

TASMANIA

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**ASSOCIATIONS INCORPORATION AMENDMENT  
BILL 2011**

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# **ASSOCIATIONS INCORPORATION AMENDMENT BILL 2011**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*  
29 September 2011

*(Brought in by the Minister for Corrections and Consumer  
Protection, the Honourable Nicholas James McKim)*

## **A BILL FOR**

### **An Act to amend the *Associations Incorporation Act 1964***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *Associations Incorporation Amendment Act 2011*.

#### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

*Associations Incorporation Amendment Act 2011*  
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**3. Principal Act**

In this Act, the *Associations Incorporation Act 1964\** is referred to as the Principal Act.

**4. Section 25B amended (Effect of transfer of incorporation)**

Section 25B of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

- (2) Where a company is incorporated as an association under section 25A –
  - (a) the incorporated association is a continuation of, and the same legal entity as, the company; and
  - (b) the directors of the company become the committee of the incorporated association for the purposes of this Act; and
  - (c) the assets of the company vest in the incorporated association subject to any subsisting trusts, covenants or contractual obligations; and
  - (d) the rights and liabilities of the company become rights and liabilities of the incorporated association; and

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\*No. 64 of 1964

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- (e) any claims or proceedings initiated by or against the company may be pursued by or against the incorporated association in its own name or in the name of the company.

**5. Repeal of Act**

This Act is repealed on the ninetieth day from the day on which it commences.