

# COMPANY INSTRUCTION SHEET

# MJHC LEGAL LAWYERS

Superannuation · Property · Wills · Commercial

Suite 5  
Monash Corporate Centre  
750 Blackburn Road  
Clayton Vic 3168  
t: +61 3 9543 5544

All correspondence to:  
PO Box 412  
Mount Waverley Vic 3149  
www.mjhlegal.com  
f: +61 3 9543 5133

## A. AUTHORISATION TO REGISTER COMPANY:

MJHC Legal is instructed to attend to the registration of a company 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 be the initial Officers and Members. 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. COMPANY NAME PREFERENCE:

Specify Status - Pty Ltd or Ltd

1st choice:

2nd choice:

3rd choice:

**Note:** Your choice of names may not be available due to prior registration or similarity to existing registrations

## C. STATE/TERRITORY OF REGISTRATION:

Nominate the state or territory in which the company will be taken to be registered:

**Note:** See Part M. Important Information – State or Territory of Registration

## D. IDENTICAL BUSINESS NAME:

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

Are all of the business name proprietors to be members of the company? Yes No

Business Name Registration Number:

Registered in which State/Territory:

## E. REGISTERED OFFICE:

(For the service of notices etc)

PO Boxes not acceptable

Postcode

## F. PRINCIPAL PLACE OF BUSINESS:

(Where company carries on business)

PO Boxes not acceptable

Postcode

## G. ACCOUNTANT DETAILS:

(For the minutes of meeting)

If left blank, will be omitted from minutes

Postcode

## H. SPECIAL INSTRUCTIONS AND REQUIREMENTS:

Is there a specified date for the company establishment?	Yes	No	If Yes, specify: <input type="text"/> <small>DD/MM/YYYY</small>
Do all proposed directors satisfy Corporations Act eligibility?	Yes	No	If No, see Part M. Important information *
Is this company to act only as a Trustee of a Superannuation Fund?	Yes	No	See Part M. Important Information on Superannuation Trustees **
Is a company seal required?	Yes	No	
Will this company have an ultimate holding company?	Yes	No	
If yes, specify:	Name: <input type="text"/>	ACN: <input type="text"/>	
	Address: <input type="text"/>	Postcode: <input type="text"/>	

## I. OFFICEHOLDERS AND SHAREHOLDERS:

### The following have consented to adopt a constitution and to act as Directors and Members.

Please note, there must be at least one Member and one Director (resident in Australia). The office of Secretary is optional but if appointed, but reside in Australia. A Public Officer must be nominated unless the company is to act only as a Trustee. When completing Place of Birth, include town/city/state (and country if born outside of Australia).

1. Full Name:   
Address:  Postcode:   
Date of Birth:  DD/MM/YYYY Place of Birth:  Occupation:

Select each check box that is relevant for the roles performed by all individuals      Member:      Director:      Secretary:      Public Officer:

Class of Shares:       No. of Shares:

**Note:** See Part M. Important Information - Shares

Beneficially Held: Yes      No      If No, provide details:

2. Full Name:   
Address:  Postcode:   
Date of Birth:  DD/MM/YYYY Place of Birth:  Occupation:

Select each check box that is relevant for the roles performed by all individuals      Member:      Director:      Secretary:      Public Officer:

Class of Shares:       No. of Shares:

Beneficially Held: Yes      No      If No, provide details:

3. Full Name:   
Address:  Postcode:   
Date of Birth:  DD/MM/YYYY Place of Birth:  Occupation:

Select each check box that is relevant for the roles performed by all individuals      Member:      Director:      Secretary:      Public Officer:

Class of Shares:       No. of Shares:

Beneficially Held: Yes      No      If No, provide details:

4. Full Name:   
Address:  Postcode:   
Date of Birth:  DD/MM/YYYY Place of Birth:  Occupation:

Select each check box that is relevant for the roles performed by all individuals      Member:      Director:      Secretary:      Public Officer:

Class of Shares:       No. of Shares:

Beneficially Held: Yes      No      If No, provide details:

**J. ADDITIONAL INFORMATION:**

[Redacted area for Additional Information]

**K. PAYMENT DETAILS:**

Credit Card:  Visa:  Mastercard:  Bankcard:

Card Number:  Exp Date:  MM/YY

Name on Card:  Signature:

Direct Deposit: MJHC Legal Office Account  
Commonwealth Bank - Stud Park Shopping Centre  
BSB 063 626 Account No. 1045 4809

Cheque:

**L. COMPLETED INSTRUCTIONS:**

Please forward completed instructions to MJHC Legal:

**email:** mjhc@mjhclegal.com

**fax:** 03 9543 5133

**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.

**M. IMPORTANT INFORMATION:**

**Note:** A change of name to an existing shelf company will cost as extra \$351.00

\* 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.

\*\* A company that acts exclusively as Trustee of a superannuation fund is eligible for reduced annual review fees as a "special purpose company".

**Shares**

There must be at least one Member who holds at least 1 share in the company to be established. If the company is only to act as a Trustee, a nominal amount of shares need only be held. For a Trustee Company, a total of 12 shares is a convenient number to be held.

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 J. Additional Information about the rights and restrictions which are to apply to the share class.

**State or Territory of Registration**

A company on registration is required to nominate the state or territory in which it is taken to be registered. It does not have to be the state or territory in which the registered office is located. Where a company is taken to be registered has some relevance where a state or territory law imposes obligations or confers rights or powers on a person or company by reference to the state or territory in which a company is taken to be registered. A state or territory law on stamp duty on share transfers might impose duty on transfers of shares in companies that are taken to be registered in that state or territory. For example, a transfer of shares in a company which is taken to be registered in New South Wales is liable to duty in New South Wales. This is not applicable to a company which is taken to be registered in Victoria. Note that the share transfer would be dutiable in any event if the share register is maintained in New South Wales.

**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