



Australian Capital Territory

Business Names Regulations 1966 No 11

made under the

Business Names Act 1963

Republication No 3

Republication date: 30 April 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Business Names Regulations 1966*, made under the *Business Names Act 1963* as in force on 30 April 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
12 September 2001



Australian Capital Territory

Business Names Regulations 1966

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Amendments incorporated to
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Australian Capital Territory

Business Names Regulations 1966

made under the

Business Names Act 1963

1 Name of regulations

These regulations are the *Business Names Regulations 1966*.

2 Meaning of *agent*

In these regulations:

agent—see the Corporations Regulations, regulation 1.0.02.

5 General requirements for documents

- (1) Unless the registrar-general otherwise approves, a document lodged with the registrar-general shall—
 - (a) be on paper of medium weight and good quality and of foolscap folio size or international sheet size A4; and
 - (b) be clearly printed, written or otherwise produced in a way that is permanent and will make possible a reproduction by photographic means that is satisfactory to the registrar-general; and
 - (c) not be a carbon copy, or a copy reproduced by any spirit duplication method; and
 - (d) have margins of not less than 25mm on the left-hand side and not less than 13mm on the right-hand side; and
 - (e) if it comprises 2 or more sheets—be fastened together securely in the top left-hand corner; and
 - (f) have endorsed on the outside—
 - (i) on the upper left-hand corner—the registered number (if any) allotted by the registrar-general to the business name to which the document relates; and
 - (ii) the business name to which the document relates; and

- (iii) the title of the document (that is, if the document is a form approved under the Act, section 33 (Approved forms), the same as the heading in the form); and
- (iv) the name, address and telephone number of the person by whom, or on whose behalf, the document is lodged; and
- (v) the following words:

Lodged with the registrar-general on .

- (2) If the address of the office of a corporation is required, full particulars of its situation shall be provided so as to enable it to be readily located.
- (3) The name of a person signing a form approved under the Act, section 33 (Approved forms) that is lodged with the registrar-general shall be legibly written under or alongside the signature of that person.

6 Annexures and documents accompanying forms

- (1) If the space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, that information shall be set out in an annexure.
- (2) An annexure to a form shall be marked with an identifying letter and endorsed with the words:

This is the annexure of pages marked with the letter referred to in the (insert description of form) signed by me and dated

.....

Signature(s)

and signed by each person signing the form to which the document is annexed.

- (3) The pages in an annexure shall be numbered consecutively.

- (4) If a document, copy of a document, or other matter is annexed to or accompanies a form, reference made in the form to the annexure shall be by its identifying letter, the number of pages in it, and a brief description of the nature of the document and its contents.
- (5) A reference to an annexure includes a document, copy of a document, or any other matter accompanying or annexed to a form.

7 Signature of documents

- (1) Subject to the Act, a document relating to a corporation that is lodged by or on behalf of a corporation shall be signed—
 - (a) by a director, or secretary or the principal executive officer of the corporation; or
 - (b) if the corporation is a foreign company—by a person referred to in paragraph (a), by the agent of the foreign company or, if that agent is a company, by a director, or secretary or the principal executive officer of the agent.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see *Legislation Act 2001*, s 104).

- (2) In this regulation:

foreign company—see the *Companies Act 1981* (Cwlth), section 5.

principal executive officer—see the *Companies Act 1981* (Cwlth), section 5.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

The *Business Names Regulations 1966* were originally made under the *Business Names Ordinance 1963* (now the *Business Names Act 1963*).

The *Business Names Regulations 1966* were originally the *Business Names Regulations*. They were renamed under the *Legislation Act 2001*.

Before 11 May 1989, regulations commenced on their notification day unless otherwise stated (see *Interpretation Ordinance 1937* s 16, *Interpretation Act 1967*, s 50).

Legislation before self-government

Business Names Regulations 1966 No 11

notified 15 September 1966

commenced 15 September 1966

as amended by

Amendment of the Business Names Regulations 1976 No 10

notified 14 July 1976

commenced 14 July 1976

Amendments of Business Names Regulations 1976 No 19

notified 26 October 1976

commenced 1 November 1976 (reg 1)

Amendments of Business Names Regulations 1977 No 20

notified 24 August 1977

commenced 24 August 1977

Regulations to revise regulations in force under ordinances of ACT 1979 No 26 sch

notified 29 November 1979

commenced 29 November 1979

Business Names Regulations (Amendment) 1982 No 16

notified 29 June 1982

commenced 1 July 1982 (reg 1)

Legislation after self-government

Business Names (Amendment) Act 1990 No 27 sch 2

notified 24 August 1990 (Gaz 1990 No S57)
 ss 1-3 commenced 24 August 1990 (s 2 (1))
 sch 2 commenced 3 September 1990 (s 2 (2))

Registrar-General (Consequential Provisions) Act 1993 No 64 sch 2

notified 6 September 1993 (Gaz 1993 No S172)
 s 1, s 2 commenced 6 September 1993 (s 2 (1))
 sch 2 commenced 1 October 1993 (s 2 (2) and see Gaz 1993 No S207)

Legislation (Consequential Amendments) Act 2001 No 44 pt 49

notified 26 July 2001 (Gaz 2001 No 30)
 s 1, s 2 commenced 26 July 2001 (IA s 10B)
 pt 49 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

4 Amendment history

Name of regulations

reg 1 am R3 LA

Meaning of *agent*

reg 2 am 1982 No 16 reg 2; Act 1990 No 27 sch 2
 sub Act 2001 No 44 amdt 1.516
 def **agent** ins 1982 No 16 reg 2
 sub 2001 No 44 amdt 1.516
 def **the Ordinance** sub 1982 No 16 reg 2
 om 2001 No 44 amdt 1.516

Forms

reg 3 om Act 1990 No 27 sch 2

Directions in forms

reg 4 om Act 1990 No 27 sch 2

General requirements for documents

reg 5 am 1976 No 10
 sub 1982 No 16 reg 3
 am Act 1990 No 27 sch 2; Act 1993 No 64 sch 2; Act 2001
 No 44 amdt 1.517, amdt 1.518

Annexures and documents accompanying forms

reg 6 om 1976 No 19 reg 2
 ins 1982 No. 16 reg 3

Signature of documents

reg 7 ins 1982 No 16 reg 3
 am Act 2001 No 44 amdt 1.519, amdt 1.520

Endnotes

5 Earlier republications

Schedule 1

sch 1 om Act 1990 No 27 sch 2

Schedule 2

sch 2 am 1977 No 20 reg 1, reg 2; 1979 No 26 sch; 1982 No 16 reg 4
om Act 1990 No 27 sch 2

Schedule 3

sch 3 om 1976 No 19 reg 3

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 1990 No 27	30 April 1991
2	Act 1993 No 64	31 January 1994

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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