



New South Wales

Partnership Regulation 2007

under the

Partnership Act 1892

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Partnership Act 1892*.

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Attorney General

Explanatory note

The object of this Regulation is to remake the *Partnership Regulation 2002*. That regulation will be repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the particulars that must be included in a statement made for the purposes of applying for the registration of a limited partnership, and
- (b) the hours during which the registered office of a limited partnership must be open and accessible to the public, and
- (c) the declaration of certain laws relating to limited partnerships in force in jurisdictions in the United States of America and Canada as corresponding laws for the purposes of Part 3 of the *Partnership Act 1892*, and
- (d) the fees payable under the Act.

This Regulation is made under the *Partnership Act 1892* and, in particular, under section 81 (the general regulation-making power).

The Regulation comprises matter set out in Schedule 3 to the *Subordinate Legislation Act 1989*—that is, matters of a machinery nature.

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Partnership Regulation 2007

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Partnership Act 1892

1 Name of Regulation

This Regulation is the *Partnership Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

3 Definitions

(1) In this Regulation:

the Act means the *Partnership Act 1892*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Application for registration

For the purposes of section 54 (2) (n) of the Act, the other particulars that must be included in a statement made for the purpose of applying for registration of a limited partnership are:

- (a) the date and place of birth of each proposed partner, and
- (b) the provisions, if any, that the proposed partners have agreed will apply should the proposed partnership be dissolved.

5 Declaration of limited partnership corresponding laws

For the purposes of the definition of *corresponding law* in section 64 (1) of the Act, the laws relating to limited partnerships in force in the following jurisdictions are declared to be corresponding laws for the purposes of Part 3 of the Act:

- (a) the jurisdictions of the United States of America specified in Part 1 of Schedule 1,
- (b) the jurisdictions of Canada specified in Part 2 of Schedule 1.

6 Registered office of limited partnership

For the purposes of section 76 (2) of the Act, the hours during which the registered office of a limited partnership is to be open and accessible to

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Clause 7 Partnership Regulation 2007

the public are the hours between 9 am and 5 pm on each day that is not a Saturday, Sunday or public holiday.

7 Fees

- (1) The fees payable under the Act are as set out in Schedule 2.
- (2) The amount of a fee of a type specified in column 2 of Schedule 2 is:
 - (a) in relation to a limited partnership—the amount specified opposite the type of fee concerned in column 3 of Schedule 2, and
 - (b) in relation to an incorporated limited partnership—the amount specified opposite the type of fee concerned in column 4 of Schedule 2.

8 Savings

Any act, matter or thing that, immediately before the repeal of the *Partnership Regulation 2002*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Specified jurisdictions

(Clause 5)

Part 1 Specified jurisdictions of United States of America

Alabama	Kentucky	Ohio
Arizona	Maryland	Oklahoma
Arkansas	Massachusetts	Oregon
California	Michigan	Pennsylvania
Colorado	Minnesota	Rhode Island
Connecticut	Mississippi	South Carolina
Delaware	Missouri	South Dakota
District of Columbia	Montana	Tennessee
Florida	Nebraska	Texas
Georgia	Nevada	Utah
Hawaii	New Hampshire	Virginia
Idaho	New Jersey	Washington
Illinois	New Mexico	West Virginia
Indiana	New York	Wisconsin
Iowa	North Carolina	Wyoming
Kansas	North Dakota	

Part 2 Specified jurisdictions of Canada

Quebec

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Schedule 2 Fees

Schedule 2 Fees

(Clause 7)

Column 1	Column 2	Column 3	Column 4
Item	Type of fee	Amount for limited partnership	Amount for incorporated limited partnership
1	Fee to accompany a statement under section 54 (1) of the Act (application for registration of a partnership)	\$771	\$869
2	Fee to accompany statement under section 56 (1) of the Act (notification of change in relation to particulars of partnership)	\$36 for up to 10 changes, plus \$1 for each additional change	\$36 for up to 10 changes, plus \$1 for each additional change
3	Fee for inspection of Register of Limited and Incorporated Limited Partnerships under section 57 (3) of the Act	\$15 per limited partnership inspected, plus \$1 per page for printed copy of any particulars relating to the partnership	\$15 per incorporated limited partnership inspected, plus \$1 per page for printed copy of any particulars relating to the partnership
4	Fee for issue under section 58 (2) of the Act, on application, of certificate as to formation of limited partnership or incorporated limited partnership	\$15, plus \$1 per page in excess of 5 pages	\$15, plus \$1 per page in excess of 5 pages
5	Fee for issue under section 58 (2) of the Act, on application, of certificate as to registered particulars of limited partnership or incorporated limited partnership	\$30, plus \$1 per page for each page other than the first page	\$30, plus \$1 per page for each page other than the first page

Column 1	Column 2	Column 3	Column 4
Item	Type of fee	Amount for limited partnership	Amount for incorporated limited partnership
6	Fee to accompany document lodged under section 73E (1) of the Act (evidencing status as a VCLP or an AFOF)	Not applicable	\$76
7	Fee to accompany statement lodged under section 73E (2) of the Act (that partnership is venture capital management partnership)	Not applicable	\$76
8	Fee to accompany notice lodged under section 73E (3) of the Act (notice as to revocation of a VCLP or an AFOF or cessation of a venture capital management partnership)	Not applicable	\$76
9	Fee to accompany notice lodged under section 73E (4) of the Act (notice as to cessation of business)	Not applicable	\$76