



## Application for Registration of a Business Name

Corporate Affairs Commission ABN 30 652 402 747  
*Business Names Act 1996*

### Please Note

The Office of Consumer and Business Affairs (OCBA) undertakes the administration of the *Business Names Act 1996* on behalf of the Corporate Affairs Commission.

### Carrying on business

The *Business Names Act 1996* makes it compulsory to register a business name if business is being conducted under a name other than the legal name of the proprietor (individual or body corporate). If you are advertising a name with an address in South Australia, you will be deemed to be carrying on business under that name and it must be registered.

### Before applying for a business name

- You must commence business within two months of applying.
- Don't spend any money on advertising, printing, etc until your business name has been registered.
- If you are applying to be part of an existing franchise, you must attach a letter of consent from the franchisor stating you are eligible to register under that name. An example of this letter is available from our office or website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au).
- If your proposed name is similar to a company name the company must give consent.

### How the application is processed

- Your proposed name will be checked to ensure in OCBA's view, it is not the same as, or that it would not be likely to be confused with or mistaken for a registered business name or body corporate.
- We suggest that you list more than one business name on the form in case your preferred name is not available. Unless you are applying in person, you will not be contacted to confirm this name, so choose your names carefully.
- Once the business name is registered, it cannot be changed. You must apply for a new business name and pay the registration fee. A business name is registered for three years.
- Registration does not give exclusive rights to use the name or the words contained in the name. A business name registered in South Australia will not prevent the registration of the same name in another State, nor will it prevent the registration of a similar company name.
- We do not provide advice on availability of name prior to the receipt of your application and fees.

**You will need to contact the ATO to obtain your ABN or visit the website [www.ato.gov.au](http://www.ato.gov.au).**

### Restricted words in a business name

There are certain words that cannot be used in a business name or require Ministerial consent to be used in a business name eg. Trust, Bank, University. For a complete list, check out our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au). An application with an additional fee is necessary to obtain Ministerial consent. For further information please contact us on **1300 138 918**.

### What you must do once you are registered

- Use your business name **exactly** as it is registered. It cannot be changed in any way. This includes the use of special characters such as (-&\*@!+). **Do not abbreviate or alter the name.** This will constitute a new name and it should be registered.
- Notify us of any changes to business details (eg change of address of proprietors) by completing the appropriate form. This must be done within 28 days and the forms are available from our office or website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au).
- If your business name is no longer being used, the Act requires you to notify the Commission and your business name may be cancelled. The appropriate form is available on our website.
- Ensure your registration is current. We will notify you every three years to renew the registration, **but it is your responsibility** to keep the registration current. If you do not renew your business name within two (2) months of the expiry date, it will be removed from the business names register.

### Fees

See separate fee schedule. A late fee is payable if lodged after the date the business commences trading.

**Note: The prescribed fee must accompany this form. Your name will not be registered unless the full fee is attached.**

# Application for Registration of a Business Name

**Before registering your business name, the proposed proprietor(s) should take the time to read and answer the following:**

Does the business require any type of licence? As a guide, will your business perform any of the following?

**YES**  **NO**

Business and Occupational Services (OCBA)	Department of Trade and Economic Development
Building or construction work Gas fitting Electrical work Selling second-hand motor vehicles Earth works Crowd controlling Land agency Plumbing Security and investigation work Conveyancing Travel agency	Veterinary care for animals The provision of teaching services The practice of medicine Selling of alcohol The practice of health care

If the answer is **YES** to any of the above, do you have the appropriate licence? **YES**  **NO**

Licence Number \_\_\_\_\_

If you are unsure whether you need a licence, you can check with:

- Business and Occupational Services, Office of Consumer and Business Affairs, Level 3, Chesser House, 91-97 Grenfell Street, Adelaide. Phone 8204 9644
- OR
- Department of Trade and Economic Development for further information [www.southaustralia.biz](http://www.southaustralia.biz).  
Contact details: Information Officer phone 8303 2519 or the Business Licence Information Service at [www.bli.net.au/sa](http://www.bli.net.au/sa)

Please note, you may be required to endorse your registered business name on the licence.

The *Business Names Act 1996* prohibits certain persons from conducting business in South Australia.

In the past five years have you or any of the proprietors been convicted of an offence prescribed by section 17 of the *Business Names Act 1996*?

**YES**  **NO**

If the answer is yes to the above, please attach details of when and what you/they were convicted of.  
For further information regarding section 17 of the Act visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

## Trade Mark Warning

The business name you are applying for may be identical or similar to a registered trade mark. Registration of a trade mark gives the owner the legal right to exclusively use or control the use of the trade mark in relation to the goods and/or services in respect to which the trade mark is registered.

It is **YOUR** responsibility to carry out a free search of the trade mark register at:

IP Australia  
Level 10, 1 King William Street, Adelaide.  
or via the internet at [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)  
Telephone 1300 651 010.



# Application for Registration of a Business Name

## 4 Place of Business in South Australia

This must be a physical address where business is being conducted. If the business is being conducted from home, or is a mobile business, then the proprietor's residential address should be provided. The business address must be an address in South Australia. **A 'PO Box' is not acceptable here.** Additional places of business can be nominated if you are operating from more than one address.

**\* Please photocopy this page if there are additional places of business \***

Street

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State

P/Code

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State

P/Code

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## 5 Address for Service of the Proprietor

This must be a physical address where documents may be served upon the proprietor. **A 'PO Box' is not acceptable here.** If the 'Address for Service of the Proprietor' is the same as 'Place of Business', tick here.

As Above

Street

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P/Code

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## 6 Postal Address

Insert the address where all correspondence about the Business Name should be sent, particularly the renewal. A 'PO Box' **IS** acceptable here. If the 'Postal Address' is the same as the 'Place of Business' address, tick here.

