

Commencement: 2 July 1990

BUSINESS NAMES (FORMS)

Order No. 16 of 1990

To provide for the forms required by the Business Names Act [Cap. 211].

1. Form of application for the reservation of business name

Every application under section 11(1) of the Act for the reservation of a proposed business name shall be made to the registrar and shall be in the form set out in schedule.

2. Form of application for registration of a business name

Every application under section 4(1) of the Act for the registration of a business name shall be made to the registrar and shall be in the form set out in schedule 2.

3. Form of certificate

The certificate of registration issued by the registrar under section 16(3) of the Act shall be in the form set out in schedule 3.

4. Particulars to be registered

The registrar shall, pursuant to section 16(2) of the Act, enter in the register against each business name, the particulars set out in schedule 4.

5. Form of notification of cessation of business under business name

If any person registered as the user of a business name under the Act ceases to carry on business under the registered business name he shall within one month of ceasing to carry on business under the business name give notice to the registrar in the form set out in schedule 5.

6. Form of notification of changes in particulars registered

Whenever a change is made or occurs in any of the particulars required by the Act to be registered, other than the registered user thereof, the person registered as the user of the business name shall, within one month, lodge a statement of the change in the form set out in schedule 6 with the registrar.

SCHEDULE 1

REPUBLIC OF VANUATU

BUSINESS NAMES ACT [Cap. 211]

**APPLICATION FOR
THE RESERVATION OF A BUSINESS NAME**

(section 1)

1. The business name sought to be reserved is -
.....
2. Has the name been reserved before? Yes/No
If yes, the date of reservation -
3. The principal place where the business is to be carried on is -
.....
4. The postal address of the business (if any) is or will be -
.....
5. Reservation of the business name is sought by -
- | | |
|---|--------------------------|
| (a) An individual | <input type="checkbox"/> |
| (b) A firm | <input type="checkbox"/> |
| (c) A corporation | <input type="checkbox"/> |
| (d) A group of persons comprising
any combination of the above | <input type="checkbox"/> |

(Please tick as appropriate and complete 6, 7, 8 or 9 below)

6. If the reservation of the business name is sought by an individual -
- | | |
|---|-------|
| (a) Full name (including any former name) | ..... |
| (b) Usual residential address | ..... |
| (c) Postal address (if any) | ..... |
| (d) Occupation | ..... |
| (e) Nationality | ..... |
7. If reservation of the business name is sought by a corporation -
- | | |
|----------------------------------|-------|
| (a) Name of corporation | ..... |
| (b) Address of registered office | ..... |
| (c) Postal address | ..... |
| (d) Country of incorporation | ..... |
| (e) Date of incorporation | ..... |

8. If reservation of the business name is sought by a firm please provide the information required to be given by an individual for every individual partner and the information required to be given by a corporation for every corporate partner using a continuation sheet if necessary -

	<u>Partner 1</u>	<u>Partner 2</u>	<u>Partner 3</u>
(a)
(b)
(c)
(d)
(e)

9. If reservation of the business name is sought by a group comprising any combination of the above, please provide the information required to be given for an individual for every individual member of the group and the information required to be given for a corporation for every corporate member of the group using a continuation sheet if necessary -

	<u>Member 1</u>	<u>Member 2</u>	<u>Member 3</u>
(a)
(b)
(c)
(d)
(e)

Please state nature of group -

10. The date or approximate date upon which the applicant intends to commence carrying on business under the business name sought to be reserved -

11. The precise nature of the business to be carried on under the business name -

I/we hereby declare that to the best of my/our knowledge and belief, the information provided herein is correct.

.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary

Dated -

Please note:

- (1) This application must be signed, in the case of an individual by him, in the case of a firm by any partner thereof, in the case of a corporation by a director or secretary thereof and in the case of a group by every individual and by the director or secretary of every corporation comprised therein.
- (2) A business name may be reserved for a period of six months.
- (3) The same business name may not be reserved by a person more than twice in any period of five years.

SCHEDULE 2

REPUBLIC OF VANUATU

BUSINESS NAMES ACT [Cap. 211]

**APPLICATION FOR
THE REGISTRATION OF A BUSINESS NAME**

(section 2)

1. The business name for which registration is required is -
.....
 2. Has the name been reserved? Yes/No
If yes, the date of reservation -
 3. The principal place where the business is or is to be carried on is -
.....
 4. The postal address of the business (if any) is or will be -
.....
 5. Registration is sought by -
 - (a) An individual
 - (b) A firm
 - (c) A corporation
 - (d) A group of persons comprising
any combination of the above
- (Please tick as appropriate and complete 6, 7, 8 or 9 below)
6. If the registration is sought by an individual -
 - (a) Full name (including any former name)
 - (b) Usual residential address or
other address where documents
may be served
 - (c) Postal address (if any)
 - (d) Occupation
 - (e) Nationality
 7. If registration is sought by a corporation -
 - (a) Name of corporation
 - (b) Address of registered office
 - (c) Postal address
 - (d) Country of incorporation
 - (e) Date of incorporation

