

# Application for ASIC reinstatement

Use this form to apply to ASIC for reinstatement of a company under the *Corporations Act 2001*.

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

## Lodgement details

### Who should ASIC contact if there is a query about this form?

ASIC registered agent number (if applicable)

Firm/organisation

Contact name/position description

Telephone number (during business hours)

Email address (optional)

Postal address

Suburb/City

State/Territory

Postcode

## Applicant details

Applicant name

Capacity

☐

Director, secretary or member of the company at the time of deregistration

☐

Third party

Contact address (must not be a P.O. Box)

Suburb/City

State/Territory

Postcode

☐

Send reinstatement information to this address (director/secretary/member only)

*Note: ASIC will send the corporate key and the company particulars including directors' details to the applicant (director/secretary/member only) or to the addresses held by ASIC for the company's directors (if the applicant is a third party).*

Tick one box only.

Tick if applicable.

## 1 Company details

Company Name

ACN/ABN

## 2 Reason for deregistration

Tick appropriate box.

Note: ASIC will not administratively reinstate companies under s601AH(1) that were wound up by a liquidator prior to deregistration.

Select the reason why the company was deregistered.

☐

The deregistration was ASIC initiated under s601AB(1), (1A), or (1B) of the Corporations Act

☐

The company was voluntarily deregistered via Form 6010 Application for voluntary deregistration of a company.

### 3 Reason(s) for reinstatement

Tick appropriate box.

*Note: Supporting documentation is required to satisfy ASIC that the company should not have been deregistered. Refer to [Regulatory Guide 83](#) for examples of supporting documentation.*

Select the reason(s) why the company should not have been deregistered.

- ☐ The company was carrying on business or was in operation at, and subsequent to, the time that the registration of the company was deregistered.
- ☐ The company should not have been deregistered and I have provided information to substantiate this claim.

State reason(s) why the company should not have been deregistered below.


### 4 Director notification

All persons who were directors at the time of deregistration have been notified about the application and the consequences of reinstatement if the application is successful.

- ☐ Yes, directors have been notified
- ☐ All reasonable attempts have been made to notify all persons who were directors at the time of deregistration
- ☐ No, directors were not notified as no attempts to notify have been made

If directors have not been notified, state reason(s) why below.


### 5 Declarations

Tick to declare.

#### Director/secretary at the time of deregistration

- ☐ I confirm that upon reinstatement the company will be able to pay its debts as and when they fall due.
- ☐ I understand my obligation to lodge notification of changes to company details within 14 days after reinstatement.
- ☐ I have completed the relevant checklist.
- ☐ I understand that upon reinstatement I will resume office in the company as director/secretary.

Tick to declare.

#### Member

- ☐ I confirm that upon reinstatement the company will be able to pay its debts as and when they fall due.
- ☐ I understand the obligation to lodge notification of changes to company details within 14 days after reinstatement.
- ☐ I have completed the relevant checklist.

Tick to declare

#### Third party

- ☐ I have completed the third party application checklist.

Tick to declare

#### All applicants

- ☐ I declare that the information in this application is complete and accurate. It is an offence to provide false and misleading information to ASIC.

## Signature

This form must be signed by the applicant.

Name

Signature

Date signed

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
[D	D]		[M	M]		[Y	Y]

## Lodgement

Send completed and signed forms to:  
Reinstatement Applications  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841.

### For more information

Web [www.asic.gov.au](http://www.asic.gov.au)

Need help? [www.asic.gov.au/question](http://www.asic.gov.au/question)

Telephone 1300 300 630

# Guide: Application for ASIC reinstatement

**Form 581**  
Corporations Act 2001  
601AH(1) (1A)

This guide does not form part of the prescribed form. It is included by ASIC to assist you in completing and lodging the Form 581.

Use this form to apply to ASIC for reinstatement of a company under the *Corporations Act 2001*.

<b>Signature</b>	This form must be signed by the applicant.
<b>Lodgement period</b>	Nil – to be lodged when required.
<b>Application fee</b>	An application fee applies to this form.  For information on reinstatement fees refer to <a href="http://www.asic.gov.au/forms">www.asic.gov.au/forms</a>
<b>Where ASIC cannot reinstate a company</b>  <i>Note: For more information about minimum officeholder requirements, please visit <a href="http://www.asic.gov.au/minimum-officeholders">www.asic.gov.au/minimum-officeholders</a>.</i>	ASIC is unable to administratively reinstate a company in certain circumstances, these include but are not limited to: <ul style="list-style-type: none"><li>• companies that were wound up by a liquidator prior to deregistration</li><li>• companies that were dissolved under the 1981 Companies Codes or other previous legislation</li><li>• a company that upon reinstatement does not meet minimum officeholder requirements</li><li>• where there is dispute amongst officeholders about whether the company should be reinstated.</li></ul> For more information please refer to <a href="#">Regulatory Guide 83 Reinstatement of Companies (RG 83)</a> .
<b>Director, secretary or member application checklist</b>  Tick to confirm.  <i>Note: For more information about obtaining a reinstatement estimate, please visit <a href="http://www.asic.gov.au/reinstatement">www.asic.gov.au/reinstatement</a>.</i>	<div><input type="checkbox"/> I have checked that the company name is still available.  <i>Note: If the company name is no longer available, ASIC will reinstate the company with its name being the Australian Company Number (ACN) followed by the legal elements (e.g. 901 901 901 Pty Ltd).</i></div> <div><input type="checkbox"/> I have obtained a reinstatement estimate from ASIC and enclose payment for the outstanding amounts owing to ASIC including:<ul style="list-style-type: none"><li>• the application fee</li><li>• any outstanding review fees that would have been incurred since deregistration</li><li>• any other outstanding fees or levies</li><li>• any outstanding penalties and fines.</li></ul></div> <div><input type="checkbox"/> I have provided supporting documentation as to why the company should not have been deregistered as annexures.  Examples of supporting documentation required:<ul style="list-style-type: none"><li>• a letter from a person who was a director, secretary or member of the company at the time of deregistration declaring that not all members agreed to the voluntary deregistration</li><li>• bank statements that demonstrate the company was carrying on business at the time of deregistration</li><li>• land title documentation in a company's name that demonstrate the company had assets of more than \$1000 at the time of voluntary deregistration</li><li>• company invoices that demonstrate the company had outstanding liabilities at the time of deregistration</li><li>• court documents showing that legal proceedings were underway at the time of deregistration.</li></ul></div> <div><input type="checkbox"/> I am not disqualified from managing corporations under the <i>Corporations Act 2001</i>.</div>

Director/Secretary at time of  
deregistration only

## Third party application checklist

Tick to confirm.

☐ I have enclosed the application fee

☐ I have provided supporting documentation as to why the company should not have been deregistered as annexures.

Supporting documentation must include copies of documents filed with the court showing that legal proceedings were underway at the time of deregistration.

## How to provide additional information and supporting documentation

### Photocopied Form 581 pages

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.

### Annexures

If there is insufficient space in any section of the form, you may alternately submit annexures as part of this lodgement.

To make any annexure conform to the regulations, you must

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the company name and ACN or ARBN
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol eg a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:

This annexure (mark) of (number) pages referred to in form (form number and title)

7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

## Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy ([www.asic.gov.au/privacy](http://www.asic.gov.au/privacy)) for more information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

## Lodgement

Send completed and signed forms to:  
Reinstatement Applications  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841.

### For more information

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