



## MEMO

To: Board of Directors  
From: Company Secretary  
Subject: **REGISTER LOCATION AT ANOTHER PLACE**

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### Registers Required

Section 172 of the Corporations Act states:

#### Location of registers

- (1) A register kept under this Chapter that relates to a company must be kept at:
  - (a) the company's registered office; or
  - (b) the company's principal place of business in this jurisdiction; or
  - (c) a place in this jurisdiction (whether of the company or of someone else) where the work involved in maintaining the register is done; or
  - (d) another place in this jurisdiction approved by ASIC.

#### Another Place

If the work in maintaining one or more registers is undertaken at some location other than the RO or PPL, for some acceptable reason, a Company may locate the registers anywhere else – as long as it is in Australia.

An acceptable reason relates primarily to where the work in maintaining (that is, filing records and/or keeping it up to date) is actually done. This could be, for example, where the Company's staff are located.

#### Board Approval

Approval of the Directors should be given, by resolution at a Board Meeting, to locate any register at another location. Amongst other things, this will provide acceptable evidence that the matter was properly considered and agreed.

#### Advice to ASIC

A change in the location must be advised to ASIC within 7 days, using Form 909 "Notification of Office at which Register is Kept" and/or also Form 991/992 "Notification of Location of Books on Computer" if the register is kept on a computer.



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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.*

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