

ASSOCIATIONS INCORPORATION ACT AMENDMENT ACT

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Queensland



ANNO TRICESIMO OCTAVO

ELIZABETHAE SECUNDAE REGINAE

No. 4 of 1989

An Act to amend the Associations Incorporation Act 1981
in certain particulars

[ASSENTED TO 30TH MARCH, 1989]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title. This Act may be cited as the *Associations Incorporation Act Amendment Act 1989*.

2. Commencement. (1) Section 1 and this section shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided by subsection (1), this Act shall commence on a day appointed by Proclamation.

3. Principal Act and citation as amended. (1) In this Act the *Associations Incorporation Act 1981* as amended by the *Companies (Consequential Amendments) Act 1981* and by the *Companies (Administration) Act 1981* is referred to as the Principal Act.

(2) The Principal Act as amended by this Act may be cited as the *Associations Incorporation Act 1981-1989*.

4. Amendment of s. 9. Application for incorporation. Section 9 of the Principal Act is amended by—

(a) numbering the present provisions as subsection (1);

(b) adding at the end of the section the following subsection:—

“(2) Where the person authorized to prepare the application is of the opinion, formed on reasonable grounds, that the proposed rules of the association, a copy of which is annexed to the application, are in accordance with the provisions of this Act he may certify to that fact in the prescribed form and annex the certificate to the application.”

5. Amendment of s. 12. Certificate of incorporation. Section 12 of the Principal Act is amended by, in subsection (2), omitting the words “and sanctioned by the Under Secretary” and substituting the following words:—

“and—

(a) in a case to which paragraph (b) does not apply—
sanctioned by the Under Secretary;

(b) where there was annexed to the application for the incorporation of the association a certificate in accordance with section 9 (2)—a copy of which was annexed to the application.”

6. Amendment of s. 26. Registration of rules. Section 26 of the Principal Act is amended by—

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

“(1) An incorporated association to which paragraph (a) of section 12 (2) applies shall, forthwith on receiving its certificate

of incorporation, lodge with the Under Secretary for registration by him a copy of its rules as sanctioned by the Under Secretary which copy is certified by the secretary of the incorporated association as being correct.

(1A) In the case of an incorporated association to which paragraph (b) of section 12 (2) applies the Under Secretary shall register the copy of the proposed rules of the association which was annexed to the application for the incorporation of the association as the rules of the incorporated association.”;

(b) in subsection (2), omitting the words “Such rules” and substituting the words “The rules of an incorporated association”.

7. Amendment of s. 64. Evidentiary provisions. Section 64 of the Principal Act is amended by, in subsection (2), omitting all words from and including the words “In any” to and including the words “Under Secretary” and substituting the following words”—

“In any legal proceedings, a copy—

(a) of any rules of an incorporated association;

or

(b) of any other document lodged with the Under Secretary,

certified by the Under Secretary”.