

SEPTEMBER 2010 by *Alison Maughan*

The Rules of Environmental Marketing Claims

The Small Business Centre Bunbury-Wellington is funded by the Small Business Development Corporation, through the Small Business Centre Network; Federal Government through the Business Enterprise Centre Initiative; City of Bunbury; Shires of Harvey, Collie, Dardanup, Donnybrook-Balingup and Capel. AMD Chartered Accountants; Wrays; Commercial Realty; National Australia Bank; Southern Districts Estate Agency; Australia Post; McNaughton Gardiner Insurance Brokers; Melsom Robson; Workwise Advisory Services; Kroon Legal; Lighthouse Beach Resort; Combined Team Services and RSM Bird Cameron Chartered Accountants. We assist businesses with starting up, and with the "if only and what now" questions of existing businesses. We operate a free confidential service available to any small business, to help it to operate more effectively, and to grow.

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Environmental claims can be a powerful marketing tool which businesses are increasingly using to differentiate their products from those of their competitors. These claims come in a wide range of forms, including statements about environmental sustainability, recycling, energy and water efficiency, carbon offsets and organic certification.



Many consumers consider these environmental claims as a major factor when evaluating products to purchase. Customers are entitled to rely on any environmental claims you make and to expect these claims to be truthful. For this reason it is essential that businesses make sure their claims are accurate, scientifically sound and appropriately substantiated.

It is not only good business practice, it is also a requirement of the law that your claims about the environmental attributes of your products or services are truthful and do not mislead customers. You may be liable to serious penalties if you fail to meet these requirements.

Murray Beigle from the Australian Competition and Consumer Commission (ACCC), will be conducting a seminar on Tuesday 7th September from 6.00pm—8.00pm, covering these important issues.

This seminar will examine the law and how it applies to environmental claims. It will outline some broad principles you should consider when making "green" statements and it will provide a checklist to help identify any misleading material.



The seminar also outlines common rules by which all business operators must abide. It is aimed at helping business owners develop fair and ethical business practices that will lead to greater trust by customers and better business relationships.

For further information and to book your place please phone 9791 2666, or see the flyer on page 7.



The services provided by the Small Business Centre Bunbury-Wellington are partially funded by the Australian Government and the Small Business Development Corporation of Western Australia

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Quote of the Month

Man's mind,
stretched by a new
idea, never goes
back to its original
dimensions.

Oliver Wendell Holmes

CHOOSING A NEW NAME FOR YOUR BUSINESS?

Know the difference between Names, Company Names, Domain Names and Trade Marks.

Why it's important to know the difference between the names

When you choose the name for your new business/company or select an Internet domain name you are creating an identity for your business. Your identity distinguishes your goods and services from your competitors so it is important that it is memorable, meaningful and protected. Business, company names and domain names are best protected when they are also registered as trade marks.

It is important to understand that if you register a particular business name and then later seek a trade mark, you are not automatically entitled to the same name as a trade mark. A domain name may not be available to you either. This means you need to check a variety of registers to determine whether the name you want is available as a business or company name, trade mark and a domain name.

When choosing a new company or business name, you should:

Search the company names and business names registers which determine whether

the name you have selected is already being used.

For company names, contact the Australian Securities and Investments Commission Business Centre (ASIC) at www.asic.gov.au. For business names, contact the Business Names Office in your State or Territory. (see your local White Pages directory);

- If you intend to use your company or business name as a trading name you should also search the trade marks register, see www.ipaustralia.gov.au and consider filing an application for a registered trade mark. If your new name is identical or similar to another person's registered trade mark, you could be sued for infringement. Even if you decide to operate without a registered trade mark, you should search the trade marks register to ensure you are not infringing someone else's trade mark;

- IP Australia provides a professional search service called the Business Names Applicant Search Service (BASS) for a fee of \$40 (GST inclusive). Our staff will conduct a thorough search of the database and issue a report showing if there is an existing registered trade mark which is identical or very similar to your proposed business name. You can apply for a search by calling 1300 651 010 during normal business hours (if paying by credit card), or you can mail or fax us your request; and check the domain names registers. For links to the various domain names registers in Australia, visit the .au Domain Administration website at www.auda.org.au.

What is a business name?