As Above

Street/PO Box

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State

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P/Code

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# Application for Registration of a Business Name

Name of Company

ACN/ABN

Registered Office

Suburb

State

P/Code

**Declaration:** I, the applicant (or the person authorised to sign on the behalf of the applicant) declare that the information I have provided is true and correct and the proprietor has not been convicted of an offence, within or outside this State, as prescribed by section 17 of the *Business Names Act 1996*. For further information visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

Signature

Date

Print Name

7b

## Individual Proprietors

Name of Individual

Date of Birth

Residential Address

Suburb

State

P/Code

**Declaration:** I, the applicant (or the person authorised to sign on the behalf of the applicant) declare that the information I have provided is true and correct and the proprietor has not been convicted of an offence, within or outside this State, as prescribed by section 17 of the *Business Names Act 1996*. For further information visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

Signature

Date

Name of Individual

Date of Birth

Residential Address

Suburb

State

P/Code

**Declaration:** I, the applicant (or the person authorised to sign on the behalf of the applicant) declare that the information I have provided is true and correct and the proprietor has not been convicted of an offence, within or outside this State, as prescribed by section 17 of the *Business Names Act 1996*. For further information visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

Signature

Date

REGISTRATION OF A BUSINESS NAME

# Application for Registration of a Business Name

Name of Individual


Date of Birth

d	d	/	m	m	/	y	y	y	y
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Residential Address


Suburb


State 

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 P/Code 

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**Declaration:** I, the applicant (or the person authorised to sign on the behalf of the applicant) declare that the information I have provided is true and correct and the proprietor has not been convicted of an offence, within or outside this State, as prescribed by section 17 of the *Business Names Act 1996*. For further information visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

Signature

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Date 

d	d	/	m	m	/	y	y	y	y
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Name of Individual


Date of Birth

d	d	/	m	m	/	y	y	y	y
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Residential Address


Suburb


State 

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 P/Code 

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Signature

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Date 

d	d	/	m	m	/	y	y	y	y
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# Payment Facilities



## Payment can be made by

- cash/money order/eftpos transaction (in person)
- credit card (Visa, Mastercard, Bankcard, Amex) (see below)
- cheque (made payable to Business and Occupational Services)

Any 'Application for Registration of a Business Name' form received without the appropriate fee will be returned.



## Paying by Post

Payment can be forwarded by post to:  
**Office of Consumer and Business Affairs**  
**Business and Occupational Services**  
**GPO Box 1407 Adelaide SA 5001**



## Paying by Fax

Business Names forms can now be lodged by facsimile and payment made by credit card. Forms received by facsimile (together with payment by credit card authorisation) will be processed as next day mail lodged documents. Payment can be forwarded by fax on: **(08) 8204 9771**.



## Paying in Person

Payment can be made in person at:  
**Office of Consumer and Business Affairs**  
**Business and Occupational Services**  
**Ground Floor, Chesser House**  
**91-97 Grenfell Street, Adelaide SA 5000**



## For Further Information

Visit our website [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au) or phone **1300 138 918**.

## Checklist for Lodgement

- Have you completed **all** of the requirements of the form you are lodging?
- Has the application been signed by all proprietors?
- Has the **Authorisation for Payment by Credit Card** below been completed and signed?

## Authorisation for Payment by Credit Card

Bankcard     Visa     Mastercard     Amex

Credit Card No.

Expiry Date  /

Name on Card

Contact Phone No.

I hereby authorise the Commissioner for Consumer Affairs to draw on my credit card for the amount of \$

Registration No. (if applicable)

**Cardholder's Signature**



## Business Names - Fee Schedule

(Effective 1 July, 2005)  
(subject to change in July of each year)

### Business and Occupational Services

Ground floor  
Chesser House  
91-97 Grenfell Street  
Adelaide SA 5000

GPO Box 1407  
Adelaide SA 5001  
DX 225

Tel 1300 138 918

[www.ocba.sa.gov.au](http://www.ocba.sa.gov.au)

### REGISTRATION

<b>\$128</b>	If lodged up to two months prior to or on the date of commencement of trading.
<b>\$28.75</b>	Additional late fee if lodged after the date the business commences trading.
<b>\$46.25</b>	Commemorative Certificate.
<b>\$4</b>	Certificate lamination - optional (GST inclusive).

### RENEWAL

<b>\$103</b>	If lodged prior to or on the date of expiry.
<b>\$28.75</b>	Additional late fee if lodged after but within two months of the date of expiry.
<b>\$4</b>	Certificate lamination - optional (GST inclusive).

### CHANGE IN PARTICULARS

To advise a change of:

- place of business address
- address for service of proprietor
- proprietor's residential address
- nature of business
- proprietor's legal name

<b>No fee</b>	If lodged within 28 days of the date of change.
<b>\$28.75</b>	Late fee applies thereafter.

### CHANGE IN PROPRIETORS

<b>\$26.75</b>	If lodged within 28 days of the date of change.
<b>\$28.75</b>	Additional late fee applies thereafter.
<b>\$4</b>	Certificate lamination - optional (GST inclusive).

### CANCELLATION

**No Fee**

### MINISTERIAL CONSENT

<b>\$221</b>	To apply for a business name, which contains a restricted word, a letter must be written outlining the reasons why you believe the Minister should approve the proposed name.
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### BUSINESS NAME SEARCH FEES

Business Names extract	<b>\$18.50</b>	
Replacement certificate	<b>\$18.50</b>	<b>\$4</b> Certificate lamination - optional (GST inclusive).
Inspection of a document	<b>\$18.50</b>	
Person/Corporation search	<b>\$18.50</b>	
Certified copy of a document	<b>\$18.50</b>	(and <b>\$1</b> per page thereafter).