



MEMO

To: Board of Directors
From: Company Secretary
Subject: **SHAREHOLDER MEETING – REGISTER OF ATTENDANCE**

There is nothing in our constitution or the Corporations Act which requires an Attendance Register to be drawn up/completed for shareholders attending a general meeting – other than in special situations as noted below.

It seems from asking around – including with the professional share registries – that the use of such register is primarily as a checking mechanism to have attendees state in writing who they are/represent (eg, as proxy) to assist with verifying their right to attend. And despite the need for the register to be filled in [and signed] it is not customary to ask for identification or other form of ‘proof’ that they are in fact the said person.

Attendance Register

The format of register can vary, depending on the circumstances, but if we take the ASIC forms required under special situations as a guide then a typical register could have the following headings:

ATTENDANCE REGISTER			
No.	NAME	REPRESENTED BY <i>(Signature of person attending)</i>	NUMBER of SHARES



Special Situations

There are however some situations in the Act which are best complied with through the use of an Attendance Register. In particular, when a company is being wound up (eg, through a liquidation) Regulation 26.6.27(2) requires a record of those people present at a meeting – of shareholders and/or creditors – in person, by proxy or attorney, to be prepared and kept in accordance with Form 531A, B or C as applicable.

DISCLAIMER

The comments in this memo reflect some commercial aspects and observations on the matter experienced or observed by the writer in practice as he understands them. The information is given as a guide only and does not represent a definitive or legal view of any of the issues raised, covered or referred to and the reader is urged to seek his own professional advice on all aspects of, or pertaining to, this and any related matter.