



Notification of change to agent of a foreign company

Related Forms

418 - Memorandum of appointment of local agent

403 - Verification of copy of document authorising, on behalf of a foreign company, execution of a document appointing a local agent.

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

Foreign company details

Company name

Australian Registered Body Number (ARBN)

Australian Passport Fund Registration Number (APFRN) (if applicable)

Notified Foreign Passport Fund Registration Number (NFPFRN) (if applicable)

Lodgement details

Who should ASIC contact if there is a query about this form?

Firm/organisation

Contact name/position description

ASIC registered agent number (if applicable)

Telephone number

Postal address or DX address

1 Cessation of an agent

Enter family and given names or, if a company, name of the company and ACN.

Family name

Given names

Company name

ACN/ABN

Date of cessation or intended date of cessation

/ /
[D] [D] [M] [M] [Y] [Y]

Notification by

Agent

Company

2 Appointment of a new agent

Enter family and given names or, if a company, name of the company and ACN.
Address must be in Australia.

Family name	Given names
<input type="text"/>	<input type="text"/>
Company name	
<input type="text"/>	
ACN/ABN	
<input type="text"/>	
Office, unit, level	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	
<input type="text"/>	
Date of appointment or intended date of appointment	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> [D] [D] [M] [M] [Y] [Y]	
Method of appointment	
<input type="checkbox"/> Memorandum of appointment	
<input type="checkbox"/> Power of attorney	

3 Change of details of agent

Enter current details; family and given names or, if a company, name of the company and ACN.

Family name	Given names
<input type="text"/>	<input type="text"/>
Company name	
<input type="text"/>	
ACN/ABN	
<input type="text"/>	

Enter new details, as applicable.
Address must be in Australia.

Family name	Given names
<input type="text"/>	<input type="text"/>
Company name	
<input type="text"/>	
ACN/ABN	
<input type="text"/>	
Office, unit, level	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	
<input type="text"/>	
Date of change	
<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> [D] [D] [M] [M] [Y] [Y]	

Signature

This form must be signed by a director (or equivalent), secretary or local agent or by a director or secretary of a company appointed as a local agent.

Name

Capacity

- Director (or equivalent) of the foreign company
- Secretary of the foreign company
- Duly appointed local agent of the foreign company
- Director or secretary of a company which has been duly appointed as local agent of the foreign company

Company name

ACN/ABN

Signature

Date signed

/ /
[D] [D] [M] [M] [Y] [Y]

Declaration where local agent is an individual

I have been appointed as agent of the foreign company named above.

Date of appointment

/ /
[D] [D] [M] [M] [Y] [Y]

Method of appointment

- Memorandum of appointment Power of attorney

Name

Signature

Date signed

/ /
[D] [D] [M] [M] [Y] [Y]

Declaration where local agent is a company

We have been appointed as agent of the foreign company named above.

Date of appointment

/ /
[D] [D] [M] [M] [Y] [Y]

Method of appointment

- Memorandum of appointment Power of attorney

Company name

ACN/ARBN/ ABN

Name

Capacity

- Director Secretary

Signature

Date signed

/ /
[D] [D] [M] [M] [Y] [Y]

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au
Need help? www.asic.gov.au/question
Telephone 1300 300 630

Guide: Notification of change to agent of a foreign company

Related Forms

418 - Memorandum of appointment of local agent

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This guide does not form part of the form. It is included by ASIC to assist you in completing and lodging the Form 404.

Signature	<p>Two signatures are required.</p> <p>The declaration by the applicant must be signed by a director (or equivalent), secretary or local agent; or by a director or secretary for a company appointed as local agent.</p> <p>The declaration by the local agent on page 3 must also be signed by the local agent or by a director or secretary for a company appointed as local agent</p>
Lodgement period	<p>1 month</p>
Late lodgement fee	<p>Late lodgement fees will apply if you notify a change outside of the lodgement period.</p> <p>For information on fees refer to www.asic.gov.au/forms.</p>
Other forms or documents to be completed	<p>If a new local agent has been appointed:</p> <ol style="list-style-type: none">1. A memorandum of appointment or a power of attorney that is executed by or on behalf of the foreign company must be lodged. It must state the <u>name and address</u> of an agent who is:<ol style="list-style-type: none">a) an individual or a company,b) resident in Australia, andc) authorised to accept on behalf of the foreign company, service of process and notices.<p>A Form 418 <i>Memorandum of appointment of local agent</i> can be used.</p>2. If the memorandum or power of attorney is executed on behalf of the foreign company, the company must also lodge a copy of the document authorising the execution and a Form 403 <i>Verification of copy of document authorising, on behalf of a foreign company, execution of a document appointing a local agent</i>. The Form 403 can be signed by a director or secretary of the foreign company, the person authorised to execute the memorandum of appointment of the local agent, or the local agent.3. If any document is not in English, a certified translation of that document into English must be lodged. The translation must be certified in writing to be a correct translation. A translation made outside Australia must be certified as a correct translation into English by one of the following persons in the place where the corporation was formed or incorporated:<ol style="list-style-type: none">a) a person who has lawful custody of the original document; that is, a person who exercises under law functions similar to those exercised by ASIC; orb) a notary public or a translator public duly admitted and sworn in accordance with the law.

Continued . . .

Other forms or documents to be completed

A translation made inside Australia must be certified as a correct translation into English by a person approved by ASIC such as:

- a) language teachers or professors at tertiary institutions;
- b) legal translators with a minimum 12 months experience in certifying translated documents or being an interpreter before the Courts;
- c) a Level III accredited translator by NAATI (National Accreditation Authority for Translators and Interpreters Ltd);
- d) an approved translator from the Department of Immigration and Border Protection - Translating and Interpreting Service; or
- e) any other qualified person of Commonwealth or State Government Department providing accredited translation services.

How to provide additional information

Photocopied Form 404 pages

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.

Annexures

To make any annexure conform to the regulations, you must

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the company name and ACN or ARBN, and APFRN (if applicable) and NFPFRN (if applicable)
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol eg a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:
This annexure (mark) of (number) pages referred to in form (form number and title)
7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy (www.asic.gov.au/privacy) for information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au
Need help? www.asic.gov.au/question
Telephone 1300 300 630