

# Application for Registration of a Business Name

# Application for Registration of a Business Name

Business Names Act 1962 (Section 7 and 8)

FEE [refer to fee schedule](#)

Service Tasmania Product Code: BAABN

## Lodging Party (must be completed)

Name

Address

Daytime Telephone Number

## 1 BUSINESS NAME

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

First preference:

A

Alternative business names if first preference is not available:

B

C

## 2 STARTING DATE FOR BUSINESS NAME

(commencement of business must be within 2 months of registration of the business name)

## 3 NATURE OF BUSINESS

## 4 PRINCIPAL PLACE OF BUSINESS

(Must be an address in Tasmania and not a PO Box)

Postcode

## 5 POSTAL ADDRESS

Postcode

## 6 OTHER PLACES OF BUSINESS

(Must be an address in Tasmania)

Postcode

Postcode

## 7 NAME AND ADDRESS OF APPLICANT(S)

Full Name (Individual or Corporation)

Date of Birth

ACN (Australian Corporation Number)

Address (residential if individual or principal office if corporation)

Signature

Date

## OFFICE USE ONLY

REGISTRATION No.

DATE OF REGISTRATION

CERTIFICATE ISSUED

REGISTRATION

**7 NAME AND ADDRESS OF APPLICANT(S) – CONTINUED**

Full Name (Individual or Corporation)

Date of Birth

ACN (Australian Corporation Number)

Address (residential if individual or principal office if corporation)

Signature

Date

|                      |                      |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|

Full Name (Individual or Corporation)

Date of Birth

ACN (Australian Corporation Number)

Address (residential if individual or principal office if corporation)

Signature

Date

|                      |                      |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|

Full Name (Individual or Corporation)

Date of Birth

ACN (Australian Corporation Number)

Address (residential if individual or principal office if corporation)

Signature

Date

|                      |                      |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|

**8 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 of the purpose of the Business names Act 1962 and of any process.

Full Name (Individual or Corporation)

Date of Birth

ACN (Australian Corporation Number)

Address (residential if individual or principal office if corporation)

Signature

Date

|                      |                      |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|

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**

Searched

A \_\_\_\_\_

B \_\_\_\_\_

C \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETION OF APPLICATION FORM

### 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.

### 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)

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).

**Individual** please print their full name, date of birth and residential address, and each individual proprietor must sign this form.

**Company** established under The Corporations Law, please print the full name, the Australian Company Number (ACN) and the registered principal office, a director or a person duly authorised in writing by the company must sign this form.

**Statutory body / body corporate** please print full name, the Tile of the Act it is established under and the registered principal office, the chairperson, executive officer or other authorised office must sign this form.

**Trust** a trust is not a legal entity and does not have the right to hold a business name. Trustees' names may be listed.

Please attach additional sheets if required.

**Signatures,** This form MUST be signed by all applicants before being lodged (unsigned applications will be returned).

### 8 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 Verification number

In order to process payments with a credit card, we need your credit card verification number. This number is used to establish that you are in possession of the card used for the payment. The verification number is a 3 digit number printed on the back of your credit card. It appears after and to the right of your credit card number.

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

Card Type: Tick which card

Bank Card

Visa

Mastercard

Amount \$

Card Number: \_\_\_\_\_

Expiry Date: \_\_\_\_ / \_\_\_\_

\*CCV : \_\_\_\_\_

Name of Card Holder: \_\_\_\_\_

Signature of Card Holder: \_\_\_\_\_

Proposed Business Name: \_\_\_\_\_

## PLEASE READ 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 a 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 it cannot 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 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 or Territory of Australia will not prevent the registration of exactly the same name in another state or territory, 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 another business is infringing these rights you should seek professional legal advice on the remedies.**

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 visit [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au) or telephone 1300 65 10 10.

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

### PAYMENT

**FILING FEE:** Fees increase 1 July each year. The relevant fee must be submitted with this form.

For Current fee information refer to the Fee Schedule (available from the payments page at [www.consumer.tas.gov.au](http://www.consumer.tas.gov.au)).

Cheque or Money orders made payable to the Business Affairs Branch.

### IMPORTANT TO NOTE

As the fee is payable on application not on registration, the fee is **not refundable** should the requested name/s not be available for registration, or the application not proceed for any other reason.

### LODGEMENT OF FORM

**In person:** at Service Tasmania

**By mail to:** Business Affairs Branch  
GPO Box 1244  
Hobart TAS 7001

**FAXING FORM:** This form cannot be accepted by facsimile. Forms faxed to us will be returned to have an original signature added.

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

### PROCESSING TIME

Your application will take 5 - 7 working days after it has been received. If a listed name is accepted for registration, a Certificate will be forward to you by mail. If a name is not accepted you will receive a letter requesting alternative name/s.

### ENQUIRIES

Telephone: 03 6233 2225

Email: [business.affairs@justice.tas.gov.au](mailto:business.affairs@justice.tas.gov.au)

Website: [www.consumer.tas.gov.au](http://www.consumer.tas.gov.au)

### 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 authorized organizations. 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.