

# Application for transfer of registration of a company to registration under a law of the Commonwealth, or of a state or territory

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

<b>Company details</b>	<p>Company name</p> <input type="text"/> <p>ACN/ABN</p> <input type="text"/>
<b>Lodgement details</b>	<p><b>Who should ASIC contact if there is a query about this form?</b></p> <p>Firm/organisation</p> <input type="text"/> <p>Contact name/position description</p> <input type="text"/> <p>ASIC registered agent number (if applicable)</p> <input type="text"/> <p>Telephone number</p> <input type="text"/> <p>Postal address</p> <input type="text"/> <input type="text"/>

## 1 Details of application for transfer

The company applies to transfer its registration under the *Corporations Act 2001* (Corporations Act) to registration under a law of:  
(specify Commonwealth or applicable state or territory)

Give the name and the section number of the Commonwealth, state or territory Act under which the company has or intends to transfer its registration.

Upon transfer of its registration under the Corporations Act to registration under a law of the Commonwealth or of the above state or territory the company's name is/will be:

## 2 Details of the person nominated to receive notice of deregistration

Name (family and given names)	
<input type="text"/>	
At the office of, C/- (if applicable)	
<input type="text"/>	
Office, unit, level, or PO Box number	
<input type="text"/>	
Street number and Street name	
<input type="text"/>	
Suburb/City	State/Territory
<input type="text"/>	<input type="text"/>
Postcode	Country (if not Australia)
<input type="text"/>	<input type="text"/>

## 3 Documents that must be lodged with this application

Tick boxes A, B and C then **either** D or E to confirm that the required documents are attached to this form.

See the guide for more information.

- ☐ A. A copy of the signed special resolution that resolves to change the company's registration under the Corporations Act to a registration under the law of the Commonwealth or of the state or territory named in the application (marked as annexure "A").
- ☐ B. A statement signed by all of the directors of the company that in their opinion the company's creditors are not likely to be materially prejudiced by the change and sets out their reasons for that opinion (marked as annexure "B").
- ☐ C. A statement signed by a director of the company that states:
- (i) the number of members the company presently has;
  - (ii) the level of guarantee of the members as members of a company limited by guarantee; and
  - (iii) the liability, if any, that those members will have on the winding up of the entity as an entity registered under the law of the Commonwealth or of the state or territory named in the application (marked as annexure "C").

Tick either D or E to confirm which document is attached.

See the guide for more information.

If the company **is** already registered under a law of the Commonwealth (other than the Corporations Act) or of the named state or territory, attach:

- ☐ D. Evidence confirming its registration: i.e. a copy of the certificate of registration or a document of similar effect (marked as annexure "D").

### OR

If the company **is not** already registered under a law of the Commonwealth (other than the Corporations Act) or of the named state or territory, attach:

- ☐ E. A statement that the company is not already registered under a law of the Commonwealth (other than the Corporations Act) or of the state or territory named in this application (marked as annexure "E").

## Signature

This form must be signed by a director or secretary of the company.

I certify that information in this form is true and correct.

Name

Capacity

☐ Director

☐ Secretary

Signature

Date signed

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
[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](http://www.asic.gov.au)  
Need help? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
Telephone 1300 300 630

# Guide: Application for transfer of registration of a company to registration under a law of the Commonwealth, or of a state or territory

This guide is not part of the form. It is included by ASIC to assist you in completing and lodging the Form 6014.

<b>Signature</b>	This form must be signed by a director or secretary of the company.
<b>Lodging fee</b>	<p>A lodgement fee applies to this form.</p> <p>For information on fees refer to <a href="http://www.asic.gov.au/forms">www.asic.gov.au/forms</a>.</p>
<b>When registration can be transferred</b>	<p>Under s601AI of the Corporations Act; "... The company may transfer its registration to registration under the law of a State or Territory only if the State or Territory is the one in which it is taken to be registered."</p> <p>For example; a company that is taken to be registered in the State of NSW is only permitted to transfer its registration to registration under a law of the State of NSW (i.e. <i>Associations Incorporation Act 2009</i> (NSW)).</p> <p>Under s601AK(c) of the Corporations Act, ASIC can only approve a transfer where it is satisfied that the law of the Commonwealth or of the state or territory named in the application adequately provides for:</p> <ul style="list-style-type: none"><li>• the continuation of a company's legal personality after the transfer, and</li><li>• the preservation of any rights or claims against a company that accrued while it was registered under the Corporations Act.</li></ul>
<b>Documents to be lodged with the application</b>	<p>All applications must include Annexures A, B and C as described in Section 3 and either Annexure D or E. Tick the accompanying boxes to confirm that the required documents are annexed to the form.</p> <p><b>Annexure A</b></p> <p>The special resolution that the members of the company pass must specify the relevant Commonwealth or state or territory law that the company is transferring its registration to. As an example, a resolution for a company registered in NSW that is transferring its registration to the <i>Associations Incorporation Act 2009</i> (NSW) may read:</p> <p><i>The company resolved to transfer its registration as a company limited by guarantee under the Corporations Act 2001 to registration as an association under the Associations Incorporation Act 2009 (NSW).</i></p> <p>Note that a special resolution is defined in s9 of the Corporations Act in relation to a company as a resolution of which notice, as set out in s249L(c), has been given and that has been passed by at least 75% of the votes cast by members entitled to vote on the resolution.</p> <p>The special resolution can be lodged on a Form 205 <i>Notification of resolution</i>.</p> <p><b>Annexure B</b></p> <p>Ensure that <b>all</b> directors of the company sign the statement that in their opinion the transfer will not materially prejudice the company's creditors. The reasons for forming that opinion must also be set out in that statement.</p>

## Continued... Documents to be lodged with the application

### Annexure C

Address all **three parts** of the statement signed by a director.

For **part (ii)** of the statement, the level of guarantee of the members of a company limited by guarantee will be the amount the members have agreed to contribute to the company's property in the event the company was to be wound up. If the company was registered after 1 July 1998, the amount will have been set out in the application for registration (Form 201). If the company was registered prior to 1 July 1998 the amount will be set out in the company's constitution (previously called memorandum and articles of association).

For **part (iii)** of the statement, you must set out what liability (if any) the members will have as members of the association or other entity that is/will be registered under the law of the Commonwealth or state or territory named in the application. Do not provide a statement that relates to the company currently registered under the Corporations Act.

### Annexure D

If the company **has** already become registered under the law of the Commonwealth (other than the Corporations Act) or of the state or territory named in the application at the time of lodging the Form 6014, **tick box D** and provide a copy of its certificate of registration under that applicable Commonwealth or state or territory law.

**OR**

### Annexure E

If the company **has not** registered under the law of the Commonwealth (other than the Corporations Act) or of the state or territory named in the application at the time of lodging the Form 6014, **tick box E**, and provide a statement to that effect. In such cases, ASIC may make a 'transfer of registration declaration' in relation to the company if satisfied that the application is otherwise in order (s601AK).

**However, the company must provide a copy of its certificate of registration, once registration has been achieved under the applicable law of the Commonwealth or state or territory named in the application, before ASIC can deregister the company under s601AL of the Corporations Act.**

## How to provide additional information

### Photocopied Form 6014 pages

If there is insufficient space in any section of the form, you may submit additional copies of the relevant page(s) 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
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](http://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](http://www.asic.gov.au)  
Need help? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
Telephone 1300 300 630