

## COMPANY DIRECTORS - UPDATE

1. As a result of recent amendments to the *Corporations Act 2001 (Cwlth)* commencing 1 November 2021 existing and newly appointed company directors need to have a Director Identification Number (DIN).<sup>1</sup> The Scope of individuals obliged to have a DIN include a Director of a company or a Body Corporate that is a registered Australian body or a registered foreign company or who is appointed to the position of Director or appointed to the position of an alternate Director or is acting in that capacity<sup>2</sup>.
2. A DIN is a number (a unique identifier) that is provided to a Director. The Director applies for the number only once and will be kept forever. Once provided, the Director will have the DIN even if they cease to be a Director. The underlying basis for the implementation for the DIN scheme was as a measure to prevent fraud and to otherwise better identify and track individual Directors across various companies.
3. It is a compulsory obligation to have a DIN if you are a Director.<sup>3</sup> Failure to have a DIN constitutes an offence, pursuant to *Section 1272C (4) Corporations Act 2001*. It is a strict liability offence.
4. To apply for a DIN the application is made through the Australian Business Registries Services website ([www.abrs.gov.au](http://www.abrs.gov.au)). In making the application through the aforementioned website the Director will need verification of their identity, (e.g. Passport) and otherwise a MyGov ID account/App.
5. Company Directors should apply as soon as possible to obtain a DIN.

If you have any enquiries in relation to these matters, please do not hesitate to contact Leith Hoffensetz of our office on 3281 3088 or e-mail her at [lhoffensetz@hoffensetz.com.au](mailto:lhoffensetz@hoffensetz.com.au).

---

<sup>1</sup> See Chapter 9, Part 9.1A Corporations Act 2001

<sup>2</sup> S. 1272B Corporations Act 2001

<sup>3</sup> S. 1272C Corporations Act 2001