

Shareholders' agreement questionnaire

**This is a sample only of part of our actual questionnaire
This sample is provided only to give an indication of the sort of
systems that we have to help our clients do their work
Contact us for further information**

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Questionnaire for shareholders' agreement

- 1.1 Full name and ACN of company _____
- 1.2 Business of the company is _____
- 1.3 Trading name of the business will be _____
- 1.4 Place of business will be _____
2. Bank details are:
- 2.1 Bank name _____
- 2.2 Branch _____
- 2.3 Either cheques signed by authority given from time to time to the bank
- 2.4 Or cheques signed by _____
3. The working capital requirements of the company will be
- 3.1
4. Dividend policy
5. Initial shareholding:
6. Can the directors dismiss a shareholder/employee for?
7. If a shareholder/employee ceases to be employed is the shareholder?
8. Are there any things that shareholders must not do?
9. Are there any things that shareholders must do?
10. Shareholders' meetings will be
11. The following shareholder decisions must be approved by
12. Will the directors be paid fees?
13. Will the company take out director's and officer's insurance?
- 13.1 The following board decisions must be approved by
- 13.2 Will there be any instances where directors will be required to consult with minority members before?

- 14. Will any **director's duties** be specific to
- 15. **A shareholder wanting to sell** must
- 16. Can a shareholder force the **other shareholders to buy its shares** if
- 17. **Can shareholder/employees resign and what happens to**
- 18. **Can a majority of shareholders** force another shareholder to sell his or her shares?
 - 18.1 Yes
 - 18.2 No
 - 18.3 If yes these are the reasons:
- 19. **Can a minority shareholder** force the other shareholders to
- 20. **Can one shareholder force a sale** of the whole business on the other shareholders?
- 21. Will the company take out life insurance to
- 22. **Will the company have keyman insurance?**
 - 22.1 Will the company take out **loss of income insurance** for employee/shareholders?
- 23. Shareholder/employee **death or disability** will be covered by:
- 24. **Other assets** of the company will be valued
- 24.1 by a method determined by _____
- 24.2 At Market Value determined by _____
- 24.3 At Fair Market Value determined by 2 people if no agreement (see note 3)
- 24.4 Fair Market Value determined by 3 people if no agreement (see note 4)
- 24.5 Other
- 25. **If some shareholders buy shares from another shareholder** the terms will be:
- 26. **If there is a deadlock** at board or shareholder level, will disputes be resolved by
- 27. If fails to resolve a dispute, the **deadlock will be resolved by**:
 - 27.1 clause
 - 27.2 Texas auction (see note 1)
 - 27.3 Dutch auction (see note 2)

- 27.4
- 28. **Restraint of Trade** for shareholder/employees after
- 29. **Run Off Professional Indemnity Insurance**
- 30. **Tag A Long & Drag Along Rights Applying to Sale of Shares**