the owner of the business name, must be the applicant for registration and the questions regarding the business name(s) shown on the Form 201 must be completed.</p> <p>The information concerning identical business names on the Form 201 may instead be given in a statement attached to the Form 201 (as an annexure) under the heading 'Declaration Regarding Registered Business Name(s)'. Be sure to provide the same information as is required on the Form 201. The statement must be <b>dated and signed</b> by the applicant as being 'true and correct' as follows: <i>'I declare that the information given in this statement is true and correct'.</i></p>
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## Special purpose company

The different types of special purpose companies that can be established on registration are:

### 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.

### Home unit company

A proprietary company:

- that is the proprietor of land on which a building is erected and divided into separate residential areas and areas for common usage
- whose members are entitled to exclusive occupation of one or more of those areas and use of the common areas, and
- which operates solely to facilitate the rights of those members in relation to their exclusive occupation of those residential areas and maintenance of the common areas.

### Superannuation trustee company

A company that acts solely as the trustee of a regulated superannuation fund within the meaning of s19 of the *Superannuation Industry (Supervision) Act 1993* and whose constitution prohibits the distribution of its income or property among its members.

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## Additional information

### Officeholder address

Officeholders' addresses must be their usual current residential address. An alternative address may only be used where we approve an application under s205D of the Corporations Act.

### Governance of a public company

The Corporations Act contains 'replaceable rules' which apply to all companies—except companies where the sole member is also the sole director—and may be used to govern the internal running of the company. Companies may displace some of the replaceable rules by a constitution and be governed by a combination of replaceable rules for some things and their own constitution for others. Where the proposed company is to be governed by a combination of replaceable rules and a constitution, please tick the box that says 'The company has a constitution'.

A company with more than one member/director may adopt a constitution provided all persons who have agreed to become a member of the company agree to the terms and conditions.

### Types of companies

A no-liability company (NL) must be a public company. The Corporations Act limits the activities of a NL company to mining purposes only and obliges a NL company's constitution to state, amongst other things, that its sole objects are mining purposes only.

A company limited by guarantee (LMGT) must be a public company. In order for a LMGT company to qualify as a 'special purpose company' as defined by the Corporations (Review Fees) Regulations 2003, its constitution must contain, amongst other things, provisions which limit its activities to charitable purposes only.

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## How to provide additional information

### Photocopied Form 201 pages

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.

### Annexures

If there is insufficient space in any section of the form, you may alternately submit annexures as part of this lodgement.

To make any annexure conform to the regulations, you must

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the company name and ACN or ARBN
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol eg a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:  
This annexure (mark) of (number) pages referred to in form (form number and title)
7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

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## Lodgement

Send completed and signed forms to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841

### For help or more information

Telephone 1300 300 630  
Email [info.enquiries@asic.gov.au](mailto:info.enquiries@asic.gov.au)  
Web [www.asic.gov.au](http://www.asic.gov.au)