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# Company (with Shares) Registration Order Form

Name  Phone   
 Firm  E-mail   
 Address

## Company Details

Preferred Company Name/s

Is this a registered business name wholly owned by one or more Officers or Members?  Yes  No If Yes, ABN/BN:

Is this a Special Purpose Company? If Yes, please select:  Superannuation Trustee  Home Unit  Charitable purposes only (see notes over)

Preferred State/Territory of Company Registration (Please select):  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

Name of Ultimate Holding Company (if applicable)

ACN/ARBN  or Country of Incorporation (if not Australia)

## Company Officers and Members

**IMPORTANT:** Full, verifiable name and address details are required.

All directors must have a director ID. Fines and penalties apply. [Click here for more info.](#)

**#1 To be chairperson** Please see information regarding Share Classes and Rights on page 3 of this form.

Family Name/ Company   
 Given Names/ACN   
 Street Address   
 Date of Birth  Place of Birth (Town/State/Country)   
 Position/s Held  Sole Director/Sole Secretary  Director  Secretary  Public Officer  Member  
 Number of Shares  Class ORD or:  Paid \$1/Share or:   
 If shares are held jointly or on behalf of a trust, SMSF, or other party, please provide full details, (such as Name & Address, etc):

**#2**

Family Name/ Company   
 Given Names/ACN   
 Street Address   
 Date of Birth  Place of Birth (Town/State/Country)   
 Position/s Held  Director  Secretary  Public Officer  Member  
 Number of Shares  Class ORD or:  Paid \$1/Share or:   
 If shares are held jointly or on behalf of a trust, SMSF, or other party, please provide full details, (such as Name & Address, etc):

**The declaration (over page) must be signed and submitted with this order.**



# Company (with Shares) Registration Order Form

### #3

Family Name/ Company \_\_\_\_\_

Given Names/ACN \_\_\_\_\_

Street Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth (Town/State/Country) \_\_\_\_\_

Position/s Held  Director  Secretary  Public Officer  Member

Number of Shares \_\_\_\_\_ Class ORD or: \_\_\_\_\_ Paid \$1/Share or: \_\_\_\_\_

If shares are held jointly or on behalf of a trust, SMSF, or other party, please provide full details, (such as Name & Address, etc): \_\_\_\_\_

### #4

Family Name/ Company \_\_\_\_\_

Given Names/ACN \_\_\_\_\_

Street Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth (Town/State/Country) \_\_\_\_\_

Position/s Held  Director  Secretary  Public Officer  Member

Number of Shares \_\_\_\_\_ Class ORD or: \_\_\_\_\_ Paid \$1/Share or: \_\_\_\_\_

If shares are held jointly or on behalf of a trust, SMSF, or other party, please provide full details, (such as Name & Address, etc): \_\_\_\_\_

## Additional Information/Special Instructions

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Declaration

I, \_\_\_\_\_ (Print Name)

Signature Required \_\_\_\_\_

the applicant, declare that:

- each director has their director ID; and
- I hold the consents by each officer and member of the company as required by s117(2); and
- where the company name is identical to a registered business name, I declare that I make this application for the company name as, or as a professional advisor of and with the authority of, the registered owner/s of the above identical business name/s; and
- authorise Acis Services Pty Ltd to make an application for company registration as my agent.

# Company (with Shares) Registration Order Form

## Director ID

For information on the director ID requirements, please visit [www.abrs.gov.au](http://www.abrs.gov.au).

## Share Classes and Rights

The Acis Constitution provides for multiple share classes. The private and public (limited by shares) companies' share classes have the (summarised) rights set out below. While the full rights attached to all share classes are set out in the Constitution, the directors remain able to vary the share rights or add to them on the issue of any class of shares.

| Class | Full Title   | Summary of Rights   | Company Type                   |
|-------|--|---|--------------------------------|
| ORD   | Ordinary Shares  | vote, dividend, equity  | Pty Ltd / Public Ltd by shares |
| A     | A Class Shares   | vote, dividends, equity   | Pty Ltd / Public Ltd by shares |
| B     | B Class Shares   | vote, dividends, equity   | Pty Ltd only                   |
| C     | C Class Shares   | no vote, dividends, equity  | Pty Ltd only                   |
| D     | D Class Shares   | no vote, dividends, equity  | Pty Ltd only                   |
| E     | E Class Shares   | no vote, dividends, equity  | Pty Ltd only                   |
| F     | F Class Redemable Preference voting, dividends, no equity, redeemable Shares |   | Pty Ltd / Public Ltd by shares |
| G     | G Class Redemable Preference Shares  | no vote, pref dividends at prescribed rate, no equity, redeemable | Pty Ltd / Public Ltd by shares |
| H     | H Class Shares   | vote, no dividends, equity  | Pty Ltd only                   |
| I     | I Class Shares   | no vote, dividends, no equity, redeemable                         | Pty Ltd only                   |
| J     | J Class Shares   | no vote, dividends, no equity, redeemable                         | Pty Ltd only                   |
| K     | K Class Shares   | no vote, dividends, no equity, redeemable                         | Pty Ltd only                   |
| L     | L Class Shares   | vote, no dividends, no equity                                     | Pty Ltd only                   |
| M     | M Class Shares   | no vote, no dividends, equity                                     | Pty Ltd only                   |

### I, J & K Class Shares - Dividend Access Shares

I Class, J Class & K Class shares have no Rights until the Directors declare that they have Rights. The Directors can only declare that they have dividend Rights. These shares are redeemable. Legal and taxation advice should be obtained prior to any dealing with dividend access shares.

## Special Purpose Company?

**Superannuation Trustee** — 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.

**Home Unit** — 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.

**Charitable purpose 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.

## Note on Need for Shareholders' Agreement

A Shareholders' Agreement, while considered necessary in arm's-length relationships, may be just as beneficial in related party shareholding situations.

Without a shareholders' agreement there may be no way of resolving contentious issues between the various directors/ shareholders without going to Court. In addition, the process of preparing a governance agreement will present opportunities such as:

- determining what should happen when expectations are not met. Most people don't consider that there might even be a down side let alone what happens when it transpires;
- committing to paper what the parties real intentions are rather than relying on the subjective recollections of the stakeholders;
- highlighting different intentions rather than assuming everyone else knows exactly what you mean when you say something; and
- eliminating ambiguity and raising real possibilities which have not been considered.

If you have any questions regarding the need for such an agreement (or the types of provisions included in them), please contact us when lodging your order.

## Sole Director should also be Sole Secretary

It is recommended a Sole Director also be appointed as Sole Secretary. Further information on this topic may be found at [www.acis.net.au/resources/company-secretaries](http://www.acis.net.au/resources/company-secretaries).

# Consent/s to Act



Proposed Company Name

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I, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company and, if acting as a Director, I confirm that I have satisfied the director ID requirements.

Signature

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Full Name

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Street Address

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Date:

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\*Strike out if not applicable

Proposed Company Name

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I, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company and, if acting as a Director, I confirm that I have satisfied the director ID requirements.

Signature

---

Full Name

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---

Street Address

---

Date:

---

\*Strike out if not applicable

Proposed Company Name

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I, the undersigned, hereby consent to act as \*Director (or equivalent)/\*Secretary/\*Member of the above-mentioned Company and, if acting as a Director, I confirm that I have satisfied the director ID requirements.

Signature

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Full Name

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---

Street Address

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Date:

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\*Strike out if not applicable