

CE301\*

Associations Incorporation Act 1987  
Criminal Procedure Act 2004

## **Associations Incorporation Amendment Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Associations Incorporation Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the later of —

- (a) the day on which they are published in the *Gazette*; and
- (b) the day on which the *Criminal Procedure Amendment Regulations (No. 2) 2006* come into operation.

**3. The regulations amended**

The amendments in these regulations are to the *Associations Incorporation Regulations 1988*\*.

[\* Reprinted as at 11 October 2002.

For amendments to 26 May 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 29.*]

**4. Regulation 9 replaced**

Regulation 9 is repealed and the following regulation is inserted instead —

“

**9. Forms**

The forms set out in Schedule 1 are prescribed in relation to the matters specified in those forms.

”.

**5. Regulation 17 replaced**

Regulation 17 is repealed and the following regulation is inserted instead —

“

**17. Infringement notices**

- (1) The offences specified in Schedule 3 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 3 is the modified penalty for that offence for the purposes of section 5(3) of the *Criminal Procedure Act 2004*.
- (3) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of Part 2 of the *Criminal Procedure Act 2004*.
- (4) The Commissioner is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

”.

## 6. Schedule 1 amended

Schedule 1 is amended after Form 4 by inserting the following forms —

“

### Form 5

<i>Associations Incorporation Act 1987</i>		Infringement notice no.
<b>Infringement notice</b>		
<b>Alleged offender</b>	Name: Family name _____	
	Given names _____	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____
<b>Alleged offence</b>	Description of offence _____	
	<i>Associations Incorporation Act 1987 s.</i>	
	Date _____ / _____ /20	Time _____ a.m./p.m.
	Modified penalty \$ _____	
<b>Officer issuing notice</b>	Name _____	
	Signature _____	
	Office _____	
<b>Date</b>	Date of notice _____ / _____ /20	
<b>Notice to alleged offender</b>	<p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p><b>How to pay</b></p> <p><b>By post:</b> Send a cheque or money order (payable to ‘Approved Officer — <i>Associations Incorporation Act 1987</i>’) to: Approved Officer — <i>Associations Incorporation Act 1987</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p><b>In person:</b> Pay the cashier at: Department of Consumer and Employment Protection 219 St George’s Terrace, Perth WA</p> <p><b>If you do not pay</b> the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver’s licence and/or vehicle licence may be suspended.</p> <p><b>If you need more time</b> to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.</p>	
	<p><b>If you want this matter to be dealt with by prosecution in court</b>, sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.</p>	

## Form 6

<i>Associations Incorporation Act 1987</i>		Withdrawal no.
<b>Withdrawal of infringement notice</b>		
<b>Alleged offender</b>	Name: Family name	
	Given names	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____
<b>Infringement notice</b>	Infringement notice no. _____	
	Date of issue / /20	
<b>Alleged offence</b>	Description of offence _____	
	<i>Associations Incorporation Act 1987 s.</i>	
	Date / /20	Time a.m./p.m.
<b>Officer withdrawing notice</b>	Name _____	
	Signature _____	
	Office _____	
<b>Date</b>	Date of withdrawal / /20	
<b>Withdrawal of infringement notice</b>	The above infringement notice issued against you has been withdrawn.	
	If you have already paid the modified penalty for the alleged offence you are entitled to a refund. * Your refund is enclosed.	
<i>[*delete whichever is not applicable]</i>	or * If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to: Approved Officer — <i>Associations Incorporation Act 1987</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850	
	Signature _____	/ /20

7. **Schedule 3 inserted**

After Schedule 2 the following Schedule is inserted —

**Schedule 3 — Prescribed offences and modified penalties**

[r. 17]

<b>Offences under <i>Associations Incorporation Act 1987</i></b>		<b>Modified penalty</b>
s. 22	Member of committee with pecuniary interest taking part in deliberations or decision .....	\$100
s. 39(5)(a)	Failing to produce records .....	\$100
s. 44	Unincorporated person using name including "incorporated" .....	\$40

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.