



Application for Registration of a Business Name

PERSONAL INFORMATION PROTECTION STATEMENT

Consumer Affairs and Fair Trading (CAFT) will collect personal information from you for the purpose of processing this application. You are required to provide this information by the *Business Names Act 1962*. Failure to provide this information may result in your application not being processed.

Your personal information will be used for the primary purpose for which it is collected, and may be disclosed to other authorised organisations. Your basic personal information may be disclosed to other public sector bodies where necessary for the efficient storage and use of the information.

Personal information will be managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates on request to CAFT. You may be charged a fee for this service.

FEES:

The relevant fee must be submitted with this form.

For Current fee information refer to the Fee Schedule (available from the office or our website below)

For Cheque Payments:

Make cheques payable to the Business Affairs Branch

For credit card payments:

See next page

Paying in Person:

only at Service Tasmania outlets

Consumer Affairs & Fair Trading Business Affairs Branch

Postal Address:

GPO Box 1244
Hobart TAS 7001

Ausdoc Address:

DX 7
Hobart TAS 7001

Telephone:

03 6233 2225

Website:

www.consumer.tas.gov.au



PLEASE READ BELOW BEFORE APPLYING TO REGISTER A BUSINESS NAME

PLEASE KEEP THIS INSTRUCTION PAGE FOR FUTURE REFERENCE.

All the information provided in your application is available to the public on request and payment of fee.

Registering a Business Name

The *Business Names Act 1962* makes it compulsory to register a business name if a business is being conducted under a name other than the name of the proprietor (individual or body corporate). If you are advertising a name in this State, you will be deemed to be carrying on a business under that name.

You must use your business name exactly as it is registered. It cannot be changed in any way. This means that it can not be abbreviated, unless you register the abbreviated name as well.

If applicants wish to check the availability of a proposed name prior to lodging an application, a search may be conducted on a separate form, which is available from Service Tasmania or on our website. (Enquiry as to the Availability of a Business Name).

Registration of a business name does not give exclusive rights to use the name or words contained in the name. A business name registered in any State of Australia will not prevent the registration of exactly the same name in another state, nor will it prevent the Australian Securities and Investments Commission from registering a very similar company name. A business name may gain some legal rights at common law through time and use. **If you believe that some other business is infringing these rights you should seek professional legal advice.**

It is your responsibility to ensure that your business name does not infringe any Trade Mark. The *Trade Marks Act* is administered by IP Australia, a Commonwealth Government agency. A trademark gives the registered owner exclusive use of the trademark throughout Australia. For more information Telephone 02 6283 2999 or visit www.ipaustralia.gov.au.

Fees (Effective 1 July 2005)

Fees are adjusted in July of each year. *Note: Our fees are Goods and Services Tax (GST) free and therefore a tax invoice is not issued.*

The prescribed payment of \$117 for the three year registration period must accompany the application. Applications received without a fee are returned.

For payment methods please view the back of the form (attached)

FAXING FORM

This form cannot be accepted by facsimile. Forms faxed to us will be returned to have the original signature added.

Your application will take 5 to 7 working days to process after it has been received.

If a listed name is accepted for registration, a Certificate will be forwarded to you by mail. If a name is not accepted you will receive a letter requesting alternative name/s.

PLEASE DO NOT telephone this Office to ask whether a name would be available. We cannot give you this advice over the phone.

This information is not intended as legal or professional advice, nor is it an exhaustive statement of the subject matter, and it is issued subject to any changes in relevant legislation or administrative policies.

Consumer Affairs & Fair Trading
Department of Justice

Business Affairs Branch
GPO Box 1244
Hobart TAS 7001

Office hours 8.45am – 4.30pm

Telephone: (03) 6233 2225

For further information about registering a business name visit our website at www.consumer.tas.gov.au

REGISTRATION

Notes to help you complete an Application for Registration of a Business Name

1 Business Name

You are welcome to provide up to three names in your order of preference. The first eligible name will be registered without consultation with the lodging party.

Non- English words and foreign characters. If your business name contains non-English words or characters, please provide an English translation.

Please note: It is difficult to register a generic name containing only common English descriptive words, ie TAKEAWAY.

