



Request to withdraw a lodged document

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

Company details

Company/pooled group name

(A pooled group is a group of companies established to facilitate the winding up of companies in corporate groups that has been notified to ASIC.)

ACN/ARBN/ABN (if applicable)

Lodgement details

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

Firm/organisation

Contact name/position description

ASIC registered agent number (if applicable)

Telephone number

Postal address or DX address

1 Document details

Form number

Form title

Document number (Number allocated by ASIC)

Date of lodgement

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

The document number can be obtained from a search of the National Names Index at www.asic.gov.au/nni

Guide: Request to withdraw a lodged document

This guide does not form part of the form. It is included by ASIC to assist you in completing and lodging the Form 106.

Use of this form	The use of this form is optional. It has been prepared by ASIC to assist business with the lodgement process by highlighting information required by ASIC.
Signature	This form must be signed by the person(s) who signed the document to be withdrawn.
Lodgement period	As soon as possible after the determination has been made to request cancellation of a document.
Lodgement fee	Nil, except in circumstances where the correction highlights a fee that would have been charged if the original document had been lodged and processed correctly.

Additional information	<p>The document number can be obtained from a search of the National Names Index at www.asic.gov.au/nni.</p> <p>A document previously lodged may only be cancelled under the following circumstances:</p> <ul style="list-style-type: none">• Duplication of information (for example two copies of the same notification to change a registered office address have been provided).• Information has been provided on a lodged document and that information is subsequently found to be incorrect and exceptional circumstances exist to withdraw the document. Examples of exceptional circumstances include:<ul style="list-style-type: none">• the financial reports attached to a Form 388 are for the wrong company• a deregistration application has been lodged and the company has subsequently realised that they do not meet the deregistration criteria• the appointment of a director or the issue of shares is conditional upon another event occurring and that event fails to occur (and sufficient evidence is provided by the company of this fact). <p>Lodgement of the Form 106 does not guarantee that the requested document will be withdrawn. ASIC will determine if the request is acceptable based on the above criteria. In making the determination ASIC may make further inquiries such as:</p> <ul style="list-style-type: none">• requesting further documentary evidence to support the request, or• contacting other parties affected by the request. <p>If ASIC is not satisfied that exceptional circumstances exist, the company may be required to apply to the Court for an order to rectify the register under s1322(4)(b) to have the document cancelled.</p> <p>There are certain documents that cannot be withdrawn for example a Form 205 <i>Notification of resolution</i> where a special resolution has been passed. This applies to situations where the company has resolved to:</p> <ul style="list-style-type: none">• voluntarily wind up the company• change its type• change its name• change its share structure. <p>Other documents which cannot be withdrawn are:</p> <ul style="list-style-type: none">• Applications, eg Form 201 <i>Application for registration as an Australian company</i>• Documents which have an effect on a company's status, eg Form 505 <i>Notification of appointment or cessation as an external administrator</i> <p>The list of documents is not exhaustive. We will review and make a decision on the acceptability of a request to cancel a lodged document when it is received.</p> <p>When ASIC approves a request to withdraw a lodged document:</p> <ul style="list-style-type: none">• the document will not be deleted from the company's record• a copy of the withdrawn document or Form 106 will be available to anyone who undertakes a search• any details that were altered as a result of processing the withdrawn form will be restored.
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How to provide additional information

Annexures

If there is insufficient space in any section of the form, you may 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 scheme name and ARSN 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. identify the annexure with a mark such as A, B, C, etc
6. endorse the annexure with the words:

This is 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.

Lodgement

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

For help or more information

Telephone 1300 300 630

Email info.enquiries@asic.gov.au

Web www.asic.gov.au