A business name is the name under which a business operates and registration identifies the owners of that business. Registration is compulsory, in every state and territory from which a business operates, and must be completed before the business starts trading. Unlike trade marks, business names do not necessarily provide proprietary rights for the use of the trading name. Business names are administered by the local Business Names Office in your State or Territory.

What is a company name?

A company name, or registrable body, must be registered with the Australian Securities and Investment Commission (ASIC). If a company wishes to trade using a name other than its registered company name, it must register that trading name as a business name. Unlike trade marks, company names do not necessarily provide proprietary rights for the use of the trading name. ASIC is responsible for the administration of company names – see www.asic.gov.au.

What is a trade mark?

A trade mark can be a letter, number, word, phrase, sound, smell, shape, logo, picture, aspect of packaging or any combination of these. Once you register a trade mark in Australia, you have exclusive legal right to use, license or sell it.

Even if you do not register a trade mark, you can still use it. There is protection against unauthorised use of your trade mark under the trade practices or fair trading legislation and it is possible to take action under common law. However, trade mark registration is advisable because it can be an expensive and time consuming exercise to take action under common law.

What is a domain name?

A domain name is the unique name, it is both intuitive and easy to remember.

To register a domain name or to view the rules and policies for registration of

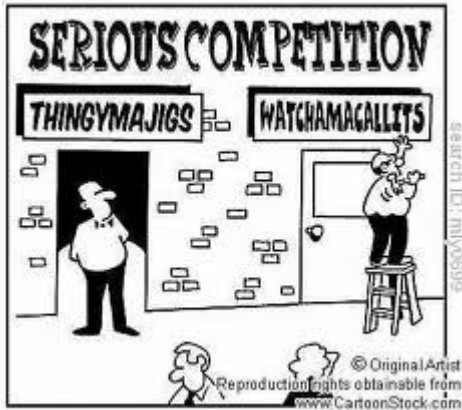
domain names in com.au, visit the .au Domain Administration Ltd (auDA) website, www.auda.org.au. You can also register a domain name as a word trade mark, provided that it meets the requirements of the Trade Marks Act.

Who can help?

For more information consult IP Australia Trade Marks database www.ipaustralia.gov.au, contact ASIC www.asic.gov.au, the Business Names office in your state or territory and .auDA website, www.auda.org.au.

IP searching firms and IP lawyers may also be able to help you – see your local [Yellow Pages®](#) directory for details or call

Wrays on 9216 5100



Yellow Page Fax misleads WA Businesses

A misleading fax has been turning up at business premises across WA. It's for a \$129 per month scheme run under the website www.yellowpage-westernaustralia.com.

The unsolicited fax, which has an inverted version of the "Walking Fingers" logo, implies that by signing up you are agreeing to renew your business name listing with a well-known directory service.

In fact you will receive a tax invoice for \$1548 for a 12 month listing with an internet directory scheme, which is not the primary business phone listing directory – the fee information is contained within the terms and conditions.

Consumer Protection's WA ScamNet branch understands, from speaking to consumer protection agencies in the Eastern States, that it is part of a wider scheme involving location-based variations of the same name, including: www.yellowpage-victoria.com; www.yellowpage-nsw.com; www.yellowpage-southaustralia.com; www.yellowpage-queensland.com; and www.yellowpage-tasmania.com.

Although the faxes suggest that the business is in the UK, the group is actually headed by Yellow Page Marketing BV based in the Netherlands.

We contacted Sensis who own the "Walking Fingers" registered trademark and they took steps to have the logo removed from www.yellowpage-westernaustralia.com which has since been rebranded as Western Australia Directory, although the URL remains the same.

Sensis wants to hear from anyone who receives a fax from an organisation claiming to represent Yellow Pages. The number for Sensis is 13 23 78.

Directory listing and registry schemes that mislead consumers are all too common. You can read about the different types of misrepresentation on the WA ScamNet website www.commerce.wa.gov.au/wascamnet.

The advice for companies, in summary, is to:

- read all documents carefully before signing; restrict the number of employees authorised to sign invoices and important documents;
- avoid giving out information about your business to a third party until you clarify the purpose of their enquiry; and deal with people you know and trust wherever possible.

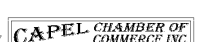
Businesses which have signed this type of form should seek independent legal advice before paying any invoice.

If you require further information on this or any other consumer issue, please call into our office on the 8th floor of the Bunbury Tower, 61 Victoria Street, Bunbury or call us on (08) 9722 888 or 1300 30 40 54.

