



Form 1

This form is effective from September 2023

Application for incorporation of an association

Associations Incorporation Act 2015 s4, 5, 7

Please read this information before completing this form

ABOUT THIS FORM

Clubs, groups, organisations or associations use this form to incorporate as an association under the *Associations Incorporation Act 2015* (the Act).

Before completing this form, members of the unincorporated group will need to:

- agree on a name for the association;
- decide on the rules (commonly referred to as a constitution) that will be used to govern the association; and
- appoint a person to prepare and submit this application to incorporate the association.

Information about incorporating and what to include in your rules is available on the Department's webpage [How to Incorporate an association](#)

RELATED INFORMATION

Proposed name:

- When choosing a name for an association it is important to appreciate that the name may be refused in certain circumstances, including where:
 - it is considered to be offensive or undesirable; or
 - it is likely to mislead the public as to the objective or purposes of the association; or
 - it is identical or resembles the name of an existing incorporated association and the public would likely be misled; or
 - it is the same as, or likely to be confused with a registered business, company or co-operative name; or
 - the name or words in the name are restricted by the Regulations.
- To check whether the proposed name is available lodge a 'Name Enquiry' using [AssociationsOnline](#). Simply login with your user account, click 'Start a new application' then select the "Check Name" button.

Rules



- The rules are a written document which governs the day to day management of the association. The rules must contain the following mandatory requirements:
 - the name of the association;
 - the objects or purposes of the association;
 - the quorum for committee and general meetings;
 - a not-for-profit clause; and
 - address every matter set out in [schedule 1](#) of the Act (listed in section F)
- The Departments publication [What's in the rules: explaining the Schedule 1 requirements](#) is useful in understanding the mandatory requirements.
- Associations can choose to use the [model rules](#), a complete set of rules prescribed by the Associations Incorporation Regulations that meets all of the mandatory requirements, as its rules. When using the model rules, the association can only choose its name, objects, quorums for meetings and financial year.
- Associations that intend to make significant changes to the model rules or write their own rules from scratch should consider seeking professional assistance.

FEES

Visit our [fees forms and online transactions](#) page for current application fees. GST is not payable on these fees.

HOW TO LODGE AND PAY

You can lodge online using our [AssociationsOnline](#) portal or else complete this form and return it, together with any supporting documents, using one of the following methods

 In person	<p>Pay in person using cash, cheque, money order or card (debit or credit) via our customer service counter at:</p> <p>Level 1, Mason Bird Building, 303 Sevenoaks Street CANNINGTON</p> <p>Hours: 8:30 am to 4:30 pm (weekdays)</p>
 Post	<p>Pay by mail with cheque or money order to:</p> <p>Department of Mines, Industry Regulation and Safety Associations & Charities Branch Locked Bag 100 EAST PERTH 6892</p> <p>Make cheques and money orders payable to “<i>Department of Mines, Industry Regulation and Safety</i>”</p>

NOTE: From September 2023, the Department will not accept payments by credit card for mailed forms. Card payments can only be made in person at our cashiering services.

WHAT HAPPENS NEXT

- The form and supporting documents will be reviewed. The contact person will be notified in writing if further information is needed.
- This form may not be processed if it is:
 - incomplete or is not completed correctly;
 - received without payment; and
 - not accompanied by the necessary supporting documents.
- If the submitted rules do not address the schedule 1 matters (set out in section F) you may be asked to amend the rules.
- If the application is approved, the association will be incorporated and the contact person will receive a certificate of incorporation showing the name, registration number (IARN) and date of incorporation.
- If any change occurs in the provided information, notify the Department as soon as possible.

PRIVACY

The Department of Mines, Industry Regulation and Safety is collecting and holding information supplied for the purposes of the *Associations Incorporation Act 2015* (the Act).

In accordance with the Act, a copy of this form and any documents lodged with will be available for inspection and purchase by the public upon payment of a prescribed fee. In other instances, information on this form can be disclosed without your consent where authorised or required by law.

