



Government of **Western Australia**
Department of **Culture and the Arts**
State Records Office of Western Australia

Information Sheet

Companies & Business Names

BACKGROUND

The first Act concerning the regulation of companies in WA was the **Joint Stock Companies Ordinance 1858**. The Registrar of the Civil Court also became the Registrar for Companies. Submission of Memoranda and Articles of Association were a precondition for registration.

This Ordinance was repealed by the **Companies Act 1893**, which was based on the Imperial Companies Act 1862, and colonial precedents. In line with this Act the Governor appointed the registrar of companies, inspectors, and auditors.

The Registrar of the Supreme Court became by default the Registrar of Companies. The position of Registrar continued to be linked with the office of Master of Supreme Court until 1961.

An Act to consolidate and amend the laws relating to Companies 1943. This new Act proclaimed December 1947, enabled the Office of Registrar to be separate from Office of Master. The first Registrar of Companies was T K Macfarlane (Deputy Registrar from April 1949, and Registrar, August 1960).

Companies Act 1961, repealed the 1943 Act, and reflected a need for uniform provisions throughout Australia. The Companies Registration Office was an agency within the Crown Law Department. The Registrar of Companies became Commissioner of Corporate Affairs 1975.

Security Industry Acts 1970 & 1975. Commissioner was given regulatory powers over the operation of stock brokers, stock exchanges, and other professionals involved in the securities & investment industry.

Commonwealth & States reached agreement in December 1978 re proposed scheme for cooperative regulation of companies and security industry. This resulted in a national **Companies Code** which took effect in WA 1 July 1982. Corporate Affairs Office became a Department in 1985.

The Corporate Affairs Department was abolished and regulatory functions transferred to Australian Securities Commission (now ASIC) in January 1991.

Companies records in the State archives collection at the SRO

INDEXES & REGISTERS – records to 1893

- Cons 2803 Joint Stock Companies; 1860-1892
- 2804 Newspaper Libel & Registration Act 1884: 1885-1917
- 2805 Mining Companies Act 1885: 1888-1893
- 2806 Life Assurance Companies Act: 1890-1932

INDEXES & REGISTERS – records from 1893 (all on microform)

- Cons 2807 Index – all State Companies 1893-1943
- 2808 Index - defunct State Companies pre 1978 (microfiche)
- 2810 Index – all Foreign Companies 1893-1942
- 2809 index - defunct Foreign Companies- pre 1978 (microfiche)
- 2811 Index & Register Local & Foreign Companies 1893-1902
- 2812 Register – all State Companies 1903-1954
- 2813 Register – all Foreign Companies 1903-1955

FILES - Companies

- Cons 2782 Defunct State Company files 1893-1976, see WAS 4066
- 1370 Defunct Foreign Company files 1893-1909, see AN 193/3
- 1152 Defunct companies- records deposited with Registrar after liquidation (pre 1965), see AN 193/1

All company files post 1977 were microfilmed by Corporate Affairs. A master copy of the film was transferred to the Commonwealth and is held by ASIC.

- Cons 3508 Newspaper Proprietors – Registration schedules (WAS 126)

FILES – Administration & Legal

See the various series linked to the following agencies on AEON

WAA 675	Companies Registration Office	1961 - 1975
WAA 676	Corporate Affairs Office	1975 - 1985
WAA 79	Corporate Affairs Department	1985 - 1991
WAA 412	Office of State Corporate Affairs	1991 - 2001

BUSINESS NAMES

Registration of Firms Act 1897 & Business Names Acts 1942 & 1962.

These Acts required Registrar of Companies to maintain a register of names of persons comprising a firm. This activity remains a State responsibility.

Registers & indexes (all on microfilm)

- Cons 2814 Index to Firms 1910 - 1944
- Cons 2815 Register & index 1898 - 1902
- Register only 1903 - 1944

No records exist 1944 -1972. Index cards to registrations of business names from 1973 to 1981 are held by the agency currently responsible for this activity, Department of Commerce (Consumer Protection Division).