2 Starting or Commencement Date for Business Name

Provide the date of commencement of business, or the intended starting date for your business trading under this business name. A business name may be registered up to two months prior to you commencing business.

3 Nature of Business

State the exact nature of the type of business you will be conducting. Vague descriptions such as manufacturing, consulting, retail and trading will not be accepted.

4 Principal Place of Business

You must have a physical place of business in Tasmania to be eligible to register. Please provided the full address: floor number room/flat number, street number, street name, suburb and postcode.

5 Postal Address

The postal address may be an address outside Tasmania.

6 Other Places of Business

Show all other addresses where business will be conducted (Tasmanian locations only). Please provided the full address: floor number room/flat number, street number, street name, suburb and postcode.

7 Name and Address of Applicant(s)

Print the full name of the applicant. The applicant may be an individual, a company, or a body corporate established under an Act of Parliament (if this is the case, please list the Title of the Act under which it is incorporated).

If the applicant is an **individual** please print their full name, date of birth and residential address.

For a **company** established under The Corporations Law, please print the full name, the Australian Company Number (A.C.N.) and the registered principal office.

Please attach additional sheets if required.

Signatures, This form MUST be signed by all applicants before being lodged (unsigned applications will not be accepted).

8 Lodging Party

In the event of problems arising with this application, we will contact the lodging party. The certificate of registration will be sent to the lodging party.

9 Resident Agent

If all individuals or corporations applying for the business name reside outside Tasmania or have no fixed address within the State (recorded in item 7), a resident agent must be appointed.

CREDIT CARD DETAILS (Please attach this slip to your application)

Card Type: Tick which card

Bank Card

Visa

Mastercard

Amount \$

Card Number:

Expiry Date: /

Name of Card Holder:

Signature of Card Holder:

Proposed Business Name:



REGISTRATION

Application for Registration of a Business Name

Business Names Act 1962 (Section 7 and 8)

FEE \$117 (GST FREE)

Service Tasmania Product Code: BAABN

1 Business Name

(your three choices will be considered in order of preference)

A

B

C

2 Starting Date for Business Name

(Proprietors must commence business within 2 months of approval of a business name)

3 Nature of Business

4 Principal Place of Business (not a PO Box address)

5 Postal Address

6 Other Places of Business

7 Name and Address of Applicant(s)

Full name (*Individual or Corporation*)

Date of Birth (*Individual*) ACN Number

Address (*Residential if individual or principal office*)

Signature

Date

Full name (*Individual or Corporation*)

Date of Birth (*Individual*) ACN Number

Address (*Residential if individual or principal office*)

Signature

Date

Full name (*Individual or Corporation*)

Date of Birth (*Individual*) ACN Number

Address (*Residential if individual or principal office*)

Signature

Date

8 LODGING PARTY (must be completed)

Name

Address

Daytime Telephone Number

OFFICE USE ONLY

REGISTRATION No.

DATE OF REGISTRATION

CERTIFICATE ISSUED

9 Resident Agent

To be completed Only if All Applicants are Resident Outside the State or Have No Fixed Address in Tasmania. Details of resident authorised, in writing, to accept service on behalf of the person/s carry on business under the business name, of any notices for the purpose of the Business Names Act 1962 and of any process.

Full name (*Individual or Corporation*)

Date of Birth (*Individual*)

ACN Number

Address (*residential if individual or company's principal office*)

Postcode

Signature

Date

Payment Facilities

Payment can be made by

- * cash/money orders /eftpos transaction (at Service Tasmania)
- * credit card (Visa, Mastercard, Bankcard) (by mail or in person)
- * cheque (made payable to **Business Affairs Branch**)

Paying in Person

Payment can be made in person at any Service Tasmania Shop.

**Enquires Phone: Business Affairs
03 6233 2225**

Paying by Post

Payment can be forwarded by post to:

*Business Affairs Branch
GPO Box 1244
Hobart TAS 7001
or
Business Affairs Branch
DX 7
Hobart TAS*

- PLEASE DO NOT FAX THIS FORM -

FAXED FORMS WILL BE RETURNED TO BE SIGNED

(Original signatures are required should the document be used for evidence in court)

OFFICE USE ONLY

A

B

C