

NEW COMPANY

Please complete this form in block letters.

Firm ordering (if applicable)					
Person ordering					
(documents and invoice will be made out to this person unless we are otherwise directed)					
Street address					
Postal address, if different					
Phone		Fax		Email	

DELIVERY OF DOCUMENTS (ELECTRONIC/HARDCOPY)	
Documents will be delivered electronically in PDF format. Alternatively, tick here for hardcopy delivery (additional \$50 plus delivery costs)	<input type="checkbox"/> Hardcopy delivery

Tick here to receive our free monthly newsletters, technical updates and invitations to our regular seminars.

Completed by:		Date:	/ /
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NOTES FOR SETTING UP A NEW COMPANY:

- The proposed officers of the company **must sign and date** the consents where indicated in accordance with s117 of the *Corporations Act 2001* (Cth) before this order can be processed.
- Please **retain the original order form** including any consent to become a director, and **only send DBA a copy**. If you send us an original consent, we take it that you have retained another original consent. The original consent must be provided to the company that is to be incorporated.
- The company must have at least one director and it is also preferable that the company also have a secretary.

SHARES:

- Refer to 'Annexure A' for the classes of shares available and other shareholder information. One ordinary share for each director will be issued if no shareholder or other share class is instructed.

FOR COMPANIES TO ACT AS SMSF TRUSTEES:

- The DBA constitution is designed so that the company can act as a normal company or SMSF trustee. Please indicate this overleaf if applicable.

CHANGE OF TRUSTEE:

- If the company is to be appointed as trustee of an existing SMSF or trust a deed of change of trustee should also be completed with related documents.

PROPOSED COMPANY NAME	
1 st Choice	
2 nd Choice	
State/territory of registration (if different from place of registered office)	

Is the company name identical to an existing Business name that you are authorised to use? Yes No

Registered Business Name		(identical to company name)
State of Registration:		Registration Number:

Please note: by completing the above section regarding the registered business name, you declare that you are either the registered owner(s) of the names or that you are authorised to make this application to register a company with that business name and also authorise DBA to register the company in that name.

REGISTERED OFFICE			
<input type="checkbox"/> Tick here if same as firm ordering			
Street address (not a PO Box)			
		Postcode	
Does the company occupy these premises?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, occupier's name			
Name of individual to sign occupier's consent (if different)			

PRINCIPAL BUSINESS OFFICE			
<input type="checkbox"/> Tick here if same as registered office			
Street address (not a PO Box)			
		Postcode	

RELATED SMSF OR TRUST			
Is this company to act as trustee of a trust or SMSF?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, name of trust or fund			
Note: If an SMSF trustee, ensure that the trustee/member rules for SMSFs are satisfied.			
Will this company act solely as trustee of a SMSF? If so, a substantially reduced annual ASIC fee applies.		Yes <input type="checkbox"/> No <input type="checkbox"/>	

SPECIAL INSTRUCTIONS (IF ANY)

OFFICEHOLDERS' AND SHAREHOLDERS' INFORMATION

Filing in this form: This section should be filled in completely (including former/maiden names and place of birth). We may contact you before proceeding if fields are left blank. The consent to act as an officeholder and/or shareholder must also be signed.

1. Full Legal Name: _____

Former/Maiden Name: _____

Residential Address: _____

Date of Birth: _____ / _____ / _____

Place of Birth: *Town:* _____

Country: _____

Please tick: Director Secretary Public Officer

Number of shares: _____

Share class (see Annexure A): _____

Amount per share (if not \$1): \$ _____

If shares are held on trust, specify the trust/beneficiary:

I consent to act as a director (and/or secretary, if applicable) of this company and where applicable I apply for the share(s) specified above and agree to be bound by the constitution of the Company. I appoint DBA to be my agent for the purpose of the registration.

