

[523]



# Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

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No. 14]

PERTH: THURSDAY, 1 MARCH

[1984

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ASSOCIATIONS INCORPORATION ACT 1895.

## THE ASSOCIATIONS REGULATIONS 1953.

Published in the *Government Gazette* on 11 December 1953 and now reprinted, pursuant to the Reprinting of Regulations Act 1954, incorporating the amendments thereto published on—

11 December 1959;  
30 June 1978;  
5 December 1980;  
12 November 1982; and  
28 October 1983.



Reprinted pursuant to the Reprinting of Regulations Act 1954 by authority of the Attorney General dated 28 February 1984.

## THE ASSOCIATIONS REGULATIONS 1953.

1. These Regulations may be cited as The Associations Regulations 1953.
2. In these Regulations and in the forms in Schedule I to these Regulations—
  - (a) "the Act" means the Associations Incorporation Act 1895-1953<sup>1</sup>;
  - (b) "Registrar" means the Registrar as defined in Section 2 of the Act;
  - (c) without affecting the generality of the term "document" includes notice, affidavit and memorial.

### Preparation of Documents.

3. All documents prepared for filing with the Registrar shall—
  - (a) be accompanied when filed by the appropriate fee;
  - (b) be legibly and clearly written, typewritten or printed;
  - (c) be prepared on paper of medium weight and good quality and in a clean and un mutilated condition, and (with the exception of the Rules, Regulations or Constitution of an association) on paper of foolscap folio size;
  - (d) where the document comprises two or more sheets be secured together in a sufficient manner.
4. Except by special leave of the Registrar granted upon such conditions as he may think fit, a document which does not comply with regulation 3 of these regulations shall not be received by the Registrar.
5. The Registrar may require fresh copies of any document which is improperly filled in or which shows traces of erasures or which contains any alterations and the fresh copies shall be prepared and signed in the manner prescribed by the Act or by these regulations in respect of the original document. Every alteration made in any document or form shall be initialled by the person who signed the document or form in which the alteration has been made and by the witness, if any.

[Regulation 5A. Inserted by G.G. 11/12/59, p. 3099. Repealed by G.G. 12/11/82, p. 4451.]

6. Where the Attorney General issues a certificate pursuant to section 2 or section 7A of the Act that certificate shall be filed with the Registrar with the memorial for incorporation or the notice of change of objects, as the case may be.

7. Where any document or part thereof required to be filed with the Registrar is not written in the English language that document or part, unless the Registrar otherwise directs, shall be accompanied by a translation thereof certified by the statutory declaration of a person approved by the Registrar.

### Prescribed Forms.

8. The forms set out in Schedule I to these regulations, or forms to the like effect, shall be used for the purposes for which they are respectively appropriate and the particulars contained therein are hereby prescribed as the particulars required in the Act. The directions contained in any such form for the completion thereof shall be observed.

9. The forms prescribed by these regulations may be modified in a particular case by authority of the Registrar. Any document or form not provided for in these regulations may be provided for and any irregularity in procedure may be corrected in such form or manner as the Registrar may direct.

<sup>1</sup> Now Associations Incorporation Act 1895-1982.

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## Prescribed Fees.

Amended by G.G. 30/6/78, p. 2136. 10. (1) The fees set out in Schedule II to these regulations shall be paid to the Registrar for the several matters therein referred to.

(1a) Notwithstanding subregulation (1) of this regulation and Schedule II to these regulations, no fee shall be payable to the Registrar by any person for the inspection of the memorial and the rules and regulations or Trust or Settlement deed of an Association as the case may be, prior to the incorporation of the Association under the provisions of the Act.

(2) Any person or corporation furnishing to the Registrar any document required by the Act or these regulations without payment of the prescribed fee, and failing or neglecting to pay such fee forthwith after being called upon by the Registrar by notice in writing to do so shall be guilty of an offence and shall be liable to a penalty not exceeding forty dollars.

## Schedule I.

## List of Forms.

## Form.

1. Section 3 (1) "Memorial for Incorporation."
2. Section 3 (1) "Affidavit verifying Memorial and Rules."
3. Section 3 (2) "Notice."
4. Section 3 (3) (a) "Affidavit verifying advertisement."
5. Section 3 (3) "Certificate of Incorporation."
6. Section 5 (1) "Memorial of Seal holders."
7. Section 5 (1) "Affidavit verifying Memorial of Seal-holders."
8. Sections 5 (3) (a), 5 (3) (b), and 7A (3) "Affidavit verifying alteration of Rules or Change of Name."
9. Section 7 (1) (a) "Notice of Change of Name."
10. Section 7 (1) (a) "Affidavit verifying advertisement of change of name."
11. Section 7 (1) "Certificate of Change of Name."
12. Section 10 (1) "Memorial of Real Estate and Declaration verifying."

