

TASMANIA

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**ASSOCIATIONS INCORPORATION AMENDMENT  
BILL 2016**

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# **ASSOCIATIONS INCORPORATION AMENDMENT BILL 2016**

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.

SHANE DONNELLY, *Clerk of the House*  
3 May 2016

*(Brought in by the Minister for Building and Construction, the  
Honourable Adam Richard Brooks)*

## **A BILL FOR**

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

Be it enacted by Her 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 2016*.

#### **2. Commencement**

This Act commences on 1 October 2016.

#### **3. Principal Act**

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

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\*No. 64 of 1964

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**4. Section 2 amended (Interpretation)**

Section 2(2)(a) of the Principal Act is amended by omitting “constitution, regulations, and by-laws (if any)” and substituting “constitution and regulations”.

**5. Section 24 amended (Accounts and audit)**

Section 24 of the Principal Act is amended as follows:

(a) by omitting from subsection (1) “subsection (1B)” and substituting “subsection (1B) or (1C)”;

(b) by inserting the following subsection after subsection (1B):

(1C) An incorporated association is exempt from complying with subsection (1) in relation to a financial year if the revenue of the registered entity for that financial year is less than –

(a) \$250 000; or

(b) such other amount as is prescribed for the purposes of this section.

**6. Section 24B amended (Annual returns)**

Section 24B of the Principal Act is amended as follows:

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- (a) by omitting from subsection (1) “section 24(1B)” and substituting “section 24(1B) or (1C)”;
- (b) by omitting from subsection (1A) “section 24(1B)” and substituting “section 24(1B) or (1C)”;
- (c) by inserting the following subsections after subsection (1A):

(1B) Despite subsection (1) or (1A), an incorporated association is not required to provide an annual return under this section for a financial year if the incorporated association –

- (a) was a registered entity, within the meaning of the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth, for all or part of the financial year; and

- (b) has, in respect of the financial year, complied with the financial and reporting requirements of that Act.

(1C) An incorporated association to which subsection (1B) applies in respect of a financial year must, within 30 days after being

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requested to do so by the Commissioner, provide the Commissioner with a copy of the annual financial report given in respect of the financial year under the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth.

Penalty: Fine not exceeding 20 penalty units.

**7. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.