

## Information Sheet 6

# Making changes to your Approved Inspection Station business structure

September 2015

As an Approved Inspection Station (AIS) approval holder, you may decide to change your business structure to suit your own individual business needs. While not all your business changes will impact on your AIS approval, some may. This information sheet covers some common scenarios where your business structure changes may impact on your AIS approval and provides you with a step-by-step process to follow when providing notice or making an application with the Department of Transport and Main Roads (the department).

This information sheet covers:

- change of AIS approval holder's business name
- changes to an AIS approval holder's company name
- adding or removing a director
- change of ownership of an AIS approval holder's business
- AIS approval holder's responsibilities if they stop carrying on business
- what happens after you make your application.

## Change of AIS approval holder's business name

During the period of your AIS approval, you may decide to change your business structure. A common change you may experience is the change of your business name. If your business name is listed on your AIS approval document and you decide to change the business name, you need to provide the department with written notice of the change within 14 days after the business name changes.

To provide written notice, you need to:

- complete the relevant sections of Approved Inspection Station Scheme Change/Replacement form (form number F4638)
- provide a current Australian Securities and Investment Commission (ASIC) business name extract that includes your new business name and the business name holder details
- lodge the application with the AIS Administrator (there are no fees for this application).

After receiving your change/replacement form, the department will provide you with an amended AIS approval document showing you as the approval holder and your new business name.

## Change to an AIS approval holder's company name (no change to Australian Company Number)

Similar to a business name change, the director/s of a company may also decide to change their company name. If your company decides to change its company name (while maintaining the same Australian Company Number (ACN)), you need to provide the department with written notice of the change within 14 days after the company name changes.

In addition, you need to:

- complete the relevant sections of Approved Inspection Station Scheme Change/Replacement form (form number F4638)
- provide a current ASIC company name extract that includes your new company name and the directors details
- lodge the application with the AIS Administrator (there are no fees for this application).

You will be notified in writing of the outcome of your application. If we require further information to support your application, we will contact you by email or telephone. If your application is granted, we will provide you with the amended AIS approval document. If your application is refused, we will provide you with an information notice providing reasons why your application has been refused and your appeal options.

## Adding or removing a director (without changing the ACN)

If you and your company decide to add or remove a director, you need:

- to submit written notice to the department of the additional new director/s or the removal of director/s, signed to comply with the *Corporations Act 2001* within 14 days of the change
- to provide an ASIC company name extract that lists your current company's details including the current director/s details
- any new director/s are required to meet the evidence of identity (EOI) requirements (form number F4362) for individuals
- to lodge the written notice and supporting documentation with the AIS Administrator.

As there is no change to the AIS approval holder (that is, the company name), you will not be issued with an amended AIS approval notice.

## Change to a company's ACN

If your company has been issued with a new ACN, your AIS approval is immediately cancelled and you are required to make a new AIS application. Refer to Information Sheet 4 *Making a new Approved Inspection Station application*.

## Selling your AIS business

It is important to note that your AIS approval cannot be assigned or transferred. This may have implications for you if you decide to change the ownership of your business.

If you decide to sell your business, you need to provide the department with written notice of the change within 14 days after the business is sold.

In addition, you need to voluntarily surrender your AIS approval by:

- completing the relevant sections of Approved Inspection Station Scheme Change/Replacement form (form number F4638)
- lodge the form with the AIS Administrator
- return all unused inspection certificates to your local department compliance office or CSC
- return any document required to be kept under the *Business Rules for Approved Inspection Stations*.

If the purchaser of your business decides to operate as an AIS, they need to complete a new Approved Inspection Station Application (see Information Sheet 4 *Making a new Approved Inspection Station application*).

## Adding or removing a business partner to your AIS approval

If you are a sole trader and decide to add a partner, or if you are already in a partnership and decide to add or remove a partner, you need to provide the department with written notice of the change within 14 days after the business name changes.

As there is a change to the legal entity, adding or removing a partner requires you to make a new Approved Inspection Station Application (see Information Sheet 4 *Making a new Approved Inspection Station application*).

## What happens after your application is made

You will be notified in writing of the outcome of your application (if required). If we require further information to support your application, we will contact you by email or telephone. If your application is approved, we will provide you with the necessary approval document (if required). If your application is refused, we will provide you with an information notice providing reasons why your application has been refused and your appeal options.

## Contact us

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