



## REGISTRAR-GENERAL OF DEEDS DEPARTMENT

PROPRIETARY COMPANIES PROCEDURE

In the light of the conversion of many companies to "proprietary" companies pursuant to the provisions of the Companies Act, 1962, numerous enquiries have been made as to the requirements of this Department re dealings with land, mortgages, etc. of which the company is registered as the proprietor in its former name.

I therefore wish to notify all those associated with the preparation of instruments that the following procedure will be acceptable to this Department.

Where the next dealing is the "whole of the land" transfer, or a full discharge of mortgage or encumbrance, or any similar disposition of the whole of the company's interest, (but not including a transfer of portion only of the land in a Certificate of Title), the fact of the change of name may be contained in the recital of the transfer or other instrument concerned, thus:-

"X Coy.Pty.Ltd." being registered on the Certificate of Title hereinafter mentioned as "X Coy.Ltd." which said name has been changed as appears by certified copy of certificate of the Registrar of Companies attached hereto, etc."

In any case where a certified copy of certificate of a change of name has already been attached to an instrument now registered, the above recital may be varied to read "attached to Instrument No. - ". Enquiries may be made of the Examining Officers who retain a record of instruments to which certificates have been attached.

The foregoing procedure applies to any change of name of a company and is not restricted to companies which have had the word "Proprietary" added to their names.

If the dealing does not fall within the category specified above it will be necessary to first register a change of name.

REGISTRAR-GENERAL OF DEEDS.