CONTACT

For assistance with completing this form, or information about the progress of an application, contact the Associations and Charities Branch by:

Telephone **1300 30 40 74 or (08) 6552 9300** (8:30 am to 4:30 pm weekdays)

Email associations@dmirs.wa.gov.au

Website www.dmirs.wa.gov.au/associations

The above information is intended as a guide only and is included to assist you in completing and lodging this form. This page is not part of the form. If required, professional advice should be obtained regarding the matters dealt with in this form



FORM 01

Application for incorporation of an association

Associations Incorporation Act 2015 s4, 5, 7

Clubs, groups, organisations or associations use this form to incorporate as an association under the *Associations Incorporation Act 2015* (the Act).

Instructions

- Type directly into this form electronically before printing and signing or else complete by hand using blue or black pen and print in BLOCK letters.
- Complete Sections A,B,C,D & G in every case.
- Associations using the Model Rules without modification, complete Section E
- Associations using Own rules, or customised prescribed model rules complete Section F and attach a full copy of the rules.
- Make a copy of this application (including attachments) for your own records.

OFFICE USE ONLY

SECTION A: PROPOSED INCORPORATED ASSOCIATION NAME

1. What is the proposed name of the association applying for incorporation?

Inc. Incorporated

SECTION B: ELIGIBILITY

2. Which of the following categories best describe the association's main purpose?

- | | |
|---|--|
| <input type="checkbox"/> Religious purposes | <input type="checkbox"/> Resource conservation |
| <input type="checkbox"/> Educational purposes | <input type="checkbox"/> Preserving any part of the environmental, historical or cultural heritage of the State |
| <input type="checkbox"/> Charitable or benevolent purposes | <input type="checkbox"/> Promoting the interests of a local community or section of a local community |
| <input type="checkbox"/> Promoting or encouraging literature, science or the arts | <input type="checkbox"/> Establishing, carrying on or improving a community centre |
| <input type="checkbox"/> Sport, recreation or amusement | <input type="checkbox"/> Promotion of the common interests of persons engaged or interested in, a particular business, trade or industry |
| <input type="checkbox"/> Political purposes | <input type="checkbox"/> Promotion of interests of students and staff of an educational institution |
| <input type="checkbox"/> Providing medical treatment or attention | <input type="checkbox"/> Promoting the interests of persons suffering from a physical, mental or intellectual disability or condition |
| <input type="checkbox"/> Other – Describe in the space below. Commissioner's approval required. | |

3. Is the association formed to provide a pecuniary profit for its members?

A pecuniary profit is monetary or financial gain. An incorporated association may make a profit, but these must be used for the association's activities and must not be distributed to members.

☐ No

☐ Yes

4. Does the association currently have at least six members with full voting rights under its proposed rules?

Members can include any person who has been accepted as a member, not only committee members.

☐ Yes

☐ No

SECTION C: ASSOCIATIONS ADDRESSES

5. What is the proposed association's address?

Provide an address that the public could use to send correspondence and contact the Association.

Suburb

State

Postcode

6. What is the proposed association's email address?

This is the main email address for the Association. The Association's email address should be a generic email address or an email that members of its governing body have access to.

7. What is the proposed association's address for service of notice?

The address for service is the address that official documents can be delivered (served) on the association.

☐ Tick if the address for service is same as the association's address.

Suburb

State

Postcode

SECTION D: THE RULES

8. The rules that the association will use upon incorporating is:

☐ the [MODEL RULES](#) ► Complete Section E

☐ its OWN RULES ► Complete Section F

SECTION E - MODEL RULES

Complete this section if the association is using the model rules. The model rules can be viewed at www.commerce.wa.gov.au/modelrules

If any changes or customisation was made to the model rules (apart from the items listed below) complete Section F – Own Rules instead.

A: The name of the Association is:

Insert the name as per question 1. The name must end with the word 'Incorporated' or 'Inc.'

B: The objects of the Association are:

Insert a clear explanation of what the association is established for or intends to do and achieve.

C: The amount of members personally present and entitled to vote under the rules that will constitute a quorum for the conduct of business at a general meeting is:

A quorum is the minimum number or percentage of members who must be present to legally make decisions at the general meeting. The amount should be achievable, without being so small that general membership is left without adequate representation.

D: The amount of committee members to constitute a quorum for the conduct of business at a committee meeting is:

The quorum is the minimum number or percentage of committee members who must be present to legally make decisions at a committee meeting. If the amount is too high, it may be difficult to conduct business, but if set too low, the management of the association may not have an adequate spread of responsibility, experience, and representation.

