

You may have been advised by your accountant or financial adviser to form a company.

You can use this facility to instruct us in relation to the registration process.

It is important that you understand why this has been recommended to you, and that you also understand the workings of a company before you proceed with this option. Please contact us or your accountant or financial adviser if you wish to discuss this further.

Once you have selected a name, please follow the prompts and proceed through the form. It contains instructions on how to proceed through each field. Please feel free to [contact us](#) if you require any further information or if you require assistance to complete the Form.

The following guidelines may assist you when making your selections:

### **Company Registration**

All Companies registered in Australia and its territories are governed by the legislation contained in the Corporations Act (Commonwealth). This legislation is enforced by the Australian Securities and Investments Commission (**ASIC**). Persons wishing to make application for registration of a company must submit the relevant application for registration and accompanying documents to ASIC who will assess the content of the forms and subsequently register the Company. Upon registration, a company is allocated a unique Australian Company Number (**ACN**).

### **Name of Company**

You can check to see if a name might be available for your use, by checking the [ASIC National Names Index](#). Please note however that this will not guarantee that a name is available for registration. ASIC will check to see if there are any similar names in existence, and might seek submissions from us to ensure that the proposed company registration will not be trading in a similar market to an existing name.

### **Nature of Business**

We may need to provide this information to ASIC if there is a similar name already registered. This information will also help us determine if the proposed company is a 'special purpose' company, and if you will need to apply for additional licenses or permits.

### **Constitution**

The Constitution contains the rules by which the Company will be governed. You can either choose to adopt the Replaceable Rules contained in the Corporations Act, or you can adopt our standard Constitution. O'Loughlins' standard Constitution is updated regularly and contains comprehensive rules regarding the issue and transfer of shares, directors' responsibilities and general meetings. If the proposed Company is a 'special purpose' company, ie a Medical Practice Company, Conveyancing Company etc, please let us know. In such cases, a more complex Constitution will be required, and that Constitution must comply with the requirements of the various licensing Boards.

### **Common Seal**

You may wish to adopt a common seal as the way that your company will sign documents, however this is no longer a standard company requirement.

**State of Registration**

We choose to register all proprietary companies pursuant to the laws of Victoria, having identified specific benefits in relation thereto.