



MEMO

To: Board of Directors
From: Company Secretary
Subject: **OFFICER – CHANGE OF NAME**

For whatever reason – such as marriage, divorce/separation (i.e., reversion back to former name), deed poll, or perhaps religious reasons or foreign country ethnic reasons – a company officer (director or Company Secretary) may change part, or even all, of their personal name.

Most common, of course, is a change of surname only upon marriage.

On such occurrence the company must, under Corporations Act Section 205B(4), within 28 days of the date of change, lodge a Form 484 “Change to Company Details” (Section A2) with ASIC to have the name change recorded on the public data-base.

If the entity is a registered Australian body or registered foreign company [with an ARBN] then a Form 490 “Notification of Change to Directors of a Registered Body” must be lodged – within 1 month of the date of change.

However, no documentation or other evidence needs to be supplied to support such change of personal name.

Initial Director(s)/Company Secretary

When a new company is formed, on the Form 201 “Application for Registration as an Australian Company”, details of director(s)/Company Secretary and any former names they had/have must be recorded.

The same requirement applies for registration of another Australian body or foreign company using Form 202 “Application for Registration of a Body Corporate as an Australian Company” or Form 402 “Application for Registration as a Foreign Company” respectively.

Director/Company Secretary Appointment

In the case of all new director/Company Secretary appointments, Sec 205C requires them to provide to the Company the details necessary to lodge with ASIC the



required personal information about them listed in Sec 205B(3), including all former given and surname/family names.

Most common is a married woman who must provide her maiden name.

Again, Form 484 or Form 490 are used to lodge this information.

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.