

TASMANIA

**ASSOCIATIONS INCORPORATION AMENDMENT
BILL 2011**

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**ASSOCIATIONS INCORPORATION AMENDMENT
BILL 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.

3. Principal Act

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

*No. 64 of 1964

Associations Incorporation Amendment Act 2011
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s. 4

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
 - (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.

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5. Repeal of Act

This Act is repealed on the ninetieth day from the day on which it commences.