

CHANGE TO COMPANY DETAILS INSTRUCTION SHEET

MJHC LEGAL LAWYERS

Superannuation · Property · Wills · Commercial

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A. AUTHORISATION TO CHANGE COMPANY DETAILS:

MJHC Legal is instructed to attend to the change to the company details using the information contained in this Instructions Sheet. By completing the information required in this instruction sheet, the undersigned confirms that the persons noted hereunder have consented to the changes to the company details. The undersigned undertakes to pay the fees and charges incurred by MJHC Legal in carrying out these instructions.

Print Name Here:
Company/Business:
Address:
Telephone: Fax:
Email: Signature:

B. ACTION REQUIRED:

Note: For all changes you must complete Parts A. to E. and Part G.

Documents are required to:

- ☐ Remove existing Directors and/or Members
☐ Appoint new Directors and/or Members (also complete Part F.)
☐ Change the company address(es) ☐ Registered Office (also complete Part H.) ☐ Principal Place of Business (also complete Part I.)
☐ Change to or from a special purpose company (eg SMSF Trustee) (also complete Part J.)
☐ Change the Company Name (also complete Part K.)

C. SPECIAL INSTRUCTIONS AND REQUIREMENTS:

Is there a specified date for the company changes? Yes ☐ No ☐ If Yes, specify: DD/MM/YYYY

Note: the date of the change of name certificate will be the actual day it is lodged

Name of director who is to sign the ASIC Forms:

D. COMPANY NAME:

Company name: ACN:

E. CURRENT OFFICEHOLDERS AND MEMBERS:

1. Full Name:
Former Name (if applicable):
Address: Postcode:
Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:
This person is: continuing ☐ retiring: ☐ deceased: ☐
This person is to remain a member: ☐
OR
This person's shares are to be transferred to:
Existing Member:
New Member:
Transfer Consideration: \$ Number of Shares

Current Officeholder options continue over page

2. Full Name:
Former Name (if applicable):
Address: Postcode:
Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:

This person is: continuing ☐ retiring: ☐ deceased: ☐

This person is to remain a member: ☐

OR

This person's shares are to be transferred to:

Existing Member:

New Member:

Transfer Consideration: \$ Number of Shares

3. Full Name:
Former Name (if applicable):
Address: Postcode:
Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:

This person is: continuing ☐ retiring: ☐ deceased: ☐

This person is to remain a member: ☐

OR

This person's shares are to be transferred to:

Existing Member:

New Member:

Transfer Consideration: \$ Number of Shares

F. NEW OFFICEHOLDERS AND MEMBERS:

Do all proposed directors satisfy Corporations Act eligibility? (See Part O. Important information – eligibility) Yes ☐ No ☐

1. Full Name:
Former Name (if applicable):
Address: Postcode:
Date of Birth: DD/MM/YYYY Place of Birth: Occupation:

Select each check box that is relevant for the roles to be performed

Member: ☐ Director: ☐ Secretary: ☐ Public Officer: ☐

Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:

Class of Shares: No. of Shares:

Note: See Part M. Important Information - Shares

Are the shares held for the benefit of someone else or for a trust? Yes ☐ No ☐

If Yes, provide details:

The new director will NOT be a shareholder ☐

OR

The share(s) are being transferred from an existing member? Yes ☐ No ☐

New shares are being issued by Company Yes ☐ No ☐

2. Full Name:
Former Name (if applicable):
Address: Postcode:
Date of Birth: DD/MM/YYYY Place of Birth: Occupation:

Select each check box that is relevant for the roles to be performed

Member: ☐ Director: ☐ Secretary: ☐ Public Officer: ☐

New officeholder 2 options continue over page

Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:

Class of Shares: No. of Shares:

Are the shares held for the benefit of someone else or for a trust? Yes ☐ No ☐

If Yes, provide details:

The new director will NOT be a shareholder ☐

OR

The share(s) are being transferred from an existing member? Yes ☐ No ☐

New shares are being issued by Company Yes ☐ No ☐

3. Full Name:

Former Name (if applicable):

Address: Postcode:

Date of Birth: DD/MM/YYYY Place of Birth: Occupation:

Select each check box that is relevant for the roles to be performed

Member: ☐ Director: ☐ Secretary: ☐ Public Officer: ☐

Do they have a Director Identification Number? Yes ☐ No ☐ If Yes:

Class of Shares: No. of Shares:

Are the shares held for the benefit of someone else or for a trust? Yes ☐ No ☐

If Yes, provide details:

The new director will NOT be a shareholder ☐

OR

The share(s) are being transferred from an existing member? Yes ☐ No ☐

New shares are being issued by Company Yes ☐ No ☐

G. FOR MINUTES OF MEETING:

Place of Meeting:

Name of Chairperson: Unless otherwise stated, the director who has been named to sign the ASIC Forms will be used

If not all directors/members were present at Meeting you **must** select one of the following options:

