Part 1—Information about the current association

Note: the secretary of a new association must, within 30 days after incorporation, request the Registrar of Titles in writing to record in the appropriate register details of land or any interest in land gained by the new association because of its incorporation under the Act.

a) Application is hereby made under the Associations Incorporation Act 1981 for incorporation of a new association following the decision to amalgamate by the members of:

Incorporated association number ..........................................................................................

Association name A ................................................................................................................

Incorporated association number ..........................................................................................

Association name B ................................................................................................................

(Note should more than two associations decide to amalgamate a separate list should be attached referenced C, D etc)

b) The total amount owing to creditors in relation to association name A is $ ................................

The total amount owing to creditors in relation to association name B is $ ................................

(Note should more than two associations decide to amalgamate a separate list should be attached)

c) Are the current associations branches of another association?

☐ Yes—please go to (d).  ☐ No—please go to (e).

d) If branches, what is the full name of the parent association?

................................................................................................................................................

................................................................................................................................................

................................................................................................................................................

................................................................................................................................................

e) Does either current association own or lease land or hold an interest in land?  ☐ Yes  ☐ No

If yes, please provide details ....................................................................................................

................................................................................................................................................

................................................................................................................................................

................................................................................................................................................

................................................................................................................................................

................................................................................................................................................
Part 2—Proposed name of the amalgamated association

The association's name must include either 'Inc.' or 'Incorporated'. * Please tick whichever is applicable. If the association is a branch, it must include the word 'branch' in its name. e.g. 'XYZ Hockey Association—Gatton Branch Inc.' Registration will be made in the first available name.

1st preference ..................................................................................................................................
.............................................................................................................
.............................................................................................................

2nd preference ................................................................................................................................
.............................................................................................................
.............................................................................................................

3rd preference ................................................................................................................................
.............................................................................................................
.............................................................................................................

Part 3—Person appointed to make this application

Any correspondence regarding this application will be sent to this person.

Preferred title  □ Mr □ Mrs □ Ms □ Miss Other (specify) ............................................
Surname ........................................................ Given names ......................................................
Address for correspondence .................................................................
Suburb .......................................................... State □ □ □ □ □ □ □ □ □ □ Postcode □ □ □ □ □ □ □ □ □ □
Phone (day time)  ............................................. Fax ..........................................................
Email address .............................................................................................................

Part 4—Special resolutions

a) The members of the above named association A at a general meeting duly convened and held at:
................................................................................................................................. on .......................................................................................
(place) (date)

passed a special resolution deciding to amalgamate with association B, to adopt a single set of proposed rules and also to elect interim officers for the new association.

b) The members of the above named association B at a general meeting duly convened and held at:
................................................................................................................................. on .......................................................................................
(place) (date)

passed a special resolution deciding to amalgamate with association A, to adopt a single set of proposed rules and also to elect interim officers for the new association.

Part 5—Office holders of the association following incorporation

The following interim office holders were elected for the incorporated association:

President □ Mr □ Mrs □ Ms □ Miss Other (specify) ................................................
Surname ........................................................ Given names ......................................................
Residential address .................................................................
Suburb .......................................................... State □ □ □ □ □ □ □ □ □ □ Postcode □ □ □ □ □ □ □ □ □ □

Note: a post office box address is not acceptable.

Treasurer □ Mr □ Mrs □ Ms □ Miss Other (specify) ................................................
Surname ........................................................ Given names ......................................................
Residential address .................................................................
Suburb .......................................................... State □ □ □ □ □ □ □ □ □ □ Postcode □ □ □ □ □ □ □ □ □ □

Note: a post office box address is not acceptable.
### Part 5—Office holders of the association following incorporation continued

If a secretary has not yet been elected, the association must appoint a Secretary within one month of incorporation and notify the department (use Form 10a).

