

BUSINESS NAMES.

No. 3 of 1961.

An Ordinance to amend the *Business Names Ordinance* 1956.

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Business Names Ordinance* 1961.*

(2.) The *Business Names Ordinance* 1956† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Business Names Ordinance* 1956-1961.

Definitions.

2. Section four of the Principal Ordinance is amended by omitting the definitions of “Australian Consular Officer” and “Australian Diplomatic Officer”.

Signatures on,
and witnessing
of, statements.

3. Section twenty-three of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the words “or acknowledged”; and

(b) by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-sections:—

“ (2.) A statement required for the purpose of this Ordinance shall be signed in the presence of a witness, who shall—

(a) subscribe his signature as a witness; and

(b) add the address of his place of residence immediately after his signature.

“ (3.) Where a statement is signed in the case of a firm—

(a) by an individual who is a member of the firm or his attorney, but not by, or on behalf of, the other members of the firm; or

* Made on 9th March, 1961; notified in the *Commonwealth Gazette* and commenced on 6th April, 1961.

† Ordinance No. 18 1956.

(b) by a director, the manager or the secretary of a corporation which is a member of the firm, but not by, or on behalf of, the other members of the firm,

the Registrar shall not accept the statement unless the person signing the statement forwards to the Registrar, with the statement, a statutory declaration verifying the statement.”.

4. Section twenty-four of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 24. Except with the consent of the Attorney-General, a business-name shall not be registered under this Ordinance, whether originally or on change of the business-name of a firm, individual or corporation, if the business-name is a name that is, in the opinion of the Registrar, undesirable or is a name, or a name of a kind, that the Attorney-General has, under section thirty-two of the Companies Act, 1936 of the State of New South Wales as applied in the Territory by virtue of the *Companies Ordinance* 1954-1961, directed the Registrar holding office under that Ordinance not to accept for registration.”.

Prohibited names.

5. Section twenty-five of the Principal Ordinance is amended by adding at the end thereof the following subsection:—

Power to require change of business-name.

“(4.) Where a business-name has been registered, or deemed to be registered, under this Ordinance since before the first day of April, One thousand nine hundred and sixty, the Registrar shall not give a direction under this section with respect to that business-name unless he is directed to do so by the Attorney-General.”.