- ☐ A quorum of directors/members attended the meeting:
- OR**
- ☐ The absent directors/members attended by telephone:
- OR**
- ☐ Circulating Resolutions required for signature by all directors/members:
(See Part O. Important Information)

H. NEW REGISTERED OFFICE ADDRESS:

(For the service of notices etc)

PO Boxes not acceptable Postcode

I. NEW PRINCIPAL PLACE OF BUSINESS ADDRESS:

(Where company carries on business)

PO Boxes not acceptable Postcode

J. SPECIAL PURPOSE COMPANY:

Company is to become a special purpose company? ☐ (See Part L. Additional Information – Special Purpose Company)

OR

Company is to cease as a special purpose company? ☐

Special purpose of Company: SMSF Trustee: ☐ Other: ☐

K. NEW COMPANY NAME:

1st choice:

2nd choice:

3rd choice:

Note: Your new company name may not be available due to prior registration or similarity to existing registrations

Is the proposed company name identical to a registered business name? Yes ☐ No ☐

Who is the registered owner of that business name?

L. ADDITIONAL INFORMATION:

M. PAYMENT DETAILS:

Payment of Invoice is required before document delivery unless other arrangements are in place.

Credit Card and bank deposit/internet banking options will be set out in the Invoice.

N. COMPLETED INSTRUCTIONS:

Please forward completed instructions to MJHC Legal:

email: mjhc@mjhclgal.com

mail: PO Box 412, Mount Waverley VIC 3149

Print and review your instructions before submitting and retain printed copy for your file. Adobe Reader will not allow you to save the data in this form.

The Email button will forward your completed Instruction Form to MJHC Legal.

The Reset button will clear all data in the form.

Print Form

Submit by Email

Reset

O. IMPORTANT INFORMATION:

Lodging Time

ASIC late Fees apply where documents are not lodged within prescribed time:

- Change of registered office or business address within 28 days of change
- Change of director details within 28 days of change
- Company name change within 14 days after passing resolution

ASIC Fees (as at 1 July 2021)

- Company Name Change - \$422.00

- Change of registered office, business address or director details - \$Nil

ASIC Late Fees (as at 1 July 20121)

- Received within 1 month after prescribed time - \$83.00

- Received more than 1 month after prescribed time - \$344.00

Special Purpose Company

Most special purpose companies are trustees of SMSFs. To be eligible as a special purpose company its **sole purpose** must be as an SMSF Trustee. Eg. It cannot also be a trading company or a trustee of another trust. All fund members **must** be company directors.

Eligibility

All company officers must be over the age of 18 years. At least one director and any company secretary must ordinarily reside in Australia. An undischarged bankrupt or any person disqualified or banned by ASIC cannot be a company officer or be involved in the management of a company. Contact the offices of MJHC Legal to discuss. If these requirements are not satisfied, the individual **cannot** be involved in the company.

Shares

A company can issue different classes of shares. The rights and restrictions attached to shares in a class distinguish it from other classes. Typically a company would issue **ordinary** shares which is one of the standard class titles of available shares. A Trustee Company would usually only issue **ordinary** shares. Other types of shares include bonus shares, preference shares, redeemable preference shares, life governors shares, founders

Eligibility

All company officers must be over the age of 18 years. At least one director and any company secretary must ordinarily reside in Australia. An undischarged bankrupt or any person disqualified or banned by ASIC cannot be a company officer or be involved in the management of a company. Contact the offices of MJHC Legal to discuss. If these requirements are not satisfied, the individual **cannot** be involved in the company.

Shares

A company can issue different classes of shares. The rights and restrictions attached to shares in a class distinguish it from other classes. Typically a company would issue **ordinary** shares which is one of the standard class titles of available shares. A Trustee Company would usually only issue **ordinary** shares. Other types of shares include bonus shares, preference shares, redeemable preference shares, life governors shares, founders shares, employee shares. If a share class other than **ordinary** is to be issued by the company, you will need to specify clearly in Part H. Additional Information about the rights and restrictions which are to apply to the share class.

Meeting & Resolutions

It is not always a legal requirement that individuals physically attend a meeting of directors of a corporate trustee. Most modern company constitutions permit teleconferencing. Attendance by telephone can be a convenient method of meeting where parties are physically separated. You must indicate whether or not a party was or will be physically present at a meeting.

A circulating resolution is an alternative to attendance at a meeting in person or by telephone. A circulating resolution requires all parties to sign and date the resolution. It is also necessary for the parties to be provided with all relevant material relating to the resolution. This may not always be convenient or a secure means of safeguarding the material.

Importantly, a circulating resolution does not have any legal effect until the resolution is signed and dated by all required parties. It will also only be effective from the date on which the last signature is obtained to the circulating resolution. For these reasons, physical or telephone attendance at a meeting is preferred over a circulating resolution.

DISCLAIMER:

MJHC Legal prepares documentation based on your written instructions. MJHC Legal is not licensed to provide financial product advice.

Liability limited by a scheme approved under Professional Standards Legislation