"A"

Form 1.

## MEMORIAL FOR INCORPORATION.

Filed in pursuance of Associations Incorporation Act 1895-1953.

Section 3 (1).

This is the Memorial marked  
"A" referred to in the pre-  
ceding affidavit sworn before  
me this                    day of  
   Justice of the Peace.

1. Name of Association.
2. Principal object or purpose of the Association.
3. District where situated or established and postal address.
4. Names, addresses and descriptions of principal office bearers for the time being.
5. Names and addresses of trustees (if any) of property of the Association.

Form 2.

AFFIDAVIT VERIFYING MEMORIAL AND RULES.

Pursuant to the Associations Incorporation Act 1895-1953.

Section 3 (1).

I, (or We)

of

make oath

and say that:—

1. I am (or, We are) duly authorized by the members of ( set out name of Association ) to apply for incorporation of such body under the provisions of the above Act; (or) 1. I (or, We) trustee(s) of the property of ( set out name of Association ) intend to apply for incorporation of such body under the provisions of the above Act.

2. The Memorial, marked "A" attached hereto, is a true statement of the several particulars therein mentioned.

3. The paper writing, marked "B" attached hereto, is a true copy of the constitution (or rules and regulations)\* of such body.

Sworn at

this day of

one thousand nine hundred and

Before me

Justice of the Peace.

Note.—The alternatives for paragraph 1 above are to provide for application for incorporation by persons so authorized by a majority of members or by trustees.

\* Delete words not required.

Form 3.

NOTICE.

Associations Incorporation Act 1895-1953.

Section 3 (2).

( Set out name of Association. )

NOTICE is hereby given that (insert full name(s), address(es) and occupation(s) of authorized person(s) or trustees) being authorized by a majority of members (or being trustees)\* of the abovenamed Association intend to apply to the Commissioner for Corporate Affairs on or after (insert date being at least one calendar month after the second publication of this notice) for incorporation of ( set out name of Association ).

A memorial giving short particulars of the Association and a copy of its constitution have been lodged at the Companies Office, Supreme Court, Perth. Such documents may be inspected there by any person free of charge prior to the incorporation of the Association.

(To be signed by person(s) applying for incorporation.)

\*Delete the words which do not apply.

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AFFIDAVIT VERIFYING ADVERTISEMENT.

Form 4.

Associations Incorporation Act 1895-1953.

Section 3 (3) (a).

I, (or, We) of and say that:—

make oath

1. Notice of intention to incorporate ( set out name of Association ) has been duly published in Western Australia in the issues of the newspaper published on the day of and on the day of respectively.

2. Attached hereto marked "C" and "D" respectively, are the pages of the newspaper containing the publications of the said notice. Sworn at

this day of one thousand nine hundred and Before me,

Justice of the Peace.

Note.—The above affidavit is to be sworn by the trustee(s) or authorized person(s) applying for the incorporation.

Western (Arms) Australia.

Form 5.

CERTIFICATE OF INCORPORATION.

Associations Incorporation Act 1895-1953.

Section 3 (3).

These are to certify that has this day been incorporated as an Association under the provisions of the Associations Incorporation Act 1895-1953.

Dated this day of 19

Commissioner for Corporate Affairs.

Form 6.

This is the paper writing marked "E" referred to in the preceding Affidavit and sworn before me this day of

Justice of the Peace.

Associations Incorporation Act 1895-1953.

Section 5 (1).

Memorial of the name and residence of the person(s) authorized to use the Common Seal of incorporated under (Insert name or style of the Association.)

the provisions of the Associations Incorporation Act 1895-1953.

Full name of each person. Place of abode. Occupation. Impression of Seal. (Specimen signatures of the abovenamed.)

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## AFFIDAVIT VERIFYING MEMORIAL OF SEALHOLDERS.

Form 7.

Associations Incorporation Act 1895-1953.

(Section 5 (1).)

I, (or We)  
of  
and say:—

make oath

1. That the paper writing hereunto annexed marked "E" contains a true statement of the several particulars therein mentioned.

2. That I am (or, We are) the person(s) therein named, and authorized by the to use the Common Seal of the

3. That the seal thereon impressed is the Common Seal of the said Association.

4. That I (or, We) have duly countersigned the said Memorial, and that the signature(s) therein appearing is in my (or, are in our) own proper handwriting.

Sworn at in  
Western Australia, this day  
of one thousand nine  
hundred and  
Before me

Justice of the Peace.

Form 8.

## AFFIDAVIT VERIFYING ALTERATION OF RULES OR CHANGE OF NAME.

Associations Incorporation Act 1895-1953.

Sections 5(3) (a), 5 (3) (b) and 7A (3).

