

BUSINESS GROUP INCORPORATION ACT

APPLICATION FOR INCORPORATION

1. (i) Proposed name of group:

(the name must end with "Business Group (Inc.)" or "Business (Inc.)")

(ii) If the name is not written in English, state its meaning in English:

2. Postal address of business group:

3. Qualifications for membership:

4. Committee:

(i) Title of the Committee: _____

(ii) Number of members of committee (minimum allowed 3) _____

(iii) How are committee members selected? _____

(iv) What is the least number of committee members needed to hold a meeting? _____

(v) Composition of committee _____

5. (i) How are decisions made by the committee which are binding on the group?

(ii) Who can sign documents on behalf of the group? _____

6. The names of first members of committee are:-

A _____ D _____

B _____ E _____

C _____ F _____

7. The group will be bound by the traditional law of which customary group?

8. Are there any other matters which group would like to include in their constitution, or any changes the group wishes to substitute for relevant customs? _____

9. The Dispute Settlement Authority is:

NAME (S)

ADDRESS (ES)

_____	_____
_____	_____
_____	_____

(This may be a person or number of persons identified by name, by office or position or determined in manner specified. It is preferable to have only one person as the dispute settlement authority).

10. The members making the application are:

NAME

SIGNATURE

ADDRESS

_____	_____	_____
_____	_____	_____
_____	_____	_____

OFFICER COMPLETING FORM

Date: _____
Place: _____
Signature: _____
Name (Print): _____
Title: _____

K100
- bank cheque
- postal order
- cash

BUSINESS GROUPS INCOPORATION ACT

COMMENTS BY THE PROPOSED DISPUTE SETTLEMENT AUTHORITY FOR THE PROPOSED “ _____ BUSINESS GROUP (INC.)” AS REQUIRED BY SECTION 12 (1)(A) OF THE ACT.

1. Section 12 (2) (A)

- (i) Will the proposed business group be only part of a customary group?

- (ii) Will the proposed business group include persons who are not members of the customary group? _____
- (iii) If so, do these persons regard themselves as bound by the relevant laws of the customary group? _____
- (iv) Do the members of the customary group regard these persons as bound by the relevant laws of the customary group? _____
- (v) Do the members comprise all or part of a registered group under the Land Groups Act 1974? _____
- (vi) Is the proposed group only of a temporary nature? _____
- (vii) Could the proposed group quickly die away? _____
- (viii) Are you sure that the proposed group does have a corporate nature, that is, will the proposed group be able to act in a united way?

2. Section 12 (2) (B)

What are the comments of the proposed Dispute Settlement Authority on the proposed constitution as outlined in the application form? _____

3. Section 12 (2) (C)

Comments by the proposed Dispute Settlement Authority on the form and effectiveness of the proposed Dispute Settlement Authority itself.

4. Section 12 (2) (D)

Comments on any other matters relevant to the appropriateness of the proposed corporation.

5. Section 12 (2) (E)

Is the proposed Dispute Settlement Authority willing and able to act in that position? _____

6. Details of Dispute Settlement Authority

NAME

SIGNATURE

ADDRESS

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

WITNESS

Date:

Place:

Signature:

Name (Print):

Title:

BUSINESS GROUPS INCORPORATION ACT

COMMENTS BY BUSINESS DEVELOPMENT OFFICER

(To be completed after completing the Application Form and obtaining and consideration comments from the proposed Dispute Settlement Authority).

- 1. Is the business group form of registration the most suitable form or should the applicants be advised to seek registration under another act such as the Companies Act? _____

Note: A business group is not an acceptable form of registration if most of the proposed members live in towns or if the group is likely to operate in a town.

- 2. Is the group likely to have as members anyone other than individuals (for instance Associations, other Business Groups, or Companies)? _____

- 3. Is it considered that the Registrar should direct that certain accounts and records are required to cover the affairs of the business group? _____

If so, what accounts and records should be kept? _____

*Note: The Registrar will require a group to keep those details set out below:
Bank statements, statements of assets and liabilities, details of contributions, distributions and expenditure.*

- 4. What type or types of business does the business group intend to carry out?

- 5. Are there any other matters which should be brought to the attention of the Registrar? _____

Date: _____
Place: _____
Signature: _____
Name (Print): _____
Title: _____

PAPUA NEW GUINEA
BUSINESS GROUPS INCORPORATION ACT
DRAFT CONSTITUTION

FORM D

1. Name:

The name of the business group is _____

2. Address:

The address of the business group is _____

3. Membership:

Persons who are members of the _____

4. Membership:

The affairs of the business group shall, subject to any decisions of the business group in general meeting, be controlled by a management committee of _____

(b) The committee shall consist of _____

(c) Members of the management committee shall be appointed, as necessary by consensus of the members of the business group but the first management committee shall be _____

(d) A quorum for a meeting shall be _____ members.

(e) Any document which is to be signed by the incorporated group shall be signed by _____

5. Dispute Settlement Authority:

The Dispute Settlement Authority shall be the following person or shall be the following persons:-

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. General:

(a) _____

(b) Any matter arising between members or a member and business group which is not otherwise provided for in this constitution shall be regulated by the traditional customs of the _____

7. The above draft constitution has been prepared by the applicants and reviewed by the Dispute Settlement Authority.

SIGNED BY (3 APPLICANTS)

FULL NAME

SIGNATURE

_____	_____
_____	_____
_____	_____
_____	_____

WITNESS

Date: _____
Place: _____
Signature: _____
Name (Print): _____
Title: _____

<p>Lodged by: Address: Telephone No:</p>	<p>Lodged in the Companies Office on Registrar of Business Groups</p>
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