



## MEMO

To: Board of Directors  
From: Company Secretary  
Subject: **DISPLAY COMPANY NAME**

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In response to your questions about displaying our new company name on the office door, I comment hereunder (with some general information about different offices, etc).

### **Display Name Where Conduct Business**

The general rule is that all companies must display their name prominently at every place within Australia at which they carry on business and are open to the public – as per section 144(1) of the Corporations Act.

So, if a company's office/s is/are not open to the public then there is no requirement to display its name – except for a public company in relation to its Registered Office.

### **Registered Office**

A public company must, but a proprietary/private company is not obliged to, prominently display adjacent to its name the words "Registered Office" at its registered office location – s144(2). There is no requirement to include an ACN or ABN in that display.

Under s100 ASIC must be informed of the Registered Office address (initially on Form 201 "Application for Registration as an Australian Company") and of any changes (using Form 484 "Change to Company Details") within 28 days – s142(2).

Also, the Registered Office address must be an actual physical location; a P.O. Box cannot be used. The full address location must be given, including the office/suite/unit number, floor/level and building name (as applicable), and the street number (i.e., 'corner of Jones Street and Smith Road' is not acceptable).

### **Principal Place of Business**

All companies must also have to have a Principal Place of Business (they must do whatever they are set up to do somewhere!) – but it may be outside Australia. There is no obligation to display any sign at a Principal Place of Business – even within Australia – unless it is also the Registered Office and/or a place at which the company carries on business and is open to the public – as discussed above.



If a company's Principal Place of Business is different to its Registered Office location, it must also notify ASIC of that address (on Form 201) and any changes thereto (on Form 484).

### **Office Opening Hours**

A public company must open its office to the public each business day – under s145 – at least between 10:00am~12:00pm and 2:00pm~4:00pm or for a minimum of 3 hours between 9:00am~5:00pm as advised to ASIC (on Form 201 initially but, subsequently, if there is to be a change, at least the day before they become effective by letter as there is no prescribed form).

A private company is not required to open its Registered Office to the public, although this does not affect its obligation to make documents available for inspection where applicable.

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#### **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.*