Please sign:

Date: _____ / _____ / _____

3. Full Legal Name: _____

Former/Maiden Name: _____

Residential Address: _____

Date of Birth: _____ / _____ / _____

Place of Birth: *Town:* _____

Country: _____

Please tick: Director Secretary Public Officer

Number of shares: _____

Share class (see Annexure A): _____

Amount per share (if not \$1): \$ _____

If shares are held on trust, specify the trust/beneficiary:

I consent to act as a director (and/or secretary, if applicable) of this company and where applicable I apply for the share(s) specified above and agree to be bound by the constitution of the Company. I appoint DBA to be my agent for the purpose of the registration.

Please sign:

Date: _____ / _____ / _____

2. Full Legal Name: _____

Former/Maiden Name: _____

Residential Address: _____

Date of Birth: _____ / _____ / _____

Place of Birth: *Town:* _____

Country: _____

Please tick: Director Secretary Public Officer

Number of shares: _____

Share class (see Annexure A): _____

Amount per share (if not \$1): \$ _____

If shares are held on trust, specify the trust/beneficiary:

I consent to act as a director (and/or secretary, if applicable) of this company and where applicable I apply for the share(s) specified above and agree to be bound by the constitution of the Company. I appoint DBA to be my agent for the purpose of the registration.

Please sign:

Date: _____ / _____ / _____

4. Full Legal Name: _____

Former/Maiden Name: _____

Residential Address: _____

Date of Birth: _____ / _____ / _____

Place of Birth: *Town:* _____

Country: _____

Please tick: Director Secretary Public Officer

Number of shares: _____

Share class (see Annexure A): _____

Amount per share (if not \$1): \$ _____

If shares are held on trust, specify the trust/beneficiary:

I consent to act as a director (and/or secretary, if applicable) of this company and where applicable I apply for the share(s) specified above and agree to be bound by the constitution of the Company. I appoint DBA to be my agent for the purpose of the registration.

Please sign:

Date: _____ / _____ / _____

OTHER SHAREHOLDER (IF ENTITY IS NOT AN OFFICEHOLDER)

Shareholder: _____

ACN (if a company): _____

Residential address or registered office if company: _____

Number of shares: _____

Share class (see Annexure A): _____

Amount per share (if not \$1): \$ _____

Are these shares held on trust? Yes No

If yes, as trustee for:

I consent to apply for the share(s) specified above and agree to be bound by the constitution of the Company. I appoint DBA to be my agent for the purpose of the registration.

Please sign:

Date: / /

INFORMATION ON SHARE CLASSES

This table summarises the rights of each share class:

	Right to vote	Right to dividends	Right to repayment of share price on winding-up	Right to distribution of surplus assets on winding-up
SMSF ¹	✓			
Ordinary	✓	✓	✓	✓
Limited	✓	✓	✓	
Dividend Only		✓	✓	
Guardian ²	✓	✓	✓	
Capital Share		✓	✓	✓

1. SMSF shares are not required to be issued for the company to qualify as a 'sole purpose company' (the constitution contains appropriate provisions to ensure the company qualifies). However, issuing SMSF shares reinforces the special requirements for qualifying as a sole purpose SMSF company and assists in ensuring these are not inadvertently breached.

2. Guardian Shares can be an effective planning tool but careful consideration should be given prior to issuing Guardian Shares. Where one or more Guardian Shares have been issued, this affects the ability of shareholders and directors to make decisions (broadly, Guardian Shareholders must be present at meetings and must consent to any decision before it can be passed. Guardian Shareholders also have a deciding vote in the event of deadlock).

Further Notes:

- Under this company's constitution, both shareholders' and directors' rights to vote at meetings are linked to the number of voting shares they hold in the event of deadlock. Therefore, the shareholding ultimately determines control of the company (such as decisions to remove and appoint directors, as well as management of the company's activities, including the management of any SMSF or trust of which it is trustee). This should be considered before deciding how many shares to issue and to whom, and what share class.
- Shareholders should also consider the implications for control of the company after their death (shares can be gifted via the shareholder's Will or transferred outside a Will). Consideration should also be given to issuing more than one share to allow flexibility for gifting to children via a Will.
- Each shareholder must pay the company the share application money as soon as possible.
- Naturally, expert advice should be obtained if there is any doubt as to information in this order form.

As a law firm we are not licensed to provide financial product advice under the *Corporations Act 2001* (Cth).