



AssociationsInfo

Associations Incorporation Bill introduced into Parliament

Consumer Protection is pleased to announce that on 11 September 2014 a Bill was introduced into the Western Australian Parliament to replace the existing Associations Incorporation Act 1987.

This special edition of **AssociationsInfo** will introduce you to the *Associations Incorporation Bill 2014* (the Bill) and explain what associations and clubs should do to keep up to date with its progress.

Consumer Protection acknowledges the contributions made by the sector to the development of the Bill, and appreciates the strong levels of interest and engagement which have been a feature of the consultation process.

What changes are proposed?

Some of the key features of the Bill include:

- A system of financial reporting and accountability designed to minimise the reporting burden on smaller associations, whilst recognising that larger associations should be accountable for the significant resources under their control;
- A flexible approach to what contact information a member must provide to their association as well as limits on what can be done with that information;
- A modernised statement of the duties of committee members and officers which formalises the duties that already exist under other laws;
- A process for the appointment of a statutory manager to administer the affairs of an association as an alternative to the winding up or cancellation of an association when it is not functioning effectively and efforts to resolve the situation have been unsuccessful.
- A dispute resolution system that requires associations to have an internal dispute resolution process in its rules and that unresolved disputes can be heard by the State Administrative Tribunal;
- Removal of the restriction on an association to carry on business or trading ventures, provided that all profits from the activities are used to further the association's objects or purposes and that individual members do not profit from such activities;
- A lengthy transition period of three years to allow associations to update their rules/constitution; and
- A simplified and streamlined process for associations to resolve their affairs and cancel their incorporation.

What happens now?

Until the Bill is passed by Parliament these new provisions will not have any effect and the current requirements and obligations of the *Associations Incorporation Act 1987* will apply.

The Department will provide information updates as the Bill progresses so it is important to keep your contact information with the Department up to date. You can view the contents of the Bill by [clicking here](#).

You can check your contact information and update any changes by using [AssociationsOnline](#). You will need a user name and password and this can be obtained by [clicking here](#) for an enrolment form.

If you have any questions please telephone the Associations Branch on **1300 30 40 74** or email us associations@commerce.wa.gov.au for more information.

Have your say on the Model Rules

The new legislation proposes that a set of Model Rules will be included in the Regulations. The Model Rules will apply if adopted by an association upon its incorporation or at a later date, or whenever an association's rules do not meet the requirements of the new legislation.

The Draft Model Rules have been made available for public comment and the Department is looking for feedback about a number of specific issues in the Model Rules.

For more information about the consultation process and to view the Draft Model Rules [click here](#).

We are moving

The Associations and Charities Branch is relocating to West Perth during November this year. If you need to visit us in person or call us you can find us at:

WestCentre, Level 5, 1260 Hay Street WEST PERTH WA 6005

When we move our postal address and other contact details will remain unchanged:

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