(Consumer Protection is a division of the Department Of Commerce)

2010 Seminars and Workshops

Unlock Your Incredible Brain Power	Tues	Sept 7th	10am—3pm
The Green Issue	Tues	Sept 7th	6.00pm-8.00pm
Mastering Your Time	Tues	Sept 14th	10am—4pm
Business On Line Program Are you ready for E-Business	Tues	Sept 14th	5.30pm-8.30pm
Human Resources & Staff Retention	Mon Tues	Sept 20th Tues 21st	1pm-4.30pm 8.30am-12 pm
Business On Line Program E-Business Basics in Plain English	Tues	Sept 21st	5.30pm-8.30pm
Developing & Implementing Systems	Tues	Oct 12th	8.30am-4.30pm
Taxation Planning	Tues	Oct 12th	6.00pm-4.30pm
Business Growth Program	Wed	Oct 13th	8.30am-4.30pm
Business On Line Program Develop Your E-Business Plan	Tues	Oct 19th	5.30pm-8.30pm
Business Growth Program	Wed	Oct 20th	8.30am-4.30pm
Women in Business Breakfast	Tues	Oct 26th	7.00am—9.00am
Business On Line Program Your Guide to Free OnLine Resources & Research	Tues	Oct 26th	5.30pm-8.30pm
Business Growth Program	Wed	Oct 27th	8.30am-4.30pm
Business On Line Program How to Build Your Website	Tues	Nov 2nd	5.30pm-8.30pm
Business Growth Program	Wed	Nov 3rd	8.30am-4.30pm
Business On Line Program Keeping Customers Coming Back & Spending More	Tues	Nov 9th	5.30pm-8.30pm
Business Growth Program	Wed	Nov 10th	8.30am-4.30pm
Aussie Host	Tues	Nov 16th	8.30am—4.00pm
Business On Line Program Promote Yourself to Work Markets	Tues	Nov 16th	5.30pm-8.30pm
Business Growth Program	Wed	Nov 17th	8.30am-4.30pm
Women In Business Breakfast	Tues	Nov 23rd	7.00am—9.00am
Business On Line Program Selling On Line Made Easy	Tues	Nov 23rd	5.30-8.30pm



Self Managed Super Funds

The returns generated by the retail superannuation funds have been languishing in recent years. Do you think you could create a better return if you managed your superannuation yourself? If you think the answer is yes, a Self Managed Superannuation Fund (SMSF) could be the vehicle to allow you to do this.

A Self Managed Superannuation Fund as the name suggests, allows you as the trustee & member of the fund control over the operation of the fund. From the decision on the investment strategy to paying the bills, you are in the drivers seat.



One of the benefits of superannuation funds is the low tax environment. If you as the member of the superannuation fund are under 60 years of age, the rate of tax levied on your investment returns is 15%. Compare this to a possible 46.5% if you earned that same amount as an individual.

With capital gains on the sale of assets, if the superannuation fund has held the asset for more than twelve months, then the tax is levied on the gain at 10%.

After you reach the age of 60 as a member in pension mode, the tax rate imposed on all fund income, including capital gains is 0%. That's right, your investment returns can become tax free. The pension that the fund is paying you is

also tax free. Using a SMSF can also be a useful tool in assisting you in your business now as well as building wealth for your retirement. Many if not all businesses operate their trade from a business premises.

It is possible to purchase this premises with your SMSF. Your business would then pay your SMSF rent to occupy this property. You now are in the position where the rent you pay is now being used to build for your retirement. You as the trustee & member of the fund are also the landlord, so the hassle of dealing with a tyrant landlord can be a distant memory.

If you are interested in a property, but do not have enough cash in the SMSF to purchase the property outright, then it may still be possible to make the purchase. With the use of an installment warrant arrangement, the SMSF can effectively borrow the cash to complete the purchase.

If you are interested in exploring how a Self Managed Superannuation Fund could benefit you, our team of business professionals at RSM Bird Cameron are available on 9722 5600 to discuss your options.

RSM Bird Cameron
Chartered Accountants

FREE BiZFit Pulse Check!

The BiZFit Program has been designed to help business people sustain their business for the long term—regardless of the business conditions.