8. If registration is sought by a firm please provide the information required to be given by an individual for every individual partner and the information required to be given by a corporation for every corporate partner using a continuation sheet if necessary -

	<u>Partner 1</u>	<u>Partner 2</u>	<u>Partner 3</u>
(a)
(b)
(c)
(d)
(e)

9. If registration is sought by a group comprising any combination of the above, please provide the information required to be given for an individual for every individual member of the group and the information required to be given for a corporation for every corporate member of the group using a continuation sheet if necessary -

	<u>Member 1</u>	<u>Member 2</u>	<u>Member 3</u>
(a)
(b)
(c)
(d)
(e)

Please state nature of group -

10. The date upon which the applicant commenced or intends to commence carrying on business under the business name for which registration is sought -

11. The precise nature of the business carried on or to be carried on under the business name for which registration is sought -
.....

12. Is the business, or any part thereof, carried on or will it be carried on under any other business name?

If yes, please state, in respect of every business name –

(a)	the business name	.....
(b)	the date upon which the applicant commenced or intends to commence carrying on business under the name	.....
(c)	the date of registration of the business name (if applicable)	.....

I/we hereby declare that to the best of my/our knowledge and belief, the information provided herein is correct.

..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary

Dated -

Please note:

- (1) This application must be signed, in the case of an individual by him, in the case of a firm by any partner thereof, in the case of a corporation by a director or secretary thereof and in the case of a group by every individual and by the director or secretary of every corporation comprised therein.
- (2) Any person who, without reasonable cause for believing it to be true, makes or is privy to the making of any false statement in this application shall be guilty of an offence and liable on conviction to a fine not exceeding VT200,000 or to imprisonment for a term not exceeding six month, or to both.

SCHEDULE 3

REPUBLIC OF VANUATU

THE BUSINESS NAMES ACT [Cap. 211]

**CERTIFICATE OF REGISTRATION
OF A BUSINESS NAME**

(section 3)

I hereby certify that:

has this day been registered in accordance with the provisions of the Business Names Act [Cap. 211] and that the registered user(s) thereof is/are:

The registration of this business name expires on 30th September 20.....

Given under my hand and seal this day of 20 ...

REGISTRAR OF BUSINESS NAMES

SCHEDULE 4

REPUBLIC OF VANUATU

BUSINESS NAMES ACT [Cap. 211]

**PARTICULARS REQUIRED
TO BE REGISTERED**

(section 4)

The following particulars shall be entered in the register of business names required to be kept by the registrar against each business name –

1. The principal place where the business is carried on under the business name.
2. The postal address of the business carried on under the business name (if any).
3. In relation to each user of the business name -
 - (a) the surname and forenames of each individual and the full corporate name of any corporation;
 - (b) the residential address or other address for service of each individual and the registered office of each corporation;
 - (c) the postal address of each individual or corporation;
 - (d) the nationality of each individual and the place of incorporation under the Act or the Regulation;
4. The date of registration under the Act and of any previous registrations under the Act or the former Business Names Act [Cap. 62].
5. The date of registration of changes in particulars required to be registered.
6. The nature of business carried on.

SCHEDULE 5

REPUBLIC OF VANUATU

BUSINESS NAMES ACT [Cap. 211]

**NOTIFICATION OF CHANGE IN
THE PARTICULARS REGISTERED**

(section 6)

1. The business name registered is
2. The date of registration was
3. The change(s) in the particulars required to be registered under the Business Names Act [Cap. 211] is/are as follows -

**Particular as
Registered**

**Change in
Particular**

**Date change
Occurred**

I/we hereby declare that to the best of my/our knowledge and belief, the information provided herein is correct.

..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary
..... Individual/Partner/Director/Secretary

Dated -

Please note:

This application must be signed, if the registered use of a business name is an individual by him, if a firm by any partner thereof, if a corporation by a director or secretary thereof or if a group by every individual and by a director or secretary of every corporation comprised therein.

SCHEDULE 6

REPUBLIC OF VANUATU

THE BUSINESS NAMES ACT [Cap. 211]

**NOTIFICATION OF CESSATION OF BUSINESS
UNDER A BUSINESS NAME REGISTERED**

(section 5)

1. The business name registered is
2. The date of registration of the business name was
3. The registered users of the business name are -
 - (a)
 - (b)
 - (c)
 - (d)
4. The date upon which the users of the business ceased to carry on business under the business name was

I/we hereby declare that to the best of our knowledge and belief, the information provided herein is correct.

.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary
.....	Individual/Partner/Director/Secretary

Dated -

Please note:

This application must be signed, if the registered user of a business name is an individual by him, if a firm any partner thereof, if a corporation by a director or secretary thereof or if a group by every individual and by a director or secretary of every corporation comprised therein.