



New South Wales

Business Names Amendment (Restoration Fees) Regulation 2006

under the

Business Names Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Business Names Act 2002*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The objects of this regulation are to amend the *Business Names Regulation 2004*:

- (a) to make it clear that restoration of registration of business name is only available when registration expires (not when registration is cancelled), and
- (b) to prescribe the fee payable for the restoration of registration of a business name, and
- (c) to omit a redundant provision for the partial refund of a fee when an application is refused.

This Regulation is made under the *Business Names Act 2002*, including sections 5 and 40 (the general regulation-making power).

2006 No 782

Clause 1 Business Names Amendment (Restoration Fees) Regulation 2006

Business Names Amendment (Restoration Fees) Regulation 2006

under the

Business Names Act 2002

1 Name of Regulation

This Regulation is the *Business Names Amendment (Restoration Fees) Regulation 2006*.

2 Commencement

This Regulation commences on 1 February 2007.

3 Amendment of Business Names Regulation 2004

The *Business Names Regulation 2004* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 4A

Insert after clause 4:

4A Restoration of registration of business name

The application of section 39 of the *Licensing and Registration (Uniform Procedures) Act 2002*, in respect of the restoration of the registration of a business name under section 5 of the Act, is limited to the registration of a business name that has expired.

[2] Clause 12 Circumstances in which fees may be waived or refunded

Omit clause 12 (1). Insert instead:

- (1) If a person's application for registration of a business name is refused because of an order made under section 21 (1) of the Act, the Commissioner for Fair Trading, if a subsequent application for registration is made by the same person within one month after the refusal, may waive such part of the relevant fee for the subsequent application as exceeds \$22.

[3] Schedule 2 Fees

Insert after item 2, in Columns 1, 2 and 3, respectively:

2A	Application for restoration of business name	\$89	\$30
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