- Do you know how healthy your business is financially?
- Can you take holidays when you want?
- Do you sometimes resent your business?
- Is your business growing too fast?

Now you can access a free, comprehensive, one-on-one BIZFIT pulse check for your business to identify its strengths and weaknesses, and discuss with a specialist business advisor the priority actions you can take to grow and strengthen your business.



Call us now, to arrange your free BizFit Pulse Check on 9791 2666 or email us on admin@sbcbw.asn.au,

Small Business Smart Business Training Voucher

The WA Department of Education and Training offers your business a **Small Business Smart Business Training Voucher** up to \$200 towards the cost of training to improve your business management skills. Training costs of \$100 or less will be reimbursed in full. Training costs greater than \$100, will have the first \$100 reimbursed, plus 50% of the balance, to a maximum of a further \$100.

To be eligible for a **Small Business Smart Business Training Voucher**, your business must have an ABN, employ less than 20 people (full & part-time) and have the training approved by your local SBSB Administrator, such as The Small Business Centre Bunbury-Wellington, **before you start the training**. Reimbursement can't be made without an authorised voucher.

All training is to be paid directly by the small business. We will reimburse the agreed amount after the completion of training and upon receipt of the training voucher with supporting training receipts.

An application form can be obtained from the SBCBW website www.sbcbw.asn.au.



Winning Business Online

Winning Business Online is a government funded training program to assist small business owners grow their own business and get online.

The Winning Business Online program features a series of 10 online training modules. Each has been specifically designed for businesses who are yet to get online, or those who already have an online presence and want to grow and capitalise on market opportunities. These workshops are self-paced and free if you do choose to do them online. The cost of attending workshops will be \$25.00 per workshop. A block of 10 workshops will cost \$250 and is covered by the \$200 training voucher.

Participants will be able to also attend workshops, and complete each module at their own pace and create an e-business plan tailored to their business, and objectives.



The modules are:

- 1: Are you ready for E-Business? Tuesday Sept 14th 2010
- 2: E-Business in Plain English. Tuesday Sept 21st 2010
- 3: Developing your Business Plan. Tuesday Oct 19th 2010
- 4: Your guide to free online resources and research. Wednesday Oct 27th
- 5: How to build your website. Tuesday Nov 2nd
- 6: Keeping your customers coming back and spending more. Tuesday Nov 9th 2010
- 7: Promote yourself to world markets. Tuesday Nov 16th 2010
- 8: Selling online made easy. Tuesday Nov 23rd 2010
- 9: Latest, tips, tricks and new technology. Tuesday Nov 30th
- 10: Making the most from E-Business. Tuesday Dec 7th 2010

Workshops will commence on Tuesday 14th September. For further information go to www.winningbusinessonline.com.au or call us on 9791 2666. To book your place see the flyer on page 8, fill out and fax back to us on 9791 6646

New Online Tool Gives Small Business the Edge in IP

Small businesses now have a new tool to help them manage their patents, trademarks and other valuable intellectual property (IP) assets.

Intellectual Property Explorer is an online tool that will help small businesses profit from their hard work and ingenuity by identifying and analysing different forms of IP relating to inventions, designs and brands.

“Many businesses are surprised at how many IP assets they have and how valuable they are,” Parliamentary Secretary for Innovation and Industry, Richard Marles said.

“Each day, businesses sell goods or services, but over time they are building up goodwill, brand recognition and a reputation based on a standard of service or quality of their product.”

“That’s why it is crucial these intangible assets are identified and protected.”

“Reviewing IP assets is particularly important when buying or selling a business, seeking investors, or looking to export.”

The free tool:

- introduces IP concepts in plain English
- provides a step by step guide to reviewing IP assets including copyright, patents, trade marks and designs.
- gives practical advice on how to avoid commercial risks, which could result in costly legal proceedings with employees or third parties.

Intellectual Property Explorer was developed by IP Australia, the Australian Government agency responsible for administering the IP rights system, in cooperation with the governments of Hong Kong, China and Singapore, as an Asia Pacific Economic Cooperation (APEC) project.

Australia plays an active role in APEC’s Intellectual Property Experts Group (IPEG) which initiated the tool as part of its work program to help small businesses build their capacity to engage in international trade.

To learn more about the tool visit www.intellectualpropertyexplorer.com

Women in Business Breakfast

There will be no women in Business Breakfast meeting in September, due to key staff members being absent, however we have two very interesting speakers lined up for October and November.

