

Queensland



Business Names Act 1962

BUSINESS NAMES REGULATION 1998

**Reprinted as in force on 2 September 2002
(includes amendments up to SL No. 209 of 2002)**

Reprint No. 1E revised edition

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 2 September 2002. 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.

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.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.

Queensland



BUSINESS NAMES REGULATION 1998

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BUSINESS NAMES REGULATION 1998

[as amended by all amendments that commenced on or before 2 September 2002]

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 the registration of a business name—
the total of the following amounts—
 - (a) for an application setting out the business name for
registration and not more than 3 alternative names . . . 61.50
(plus 58.00
for each
additional
group of
up to 4
alternative
names)
 - (b) for an application for registration—
 - (i) for 1 year 40.30
 - (ii) for 3 years 134.50
2. Certificate of registration issued under section 7(5) of the
Act 14.50
3. Renewing registration of a business name—
 - (a) for 1 year 58.00
 - (b) for 3 years 157.00
4. Application for the Minister's consent under section 9 of
the Act 84.00
5. Minister's consent under section 9 of the Act 157.00
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 12.40
 - (b) more than 1 month late 37.00
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

SCHEDULE (continued)

	\$
8. Extract from the register given under section 22B of the Act—	
(a) certified	14.50
(b) uncertified	12.40
9. Certificate of registration or non-registration under section 23 of the Act	14.50
10. Certified copy or extract of a document held by the registrar—	
(a) for the first page	14.50
(b) for each additional page	1.00
11. Searching or inspecting the register or documents held by the registrar	12.40
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	14.50
14. Lodging with the registrar a document, other than a statement under section 12 of the Act, for which no other fee is payable	14.50
15. List of business names registered on a particular day—	
(a) excluding details of the person carrying on business under each name	37.00
(b) including details of the person carrying on business under each name	44.20
16. List of business names operating in a postcode area—for each page	12.40
17. List of business names by reference to a nominated person	12.40

ENDNOTES

1 Index to 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 2 September 2002. 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
1C	to SL No. 210 of 2001	7 December 2001
1D	to SL No. 167 of 2002	1 August 2002

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 1 September 2008 (see SIA s 54)

amending legislation—

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)

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2002 SL No. 167 ss 1, 2(2), 3 sch 2

notfd gaz 28 June 2002 pp 876–83

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2002 (see s 2(2))

Business Names Amendment Regulation (No. 1) 2002 SL No. 209

notfd gaz 23 August 2002 pp 1478–81

ss 1–2 commenced on date of notification

remaining provisions commenced 2 September 2002 (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;

2002 SL No. 167 s 3 sch 2

amd 2002 SL No. 209 s 4