(Insert the name of the Association.)

I, (or We) (a)  
of  
and say:—

make oath

1. That the paper writing hereunto annexed, marked "F" contains a true copy of (b)

2. That (c) the person authorized for the time being to use the Common Seal of the Association.

3. That the sanction required by the constitution of the Association to such (d) has been duly given.

Sworn at in Western Aus-  
tralia this day of  
one thousand nine hundred and  
before me.

Justice of the Peace.

(a) Insert the full names, address and occupation of the person(s) authorized for the time being to affix the common seal.

(b) Insert "amendments to Rules and Regulations of," "additional rules," "alteration of objects of," "change of name of" or "amended constitution of" as the case may be and add the name of the Association.

(c) Insert "I am" or "we are."

(d) Insert "amendments to Rules and Regulations," "additional rules," "alteration of objects," "change of name" or "amended constitution," as the case may be.

Note.—Upon any change in the objects of a registered association it is necessary for the association to obtain the certificate of the Attorney-General that the association continues to be one to which the facilities of the Act ought to be extended. Such certificate must be filed.

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Form 9.

## NOTICE OF CHANGE OF NAME.

Associations Incorporation Act 1895-1953.

Section 7 (1) (a).

(Insert the new name of the Association.)

NOTICE is hereby given that the name of (insert former name of Association) has, with the approval of the Commissioner for Corporate Affairs, been changed to (insert new name of Association).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

(Here add the name and office of the principal office bearer of the Association.)

Form 10.

## AFFIDAVIT VERIFYING ADVERTISEMENT OF CHANGE OF NAME.

Associations Incorporation Act 1895-1953.

Section 7 (1) (a).

I, \_\_\_\_\_ of \_\_\_\_\_  
make oath and say that

1. I am the (insert designation of principal office bearer and the new name of the Association).

2. Notice of the alteration of name of (insert former name of Association) to (insert new name) was advertised in the (name of paper) newspaper on the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

3. Attached hereto and marked "G" is the page of the said newspaper showing the said advertisement.

Sworn at

this \_\_\_\_\_ day of \_\_\_\_\_

19 .

Before me

Justice of the Peace.

Form 11.

Western (Arms) Australia.

## CERTIFICATE OF CHANGE OF NAME.

Associations Incorporation Act 1895-1953.

Section 7 (1).

These are to certify that the name of \_\_\_\_\_ incorporated as an Association under the provisions of the Associations Incorporation Act 1895, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 , has been changed to \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

.....  
Commissioner for Corporate Affairs.



Form 12.

Associations Incorporation Act 1895-1953.

Section 10 (1).

MEMORIAL of the real estate vested in the trustees of (insert name or style of Association) incorporated under the provisions of the Associations Incorporation Act 1895:—

Name or Names of Trustees.	Name of Incorporated Association.	Description of Property and nature of Tenancy.
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I, (or We) of \_\_\_\_\_ do hereby solemnly and sincerely declare that to the best of my (or our) knowledge and belief the above memorial contains a true statement of the names of the trustees (or trustee) in whom the real estate of the said Association was vested, and also a true description of all such real estate.

And I (or We) make this solemn declaration by virtue of section 106 of the Evidence Act 1906.

Declared at \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_  
 19 \_\_\_\_\_  
 Before me \_\_\_\_\_

Schedule II.

TABLE OF FEES TO BE PAID TO REGISTRAR.

Substituted by  
*G.G.* 5/12/80,  
 p. 4094.  
 Amended by  
*G.G.* 28/10/83,  
 p. 4365.

(1) For registration of an Association and issue of Certificate of Incorporation	\$30.00
(2) For registration of Change of Name and issue of certificate thereon	\$20.00
(3) On filing certificates of Attorney General pursuant to section 2 or 7A of the Act	\$20.00
(4) On service of a subpoena on the Registrar to produce any documents in his custody	\$10.00
and in addition, if the Registrar so requires, such other expenses as are reasonably incurred in the production of the document including the sum of 20c for each page or copy of a page of each document so produced.	
(5) For inspection of a document or documents filed with the Registrar by or in relation to an Association	\$1.50
(6) (a) For the supply of an uncertified copy or print of any document where the fee prescribed by item 5 of this Schedule has been paid—	
For each page of the copy or print	\$0.20
(b) For the supply of an uncertified copy or print of any document without inspection having been made—	
For the first two pages of the copy or print	\$1.50
For each additional page	\$0.20
(7) (a) For certifying a copy of or extract from any document filed with the Registrar of which a typewritten or printed copy is supplied by an applicant—	
For one page	\$2.00
For each additional page	\$0.50
(b) For the supply of a certified copy or print of any document filed with the Registrar—	
For one page	\$3.00
For each additional page	\$1.50