Please mark in your diaries Tuesday October 26th.

Judy Harvey, from Corporate Clarity, will be speaking on the subject of Stress Management, the ramifications of continuous stress and how stress affects your health, your home life, your social life and most importantly your work life.

On Tuesday 23rd November, Harriet Kersten from MediLoss will talk about important issues affecting women and their health. This includes the ramifications of lack of Vitamin D and interesting facts about Diabetes, which is her area of expertise.

Where: Lighthouse Beach Resort

Time: 7.00am—9.00am

Cost: \$30 includes a delicious buffet breakfast.

To book your place please call us on 9791 2666.



The Rules of Environmental Marketing Claims

Environmental claims can be a powerful marketing tool which businesses are increasingly using to differentiate their products from those of their competitors.



This seminar outlines the rules applicable to environmental claims in advertising, labeling, packaging and other promotional material.

This seminar will cover:-

- The law and how it applies to environmental claims.
- The risks to business operators of untruthful, inaccurate or misleading environmental claims.
- Important principles to consider when making environmental claims.
- A checklist to assist business operators and advertisers ensure environmental claims are not illegal.
- Examples of common forms of illegal green marketing conduct.
- The Trade Practices Act and claims about organic and biodynamic products.

NB: A fee of \$25 will be charged for non-attendance at the workshop. A cancellation fee of \$20 will be incurred if less than 48 hours notice is given.

Who Should Attend:

The aim of the seminar is to assist manufacturers, producers, suppliers, advertisers and others assess the legality of any environmental claims they make and to improve the accuracy and usefulness to consumers of labeling packaging and advertising.

The seminar outlines common rules by which all business operators must abide. It is aimed at helping business owners develop fair and ethical business practices that will lead to greater trust by customers and better business relationships.

Presenter: Murray Beigel is the Regional Outreach Manager for the Australian Competition and Consumer Commission in Western Australian. The ACCC is the federal government agency responsible for ensuring compliance with the consumer protection and other requirements of the Trade Practices Act 1974. Murray has worked as a senior investigator at the ACCC for 10 years.

When: Tuesday 7th 6.00pm—8.00pm
September
Where: 15 Stirling Street Bunbury
Cost: \$25.00 per person includes supper

BOOKINGS: To hold your place at the "Rules of Environmental Marketing" seminar, fax this registration form back to 9791 6646, email admin@sbcw.asn.au or post this form to the **Small Business Centre Bunbury-Wellington, PO Box 1341, Bunbury WA 6231** with payment (\$25.00 per person). Upon payment this slip will become a Tax Invoice ABN 57 159 166 820

Attendees _____

Email: _____

Business Name: _____

Postal Address: _____

Phone: _____ Fax: _____

Payment Type: Cheque or Credit Card Amount _____ Name on Card: _____

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WINNING BUSINESS ONLINE



Are YOU Ready For E—Business?

In this cooperative learning workshop, you will learn how to take advantage of the internet to boost your business. We will look at what E-business is, the advantages and opportunities of E-business and how to harness the power of the internet.

The internet provides a great opportunity to grow and market a business but first it's important to understand exactly what it can offer. This module outlines how it can help subscribers target new areas, lower costs and provide 24hr customer service.

This workshop will be encouraging the sharing of experiences of what has and has not worked for your target market.

The workshop will help answer the following questions:

- What should you use your website for?
- Should the website be a brochure site (information only) or an e-commerce site?
- How do you build and design your own?
- What is all the fuss about that new business tool, social media and should you include it?
- How will the new tools such as Software-as-a-Service (SaaS) and Cloud Computing improve business performance and reduce costs?

Small Business case studies are included to demonstrate how the internet has been used to **increase sales** and **reduce costs**.

Making the Internet Work for Your Business

Supported by



An Australian Government Initiative

AusIndustry

Producers:



Koch's
BUSINESS BUILDERS



When: Tuesday 14th Sept 5.30pm—8.30pm
Where: 15 Stirling Street Bunbury
Cost: \$25.00 per person includes supper

NB: A fee of \$25 will be charged for non-attendance at the workshop. A cancellation fee of \$20 will be incurred if less than 48 hours notice is given.

