PAPUA NEW GUINEA

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:

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<th>ADDRESS (ES)</th>
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(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:

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OFFICER COMPLETING FORM

Date: _______________ K100
Place: _______________ - bank cheque
Signature: _______________ - postal order
Name (Print): _______________ - cash
Title: _______________
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**

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**WITNESS**

Date: ___________________________
Place: ___________________________
Signature: _________________________
Name (Print): _______________________
Title: ___________________________
PAPUA NEW GUINEA

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: ____________________________
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)**

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**WITNESS**

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