

**ASSOCIATIONS INCORPORATION AMENDMENT  
ACT 1986**

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**No. 99 of 1986**

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## ASSOCIATIONS INCORPORATION AMENDMENT ACT 1986

No. 99 of 1986

**AN ACT to amend the Associations Incorporation Act 1964.**

[Royal Assent 10 December 1986]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Associations Incorporation Amendment Act 1986*. Short title.

**2**—(1) This section and section 1 shall commence on the day Commence-  
on which this Act receives the Royal assent. ment.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

**3**—In this Act, the *Associations Incorporation Act 1964*\* is Principal Act.  
referred to as the Principal Act.

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\* No. 64 of 1964. For this Act, as amended to 1st May 1986, see the continuing Reprint of Statutes.

Amendment of  
section 7 of  
Principal Act  
(Application for  
incorporation of  
association).

**4**—Section 7 of the Principal Act is amended by omitting subsections (2), (3), (4), (4A), and (5) and substituting the following subsections:—

(2) An application under subsection (1) shall—

(a) state—

- (i) the name of the association;
- (ii) the objects and purposes of the association;
- (iii) the date on which the applicant gave notice in a newspaper under section 3 of his intention to apply for the incorporation of the association and the name of the newspaper; and
- (iv) the name and address of the proposed public officer of the association;

(b) be accompanied by—

- (i) a copy of the rules of the association and any trusts relating to the association, and, if the rules or trusts are embodied in a deed, a copy of the deed;
- (ii) a statement that the model rules have been adopted without modification; or
- (iii) if the association has adopted the model rules with modification, a copy of the modification subject to which the model rules were adopted; and

(c) be accompanied by the relevant fee prescribed in the regulations.

(3) A person who, in making an application under subsection (1), makes, or causes to be made, a statement or representation in that application or in any accompanying document that is, to his knowledge, false or misleading in a material particular is guilty of an offence and is liable on summary conviction to a penalty not exceeding \$200.

Amendment of  
section 8 of  
Principal Act  
(Incorporation  
of association).

**5**—Section 8 of the Principal Act is amended by omitting subsection (2).

6—Section 10 of the Principal Act is amended by omitting subsection (4).

Amendment of section 10 of Principal Act (Change of name of incorporated association).

7—Section 14 of the Principal Act is amended as follows:—

Amendment of section 14 of Principal Act (Public officer of incorporated association).

(a) by omitting subsection (1) and substituting the following subsection:—

(1) The committee of an association shall—

(a) before an application is made under section 7 for the incorporation of the association under this Act, appoint a person who is resident in the State to be the public officer of the association on its incorporation; and

(b) if the office of public officer at any time becomes vacant, within 14 days after it becomes vacant, appoint a person who is resident in the State to fill that vacancy.

(b) by omitting from subsection (2) “ subsection (1) ” and substituting “ subsection (1) (b) ”.

8—Section 17 of the Principal Act is repealed.

Repeal of section 17 of Principal Act (Rules of an incorporated association).

9—Section 18 of the Principal Act is amended as follows:—

Amendment of section 18 of Principal Act (Alteration of rules, objects, &c., of incorporated association).

(a) by omitting subsection (2) and substituting the following subsection:—

(2) The public officer of an incorporated association shall, within one month after an alteration of—

(a) the rules of the association;

(b) the objects or purposes of the association; or

(c) any trusts relating to the association,

lodge with the Commissioner a notice of the alteration in the prescribed form.

(b) by omitting from subsection (4) “ rules, objects, or ” and substituting “ objects or ”.

Insertion in  
Principal Act  
of new  
section 22A.

**10**—After section 22 of the Principal Act, the following section is inserted:—

Calling of  
general meeting  
by members.

22A—Notwithstanding any provision in its rules, a general meeting of an incorporated association may be called by not less than 10 per cent of the members of the association entitled under the rules of the association to vote at a general meeting.

Amendment of  
section 36 of  
Principal Act  
(Liability of  
association on  
cancellation of  
incorporation).

**11**—Section 36 of the Principal Act is amended by omitting subsection (2).

Repeal of  
Schedule 1 to  
Principal Act  
(MATTERS TO  
BE PROVIDED  
FOR IN THE  
RULES OF AN  
ASSOCIATION).

**12**—Schedule 1 to the Principal Act is repealed.