



Notification of resolutions for audit relief - proprietary companies

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.

Related Forms

396 Notice of cessation of reliance on ASIC Corporations (Audit Relief) Instrument 2016/784

Company details

Company name

ACN/ABN

Lodgement details

An image of this form will be available as part of the public register.

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

Notification of resolutions

1 This notice relates to the company's financial report for the financial year commencing on

 / /
[D] [D] / [M] [M] / [Y] [Y]

and ending on

 / /
[D] [D] / [M] [M] / [Y] [Y]

2 All directors of the company resolved that the financial report should not be audited. The resolution was passed on

 / /
[D] [D] / [M] [M] / [Y] [Y]

3 All shareholders of the company resolved that the financial report should not be audited. The resolution was passed on

 / /
[D] [D] / [M] [M] / [Y] [Y]

Signature

This form must be signed by a director or secretary of the company to which the relief is to apply.

I certify that the information in this form is true and complete.

Name

Capacity

Director

Secretary

Signature

Date signed

/ /
[D] [D] [M] [M] [Y] [Y]

Lodgement

Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au

Need help? www.asic.gov.au/question

Telephone 1300 300 630

Guide: Notification of resolutions for audit relief - proprietary companies

This guide does not form part of the form and is included by ASIC to assist you in completing and lodging form 382.

Related Forms

396 Notice of cessation of reliance on ASIC Corporations (Audit Relief) Instrument 2016/784

Purpose of Form 382

Form 382 is to be used for notification of the resolutions to be made by directors and shareholders in relation to audit relief for proprietary companies in accordance with ASIC Corporations (Audit Relief) Instrument 2016/784.

Form 382 may also be used for notification of resolutions to be made by directors and shareholders in relation to audit relief for proprietary companies in accordance with the requirements under case by case relief which may specify amendments to the form.

Lodgement of Form 382 does not alone entitle a company to rely on the relief in ASIC Corporations (Audit Relief) Instrument 2016/784. **A company will only have the benefit of relief if it meets all the requirements of ASIC Corporations (Audit Relief) Instrument 2016/784. Please check the company is likely to meet all the requirements of ASIC Corporations (Audit Relief) Instrument 2016/784 before lodging this form.**

Refer to ASIC Corporations (Audit Relief) Instrument 2016/784 and Regulatory Guide 115 *Audit relief for proprietary companies* for further information.

Timing of resolutions

The directors and shareholders must resolve to apply the relief available under ASIC Corporations (Audit Relief) Instrument 2016/784 for each financial year that the company's financial report should not be audited.

The resolutions must be made within the period commencing three months before the start of each financial year and ending four months after the end of each financial year that the relief is to apply.

Timing of lodgement of Form 382

Form 382 must be lodged with ASIC

- for the first financial year relief under ASIC Corporations (Audit Relief) Instrument 2016/784 is to be applied, and
- the first financial year relief is to be applied following a financial year in which it did not apply (if any).

The completed Form 382 must be lodged during the period starting 3 months before the start of the relevant financial year and ending 4 months after the end of the relevant financial year.

Extension of time

No extension of time is available to lodge this form with ASIC. Failure to pass the required directors' and shareholders' resolutions and lodge this form within the required period will mean the company has not met the conditions of ASIC Corporations (Audit Relief) Instrument 2016/784 and, therefore, should prepare, have audited and lodge the financial statements and reports for the relevant financial year.

Ceasing to rely on ASIC Corporations (Audit Relief) Instrument 2016/784

If following lodgement of a Form 382:

- The company's directors and/or shareholders do not resolve that relief available under ASIC Corporations (Audit Relief) Instrument 2016/784 will be applied for a financial year, or
- The company ceases to be foreign-controlled, or
- The relief available under ASIC Corporations (Audit Relief) Instrument 2016/784 cannot be applied for some other reason,

the company must notify ASIC that relief has ceased to apply by completing and lodging a **Form 396 Notice to cessation of reliance of ASIC Corporations (Audit Relief) Instrument 2016/784**.

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy (www.asic.gov.au/privacy) for 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:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au
Need help? www.asic.gov.au/question
Telephone 1300 300 630