



REGISTRAR-GENERAL'S OFFICE 71

A DIVISION OF THE DEPARTMENT OF LANDS

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NOTICE TO LODGING PARTIES

Re: *Requirements of Corporations Act 1989 (Commonwealth) as to Australian Company Number (A.C.N.) and Australian Registered Body Number (A.R.B.N.)*

Under the new Corporations Act, 1989 of the Commonwealth, which came into operation on 1 January, 1991, a company will be required to display its name, followed by the expression "Australian Company Number" (or a permitted abbreviation such as "A.C.N.") together with a unique nine digit identifying number on its common seal and on every public document. In certain circumstances, entities which are not required to display an Australian Company Number, may be required to display an Australian Registered Body Number (A.R.B.N.).

All conveyancers would be well advised to obtain a copy of the Australian Securities Commission's Interim Practice Note 8 which sets out details of the Commission's requirements pursuant to Sections 219 and 362 of the Act.

It will be seen from Interim Practice Note 8 that the ASC has announced a 6 month moratorium on enforcement of some of the requirements of the Act. The effect of the moratorium is to defer all requirements in relation to A.R.B.N.'s during the moratorium period and to defer the requirement that Australian companies display their A.C.N.'s on public documents.

The moratorium will, however, not apply to the requirement that a company display its A.C.N. on its common seal.

The following practice will be adopted by the Lands Titles Division of the Department of Lands for all documents lodged under the Real Property Act, 1886 and Registration of Deeds Act, 1935.

All documents executed by a company under common seal lodged at this office and the General Registry Office after the 1 January 1991 must comply with the following:

- a) If the dealing, deed or application is dated on or after 1 January 1991 and a common seal is affixed it must include an Australian Company Number unless the documents were executed prior to that date. In that case, the fact that they were executed prior to 1st January 1991 will need to be disclosed.*
- b) If the dealing, deed or application is dated prior to 1 January, 1991 the requirement in (a) does not apply.*

A further Notice to Lodging Parties will be issued before the moratorium expires.

L.B. KIDD
REGISTRAR-GENERAL
24 January 1991