E: The financial year for the association will the 12 month period ending on:

(DD/MM)

SECTION F: OWN RULES

Use this section if the association is using its Own rules or has made changes (customised) the model rules

Fill in the table by stating the rule number/(s) that deal with listed matter in the space provided. Possible wording for any or all of these matters may be found in the model rules.

Matters for own rules	Clause number from associations rules
1. The name of the incorporated association.	
2. The objects or purposes of the incorporated association.	
3. The eligibility criteria (if any) for a person to become a member of the association and details on when membership starts and ends. (example – see model rule 4,7 and 9)	
4. The register of members of the incorporated association. (example – see model rule 13)	
5. The entrance fees, subscriptions and other amounts to be paid by members (if any). (example – see model rule 12)	
6. The name, composition and powers of the management committee including: (example – see model rule 26)	
a. The election or appointment of members of the committee. (example – see model rule 33)	
b. The terms of office of members of the committee. (example – see model rule 35)	
c. The grounds on or reasons for which the office of a member of the committee shall become vacant. (example – see model rule 37)	
d. The filling of casual vacancies occurring on the committee. (example – see model rule 38)	
e. The quorum and procedure at meetings of the committee. (example – see model rule 41-43)	
f. The making and keeping of records of the proceedings at meetings of the committee. (example – see model rule 47)	
g. The circumstances (if any) in which payment may be made to a member of the committee out of the funds of the association. (example – see model rule 40)	
7. The quorum and procedure at general meetings of members of the incorporated association. (example – see model rule 55-60)	
8. The notification of members or classes of members of general meetings and their rights to attend and vote at those meetings. (example – see model rule 52,66, 8(5) and 57)	
9. The time within which, and manner in which, notices of general meetings and notices of motion are to be given, published or circulated. (example – see model rule 66)	
10. The percentage of members who may at any time require that a general meeting be convened. (example – see model rule 52(2))	
11. The manner in which the funds of the association are controlled. (example – see model rule 62)	
12. The day in each year on which the financial year of the incorporated association commences.	
13. The intervals between general meetings of members and the manner of calling general meetings. (example – see model rule 51)	
14. The manner of altering and rescinding the rules and of making additional rules of the incorporated association. (example – see model rule 72)	
15. Provisions for the custody and use of the common seal of the incorporated associations (if it has one). (example – see model rule 65)	
16. The custody of books and securities of the incorporated association. (example – see model rule 67)	
17. The inspection by members of the incorporated association of records and documents of the incorporated association. (example – see model rule 69)	
18. A procedure for dealing with any dispute under or relating to the rules between members and between members and the incorporated association (example – see model rule 17 to 25)	
19. The manner in which surplus property of the incorporated association must be distributed or dealt with if the association is wound up or its incorporation cancelled. (example – see model rule 71)	
20. A statement that the property and income of the association must be applied solely towards promoting the association's objects or purposes and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in promoting those objects or purposes. (example – see model rule 3)	

A copy of the association's Own Rules is attached

The financial year end for the association, as set out in the attached rules, will be:

(DD/MM)

SECTION G: APPLICANT'S DECLARATION & DETAILS

Provide the name and particulars of the person making this application:

I certify that:

- I am duly authorised to apply for incorporation of the above named association under the Act;*
- the particulars within this application and the accompanying rules, if any, are true and correct;*
- I have prepared this application in accordance with the information supplied by the association; and*
- I acknowledge that it is an offence under section 177 of the Act to make a false and misleading declaration in relation to this application.*

Signature

Date signed

Title

☐

Mr

Mrs

Ms

Miss

Other, please specify ►

Name

Surname

Address

(Street or PO)

Suburb

State

Postcode

Email

Telephone

IMPORTANT: Before you sign this application, check that you have provided true and correct information.

Privacy Statement – please read. The Department of Mines, Industry Regulation and Safety, Consumer Protection Division is collecting and holding information supplied for the purposes of the Act. In accordance with this legislation, a copy of this form and the information it contains will be available for purchase by the public upon payment of a prescribed fee.

CONTACT FOR THIS APPLICATION

Who should the Department contact if there is a query about this application form?

The applicant (submitter)

Another person ► Provide the contact's details below:

Title

Mr

Mrs

Ms

Miss

Other, please specify ►

Name

Surname

Address

(Street or PO)

Suburb

State

Postcode

Email

Telephone