



# AUSTRALIA KNOWLEDGE SERIES #4 – ANNUAL STATEMENT

# What is an Annual statement

Australian Securities & Investments Commission ('ASIC') sends an Annual Statement every year to all the companies. Such Annual statement is generally sent on the incorporation anniversary of the company.



## An Annual Statement comprises of the following information:

- Statement of the company's current details,
- Invoice for the Annual Review fees, and
- Company's Corporate key\*

## ASIC will send the Annual Statement at the following (in order of priority):

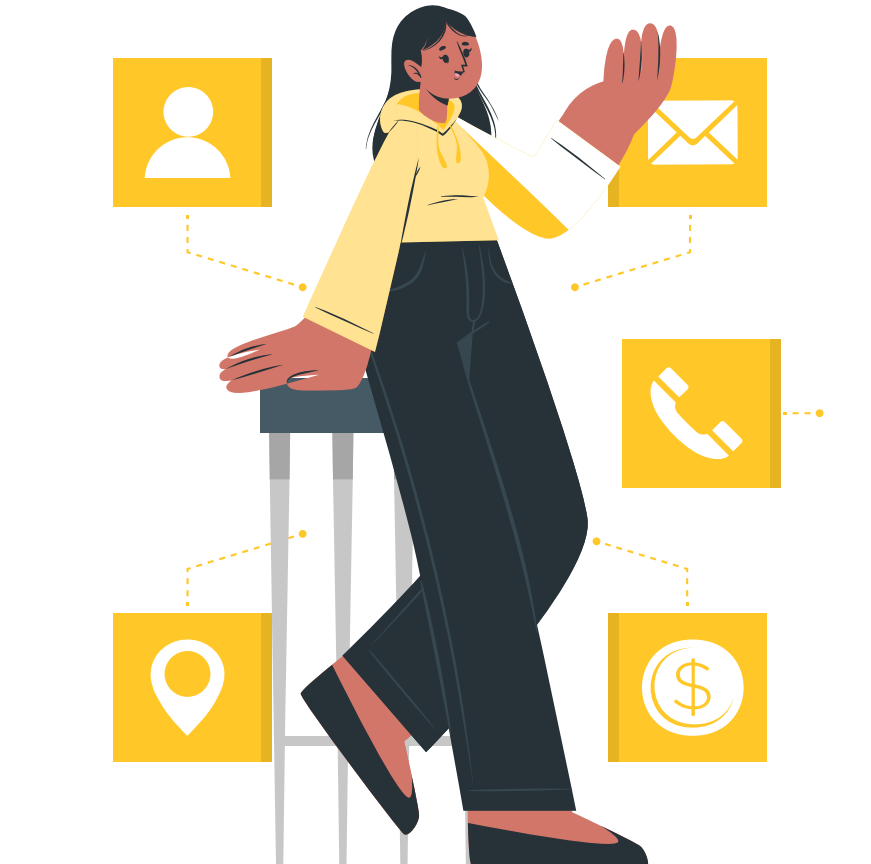
- the registered agent address (if one is appointed),
- Company's online account,
- Company's nominated mailing address, or
- Company's registered office address.

*\*Corporate key is a unique 8-digit number that can be used by companies to view records, lodge forms, receive annual statements, etc.,*

# Statement of company's current details

- A** These details would include place of registered office, principal place of business, details of the officeholders and members and details of the company's capital structure.
- B** In case any change is required to be made to the company's details, then the Company has to lodge the change request with the ASIC in Form 484.
- C** A Company must lodge changes in the company details within one month after the change has occurred. Following fees shall be levied in case of change in company details:

Particulars	Fee
Change request lodged within 1 month after the change occurred,	AUD 93
Change request lodged beyond 1 month after the change occurred.	AUD 387



# Annual review fees

A company, to keep itself registered, must pay an annual company review fee by the due date specified in the annual statement issued by the ASIC. There are various options of making the review fees payment including credit card and BPAY. The Annual review fees depend on the type of company and the same is as follows:



Type of Company	Fee
Proprietary Company	AUD 310
Public Company	AUD 1440
Special purpose company (proprietary)	AUD 63
Special purpose company (public)	AUD 59

**Late fee charged by ASIC for not paying annual review fees within due date is as follows:**

Duration	Fee
Payment up to 1 month from the due date	AUD 93
Payment more than 1 month from the due date	AUD 7

# Solvency resolution



- A solvency resolution is a resolution made by the directors of a company as to whether or not, in their opinion, the company will be able to pay back its debts as and when they are due.
- The directors must have a reasonable basis for their opinion and the resolution must be passed by a majority. There are 2 types of solvency resolutions:
  - **Positive solvency resolution** – It is passed when directors believe that the company will be able to pay its debts as and when they are due.
  - **Negative solvency resolution** – It is passed when directors believe that the company will not be able to pay its debts as and when they are due. The company must specifically notify ASIC if the directors pass a negative resolution.
- The directors must pass and store a solvency resolution within 2 months of the annual review date, unless the company has lodged a financial report with ASIC in the past 12 months.
- If the Solvency resolution is not passed within 2 months after the annual review date, then the Company must specifically notify ASIC about the same.
- All notifications to ASIC must be filed in Form 485.

# THANK YOU

## Australia

### M2K Advisors Pty Ltd

Unit 605E, 888 Collins St,  
Docklands VIC 3008,  
Australia

## Singapore

### M2K Advisors Pte Ltd

The Octagon,  
105 Cecil Street, #13-02  
Singapore 069534

## India - Chennai

### M2K Advisors LLP

7th Floor, Briley One,  
No. 30/ 64 Ethiraj Salai,  
Egmore, Chennai - 600 008,  
Tamil Nadu, India

## India - Bengaluru

### M2K Advisors LLP

WeWork, No.43, Residency  
Road, Shanthala Nagar,  
Ashok Nagar,  
Bengaluru 560025

## UAE - Dubai

### M2K Advisors LLC

Shams Business Center,  
Sharjah Media City free  
Zone, Al Messaned,  
Sharjah, UAE

## USA

### M2K Advisors Inc

16192 Coastal Highway,  
Lewes, County of Sussex,  
Delaware - 19958

For any queries, reach us at:  
[knowledge@m2k.co.in](mailto:knowledge@m2k.co.in)



This deck has been prepared for informational purposes only and nothing contained in this deck constitutes any legal or any other form of advice from M2K Advisors. Although reasonable care has been taken to ensure that the information in this deck is true, such information is provided "as is", without any warranty, express or implied as to the accuracy or completeness of any such information. M2K Advisors do not accept any responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this deck. This document should not be considered as an offer or solicitation of any of the services rendered by M2K Advisors.