

Jeremy Gordon

Dr Richard Grant  
Acting Secretary  
Senate Standing Committee on Economics  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

17 April 2011

Dear Dr Grant

**Submission to the Senate inquiry into  
Business Names Registration Bill 2011**

I am a barrister practising in Australia and the UK, with particular interest in consumer and internet law. I have only one comment on the Bill as currently drafted.

*Section 3 of the Bill provides:-*

*“carrying on a business includes doing anything in the course of the commencement or termination of the business”*

I would suggest that a better wording would be:-

*“carrying on a business may include doing things during the commencement or termination of the business”*

My reason is that on a literal construction of the existing words, the definition of *carrying on a business* is wider than is probably intended, because of the use of the word *anything* and because of the absence of the word *may*.

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