

Business Names Regulation 1964

Unvalidated References:

[Business Names Act 1963](#)

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 145.

[*Business Names Regulation 1964*](#)

ARRANGEMENT OF SECTIONS.

1. Forms.
2. Particulars prescribed by forms.

3. Directions in forms.
4. General requirements for documents lodged with Registrar.
5. Application for consent to registration of business name.
6. Fees.

Business Names Regulation 1964

MADE under the [Business Names Act 1963](#).

Dated 200 .

1. FORMS.

Where a provision of the Act is specified in the first column of Schedule 1, the form in Schedule 2 that is specified in the third column of Schedule 1 in relation to the provision is the form to be used for the purposes of the provision described in the second column of Schedule 1.

2. PARTICULARS PRESCRIBED BY FORMS.

Where a form prescribed by this Regulation requires completion by the insertion of, or the attachment to the form of a document containing, particulars or other matters referred to in the form, those particulars or other matters are prescribed as the particulars or other matters required under the provision of the Act for the purposes of which the form is prescribed.

3. DIRECTIONS IN FORMS.

A form prescribed by this Regulation shall be completed in accordance with such directions as are specified in the form.

4. GENERAL REQUIREMENTS FOR DOCUMENTS LODGED WITH REGISTRAR.

A document to be lodged with the Registrar under the Act or this Regulation shall comply with the following requirements:–

- (a) the document shall be on paper of medium weight and good quality and of International A4 size; and
- (b) the document shall be printed or handwritten and shall be clearly legible; and
- (c) the document shall not be a carbon copy; and
- (d) where the document comprises two or more sheets, the sheets shall be bound together securely; and
- (e) the document shall have endorsed–
 - (i) on the upper right-hand corner–the registered number (if any) allotted by the Registrar to the business name to which the document relates; and
 - (ii) the name, postal address and telephone number of the lawyer or other person by, or on whose behalf, the document is lodged; and
 - (iii) the following words–

“Lodged in the office of the Registrar of Companies on . . . 20...

“Registrar of Companies.”

5. APPLICATION FOR CONSENT TO REGISTRATION OF BUSINESS NAME.

An application under Section 10 of the Act for the consent of the Minister shall be lodged with the Registrar.

6. FEES.

(1) The fees specified in the third column of Schedule 3 shall be paid to the Registrar in respect of the respective matters in the second column of that Schedule.

(2) Where the Minister gives his consent to the use of a business name the fee paid by an applicant for the consent shall be repaid to the applicant.

SCHEDULE 1 – LIST OF FORMS.

Reg., Sec. 1.

Section No. of Act.	Description.	Form No.
8(1), (2), 9(1)	Application for registration of business name	1
8(4), (5)	Certificate of registration of business name	2
12(1)	Statement for renewal of registration of business name	3
13(1)(a), (b), (2)	Statement of change in certain particulars	4
13(3)	Notice of cessation of business under business name	5
13(3), (4), (5), (6), (8)	Statement of change in persons in relation to whom business name is registered	6
13(1)(c)	Statement of change in particulars relating to resident agent	7
13(7)	Notice that person has ceased to be resident agent	8
13(9), (10)	Notice of appointment of resident agent	9

SCHEDULE 2 – APPLICATION FOR REGISTRATION OF BUSINESS NAME.

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Form 1 – Application for Registration of Business Name.

Act, Sec. 8(1), (2); 9(1). Form 1.

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Form 2 – Certificate of Registration of Business Name.

Act, Sec. 8(4), (5). Form 2.

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Form 3 – Statement for Renewal of Registration of Business Name.

Act, Sec. 12(1). Form 3.

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Form 4 – Statement of Change in Certain Particulars.

Act, Sec. 13(1)(a), (b), (2) Form 4.

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Form 5 – Notice of Cessation of Business under Business Name.

Act, Sec. 13(3). Form 5

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Form 6 – Statement of Change of persons in Relation to whom Business Name is
Registered.

Act, Sec. 13(3), (4), (5), (6), (8). Form 6.

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Form 7 – Statement of Change in Particulars Relating to Resident Agent.

Act, Sec. 13(1)(c). Form 7.

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Form 8 – Notice that person has Ceased to be Resident Agent.

Act, Sec. 13(7). Form 8.

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Form 9 – Notice of Appointment of Resident Agent.

Act, Sec. 13(9), (10). Form 9.

SCHEDULE 3

[Reg. Sec. 6](#).

Item No.	Matter	Fees
1.	On lodging an application, in accordance with Form 1, for registration of a business name	K50.00
2.	For a further certificate of registration of a business name under Section 8(5) of the Act	K8.00
3.	On lodging an application, in accordance with Form 3, for renewal of registration of a business name	K40.00
4.	On lodging a statement in accordance with Form 4, Form 5, Form 7, Form 8 or Form 9	K5.00
5.	On lodging a statement in accordance with Form 6	K10.00
6.	On lodging with the Registrar a document required to	

	be lodged within a period prescribed by law, in addition to any other fee–	
	(a) if lodged within one month after the expiration of the prescribed period; and	K8.00
	(b) if lodged later than one month after the expiration of the prescribed period	K40.00
	or if the Registrar is satisfied that just cause existed for the failure to lodge the document within one month after the expiration of the prescribed period-such lower fee as the Registrar fixes, not being less than	K10.00
7.	On lodging a statutory declaration	K5.00
8.	For inspecting a statement lodged with the Registrar under the Act or filed under the Repealed Act or any corresponding previous law of Papua New Guinea or a part of Papua New Guinea	K2.00
9.	For a certificate of registration or non registration of a business name, for a copy of or extract from the register of a copy of or extract from a document forming part of the register or for a document containing two or more of the foregoing, certified under the hand of the Registrar	K8.00
	AND in addition, for each folio of 72 words by which the	K0.50

	certificate, copy, extract or document exceeds five folios of 72 words each	
10.	For making a photographic reproduction of a document in the custody of the Registrar-for each page	K4.00
11.	For a search in the office of the Registrar as to the availability of any name proposed to be adopted as a business name-for each name searched	K5.00
12.	For a search for which a fee is not elsewhere prescribed	K2.00
13.	For an act done by the Registrar which he is required or authorized to do under the Act and for which a fee is not elsewhere prescribed	K8.00
14.	On lodging a document with or by the Registrar for the lodging of which a fee i.e not elsewhere prescribed	K8.00
15.	On a subpoena served on the Registrar to produce a document in his custody and, in addition, if the Registrar so requires, such other expenses as are reasonably incurred in the production of the document	K20.00
16.	On lodging an application with the Registrar for the consent of the Minister to the use of a business name	K40.00
17.	For the consent of the Minister to the use of a name in a business name	K60.00.

Office of Legislative Counsel, PNG