BOOKINGS: To hold your place at the "Are You Ready For E-Business" workshop, fax this registration form back to 9791 6646, email admin@sbcbw.asn.au or post this form to the **Small Business Centre Bunbury-Wellington, PO Box 1341, Bunbury WA 6231** with payment (\$25.00 per person). Upon payment this slip will become a Tax Invoice ABN 57 159 166 820

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Visa Mastercard

Signature: _____

Close Gaps in Staff Recruitment & Performance

Attract - Retain - Motivate the right people
(without using income as the hook)

Like so many small business owners, are you looking for answers to fix —

- Low applicant numbers, or worse— lousy applicant quality
- Gaps between what you expect to get from new staff and what you actually get from them
- Staff leaving not long after starting or just when they are trained enough to give you a return
- Gaps in customer service standards, often leading to unhappy or disloyal customers
- Gaps in staff performance and/or attitudes, that often go by unaddressed

And when gaps are not closed or are left unaddressed; you are essentially (and inadvertently) providing your team with *permission* to continue

This workshop will provide the tools, training and insight you need to close these gaps now and in the future

From the *job ads you place*; through to *exiting staff out of your place*

All inclusive, you'll get -

- **Tools & training to improve the way your business attracts, recruits, inducts, develops and counsels members of staff.**
- **Highly interactive, enjoyable, hands-on learning.**
- **Real world, useful content designed in and for regional WA.**
- **Templates and tools for you to use back in your business.**
- **Full colour and clear workbooks for easy future reference.**
- **Post workshop phone support as needed, direct from the trainer.**

www.jeffaustin.com.au



Bunbury Trainer—Jeff Austin

When: Monday Sept 20th & Tues Sept 21st
Time: Mon—1.00pm—4.30pm, Tues 8.30am—12.00pm
Where: 15 Stirling St, Bunbury
Cost: \$220.00 including morning tea, lunch and afternoon tea.

NB: A fee of \$220 will be charged for non-attendance at the workshop. A cancellation fee of \$176 will be incurred if less than 48 hours notice is given

BOOKINGS: To hold your place at this Human Resources workshop fax this registration form back to 9791 6646, email admin@sbcbw.asn.au or post this form to the **Small Business Centre Bunbury-Wellington, PO Box 1341, Bunbury WA 6231** with payment (\$220.00 per person). Upon payment this slip will become a Tax Invoice ABN 57 159 166 820

Attendees _____

Email _____

Business Name: _____

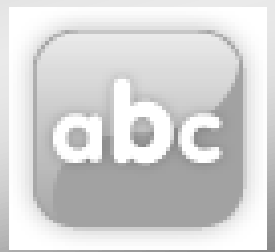
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Phone: _____ Fax: _____

Payment Type: Cheque or Credit Card Amount: _____ Name on Card: _____

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E-Business in Plain English

In this cooperative learning workshop, you will learn how to take advantage of the internet to boost your business. We will look at what E-business is, the advantages and opportunities of E-business and how to harness the power of the internet.

An easy to understand introduction to the world wide web and how it works and the hardware and software needed to get connected. It defines the key terms including everything from search engine optimization to spiders. It also looks at the biggest considerations when signing up to an ISP plan.

In this module, you will learn about how the internet and the World Wide Web works. We look at:

- Websites.
- Hardware and Software.
- Internet service providers.
- Tips for running an online business.

Further, the following questions will be answered:

- What's the difference between the internet and the World Wide Web?
- How does the internet work?
- What is a domain name?
- How do you get connected?
- What do you need to consider when signing up to a plan?

E-Business can seem confusing at first, but by working through this module, you'll gain a better understanding of the basics of e-business



Supported by



An Australian Government Initiative



Producers:



When: Tuesday 21st Sept 5.30pm—8.30pm
Where: 15 Stirling Street Bunbury
Cost: \$25.00 per person includes supper

NB: A fee of \$25 will be charged for non-attendance at the workshop. A cancellation fee of \$20 will be incurred if less than 48 hours notice is given.

BOOKINGS: To hold your place at the "E-Business in Plain English" workshop, fax this registration form back to 9791 6646, email admin@sbcbw.asn.au or post this form to the **Small Business Centre Bunbury-Wellington, PO Box 1341, Bunbury WA 6231** with payment (\$25.00 per person). Upon payment this slip will become a Tax Invoice ABN 57 159 166 820

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