IMPORTANT INFORMATION
Please ensure you read the following information before completing this application

About this form
This form should be used to check whether a name is available for registration as association incorporated under the Associations Incorporation Act 1987 (the Act).

This application will only confirm whether the name is available on the date of the advice is given to the applicant. It does not reserve or otherwise protect the use of the name and does not mean that an applicant has formal approval to use the name.

Determining the availability of a name
The Department will check whether the name is available for registration by comparing the name against Australian corporate bodies, registered business names and associations incorporated under the Act.

A name may not be available if it is considered to be:
1. offensive or undesirable;
2. identical, similar to or capable of being confused with or mistaken for the name of any other body corporate, association incorporated under this Act or registered business name; or
3. misleading to the objects or purposes of the association.

IMPORTANT: A proposed name may infringe a registered trade mark or other protection which may result in future legal ramifications. It is the responsibility of the applicant to check whether a name is restricted in a way that may prevent its use and it is encouraged that applicants check:
- the Trade Marks databases, on the IP Australia website at www.ipaustralia.gov.au
- the National Names Index, on the Australian Securities and Investments Commission website at www.asic.gov.au

Restrictions on associations names
There are circumstances where a proposed name may be not considered available for use and an application may be refused if the name contains words or phrases which are considered undesirable or are otherwise restricted by the Act. For more information, please refer to the guidance for associations names provided overleaf.

How to complete this form
Before answering each question, please take the time to read the instructions provided overleaf.

How to lodge and pay for this application
There is no fee for this application.

When completed, you may either mail this form with accompanying documents (if any), or lodge it over the counter. Applications may not be accepted by fax or email.

What happens when you return your form:
If you fill out this form correctly, the department will advise whether the proposed name is available for use.

If available, you will be instructed to proceed with either making an Application for Incorporation under that name, or pass the change the name by special resolution and submit a Notice of Special Resolution with the Department.

It is important to note that your form cannot be processed if it is incomplete. The contact person listed on the form will be advised of any additional information required.

IMPORTANT: You may submit this form online using associationsonline at www.commerce.wa.gov.au/associationsonline

Further Information
If you need help completing this form, or you need further information:
- call 1300 30 40 74
- send an email to associations@commerce.wa.gov.au
INSTRUCTIONS FOR COMPLETING THIS FORM

Item 1: Tick the box to indicate whether this enquiry relates to a name for a group wishing to incorporate or a name an existing incorporated association wishes to change.

If this application relates to changing an existing associations name, please write the association's current name.

Item 2: State the name that availability is being enquired about. This name must end with Inc or Incorporated.

If the name uses a word considered to be Undesirable, please refer to the guidance below for details of any additional information to accompany your application.

Item 3: Provide a brief description of the associations purposes and intended activities.

Item 4: Provide the name and contact information and tick the box to indicate the preferred method of communication for the person making this application. This person must sign and date the declaration.

Guidance for association names

Under certain conditions some words and phrases may not be considered available to use for an incorporated associations name. Provided below are some guidelines highlighting some common restrictions for a proposed names.

A - Identical or likely to be confused with:

Proposed names that are identical to or likely to be confused with a registered business name, registered company name, another incorporated association or other body corporate will be considered unacceptable. However, the Department will consider the circumstances of each application and take into account relevant issues such as the proposed activities and geographical location to ascertain whether the name is likely to cause confusion.

IMPORTANT: Groups intending to incorporate should not seek to protect or reserve the proposed name of the association, by registering a Business Name with Australian Securities and Investments Commission (ASIC).

B - Offensive words:

Individual words may or may not be considered offensive, however consideration will be given to their context within a proposed name. A name that contains words or phrases that contain profanity (expletives) or suggests illegal activity will not be deemed acceptable.

NOTE: Names which are not written in English, or contain non-English words and phrases will require a nearest equivalent translation to be provided.

C - Undesirable Words:

Some words and phrases may be considered undesirable for use in an association’s name. However an application containing the words may be acceptable provided that the association has demonstrated written evidence for its acceptability. Below is a list of some commonly used undesirable words and phrases:

- Charity
- Foundation
- Trust
- University
- Names suggesting a connection with ex-service person organisation (i.e. RSL, veteran, military descriptions)
- Names suggesting a connection with recognised peak bodies and institutions of long standing within the wider community (i.e. Chamber of Commerce, Parents and Citizens, Political parties, Rotary and Probus clubs)
- Names suggesting a connection to a person or body corporate
- Words which are restricted by individual pieces of legislation

Please note the above list is not exhaustive and if you require further information please contact the Associations Registration Section on 1300 30 40 74.
**Enquiry as to Availability of an Associations Name**

**IMPORTANT** – Please be advised that this enquiry will only confirm whether the name is available on the date of the advice to the applicant. It does not reserve or otherwise protect the use of the name and does NOT mean that you have formal approval to use that name.

**Enquiry Details**

1. This enquiry is made for the purpose of confirming the availability of an association name for use when: *(please ☐ tick ONE option only)*
   - ☐ INCORPORATING a new association *(Form 1)*
   - ☐ CHANGING THE NAME of an existing incorporated association *(Form 5)*

   Please write the associations current name in the space below:

   

**Proposed Association Name and Purpose**

2. Proposed Association Name: ☐ Inc / ☐ Incorporated

3. Please describe the main purpose of the Association:

   

**Applicants Details & Declaration**

4. I hereby certify that the information set out in this application is true and correct

   Signature: ____________________________ Date: __________

   Title: ☐ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Other: ______________

   Full Name: __________________________________________

   Address: ____________________________________________

   Post Code: __________

   Telephone: ____________________________ Mobile: __________

   Fax: ____________________________________ Email: __________

   Preferred method of communication: ☐ Email ☐ Post