

Queensland



Business Names Act 1962

BUSINESS NAMES REGULATION 1998

**Reprinted as in force on 7 December 2001
(includes amendments up to SL No. 210 of 2001)**

Reprint No. 1C

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Information about this reprint

This regulation is reprinted as at 7 December 2001. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



BUSINESS NAMES REGULATION 1998

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BUSINESS NAMES REGULATION 1998

[as amended by all amendments that commenced on or before 7 December 2001]

1 Short title

This regulation may be cited as the *Business Names Regulation 1998*.

2 Obtaining Minister's consent to registration of particular business names

(1) An application, under section 9(1) of the Act,¹ for the Minister's consent to registration of a particular business name must be given to the registrar together with the application fee.

(2) The application must be written, signed by or for the applicant, and state the reasons why the applicant considers the consent should be given.

3 Fees

The fees payable under the Act are in the schedule.

4 Waiving late lodgment fee

(1) This section applies if a person lodges a statement with the registrar later than is required under section 11(1) or 12 of the Act.²

(2) If the person satisfies the registrar that the person has a reasonable excuse for the late lodgement, the registrar may waive the late lodgement fee.

5 Repeal

The *Business Names Regulation 1986* is repealed.

1 Section 9 (Restriction on registration of business names that are undesirable etc.) of the Act

2 Section 11 (Renewal of registration) or 12 (Notification of changes in particulars relating to registered business names, cessation of business etc.) of the Act

SCHEDULE**FEES**

section 3

\$

1. Application for registration of a business name—
 - (a) for application for not more than 4 names—
 - (i) assessment—\$60.00
 - (ii) registration—\$39.40 99.40
 - (b) for application for more than 4 names—
 - (i) assessment—
 - (A) first 4 names 60.00
 - (B) each subsequent 1 to 4 names 56.50
 - (ii) registration 39.40
2. Certificate of registration issued under section 7(5) of the Act 14.20
3. Renewing registration of a business name 56.50
4. Application for the Minister's consent under section 9 of the Act 82.00
5. Minister's consent under section 9 of the Act 153.00
6. Late lodgment of a statement mentioned in section 11(1) or 12 of the Act, other than a statement of cessation of business mentioned in section 12(3) of the Act—
 - (a) not more than 1 month late 12.10
 - (b) more than 1 month late 36.20
7. Searching the business names index under section 22A of the Act that does not result in a search of the register about a particular business name 2.10
8. Extract from the register given under section 22B of the Act—
 - (a) certified 14.20
 - (b) uncertified 12.10
9. Certificate of registration or non-registration under section 23 of the Act 14.20

SCHEDULE (continued)

	\$
10. Certified copy or extract of a document held by the registrar—	
(a) for the first page	14.20
(b) for each additional page	1.00
11. Searching or inspecting the register or documents held by the registrar	12.10
12. Uncertified copy of a document held by the registrar, in addition to the fee payable under item 8(b) or 11—for each page	1.00
13. Searching the register for availability of a business name—for each name searched	14.20
14. Lodging with the registrar a document (other than a statement under section 12 of the Act) for which no other fee is payable	14.20
15. List of business names registered on a particular day—	
(a) excluding details of the person carrying on business under each name	36.20
(b) including details of the person carrying on business under each name	43.20
16. List of business names operating in a postcode area—for each page	12.10
17. List of business names by reference to a nominated person	12.10

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 7 December 2001. Future amendments of the Business Names Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	13 March 1998
1A	to SL No. 253 of 1998	9 October 1998
1B	to SL No. 161 of 2000	11 August 2000

5 List of legislation

Business Names Regulation 1998 SL No. 35

made by the Governor in Council on 12 March 1998

notfd gaz 13 March 1998 pp 1117–18

commenced on date of notification

exp 12 March 2008 (see SIA s 54)

as amended by—

Equity and Fair Trading (Fees and Charges) Amendment Regulation (No. 1) 1998 SL No. 253 s 3 sch

notfd gaz 11 September 1998 pp 145–7

ss 1–2 commenced on date of notification

remaining provisions commenced 5 October 1998 (see s 2)

Equity and Fair Trading Legislation Amendment Regulation (No. 1) 2000 SL No. 161 ss 1, 2(2), 3 sch

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2000 (see s 2(2))

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2001 SL No. 210 ss 1–3 sch

notfd gaz 16 November 2001 pp 982–5

ss 1–2 commenced on date of notification

remaining provisions commenced 3 December 2001 (see s 2)

6 List of annotations

SCHEDULE—FEES

sub 1998 No. 253 s 3 sch; 2000 SL No. 161 s 3 sch; 2001 SL No. 210 s 3 sch