**Note:** a post office box address is **not acceptable**.

<table>
<thead>
<tr>
<th>Position</th>
<th>Mr</th>
<th>Mrs</th>
<th>Ms</th>
<th>Miss</th>
<th>Other (specify)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretary</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following interim office holders were elected for the incorporated association:

- **Secretary**
  - Mr
  - Mrs
  - Ms
  - Miss
  - Other (specify)

<table>
<thead>
<tr>
<th>Surname</th>
<th>Given names</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential address</th>
<th>State</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Suburb</th>
<th>State</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part 6—Address of the association

#### Postal address of the association

- **Postal address**
- **Suburb**
- **State**
- **Postcode**

#### Nominate address for service

**Note:** a post office box address is **not acceptable**.

- **Address**
- **Suburb**
- **State**
- **Postcode**

#### Books of account address

**Must be kept in Queensland. A post office box address is not acceptable.**

- **Address**
- **Suburb**
- **State**
- **Postcode**

### Bank details

- Name of **existing** or **proposed** bank/building society/credit union
- **Branch**

### Part 7—Rules of the association following incorporation

Associations can choose to adopt either the model rules or their own rules.

At general meetings, the old associations passed special resolutions adopting a single set of proposed rules to apply to the new association upon incorporation. Please tick the appropriate box identifying the type of rules adopted.

The association will be:

- 🅓 Adopting its own rules. • Complete Appendix A and statutory declaration only.
- 🅔 Adopting the model rules. • Complete Appendix B only.

---

**Left blank intentionally, please turn over for more details**
### Part 8—The following must accompany this application

Please note that we cannot process this application, unless the fee is included.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>A completed <em>Form 13—Notice of Special Resolution for Amalgamation of Associations</em>, for each association resolving to amalgamate is required to be lodged within <strong>three months</strong> after the resolution is passed.</td>
</tr>
<tr>
<td>b)</td>
<td>the current certificate of incorporation of each association which resolved to amalgamate, or a statutory declaration by the secretary verifying that the current certificate has been lost or destroyed</td>
</tr>
<tr>
<td>c)</td>
<td><strong>Rules</strong>&lt;br&gt;i) if the association proposes to adopt its own rules, as per Part 7 above:&lt;br&gt;ii) a copy of the proposed common rules adopted for the new association; and &lt;br&gt;ii) a completed Appendix A and a statutory declaration by the appointed person nominated at Part 3 above stating that the proposed common rules comply with the <em>Associations Incorporation Act 1981</em> as per Part 7 above.</td>
</tr>
<tr>
<td>or</td>
<td>b) if the new association proposes to adopt the model rules, as per Part 7 above, a completed copy of Appendix B.</td>
</tr>
</tbody>
</table>

______________________________  Date  \___/  \___/  \___/  \___/  \___/  \___/  \___/  \___/  \___/  \___/ |

(Signature of person making the application)

### Lodgement

**IMPORTANT!**

Please make sure you:<br>- provide all necessary information and documentation<br>- sign the application<br>- return all pages of the application form.

Please lodge the completed application, any supporting documentation and applicable fees to the Office of Fair Trading at the address below, at one of our regional offices, or at a Queensland Government Service Office.

**By mail:**
Registration Services Unit, GPO Box 3111, Brisbane QLD 4001

**In person:**
## Payer details

This section must be completed if payment has been made by another person on behalf of the applicant.

<table>
<thead>
<tr>
<th>Name</th>
<th>Postal address</th>
<th>Suburb</th>
<th>State</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td>.........................................................................................................</td>
<td>.........................................................................................................................</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Mobile                                                                 | Fax number                                                                  |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------|--------|
| ......................................................................................................... | ......................................................................................................................... |       |

<table>
<thead>
<tr>
<th>Receipt request</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Email                                                                 |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------|
| ......................................................................................................... | ......................................................................................................................... |

## Payment

### Payment details

- [ ] Cash—pay in person
- [ ] Debit/Credit card
- [ ] Money order
- [ ] Cheque

Do not send cash by mail

Make money order or cheque payable to the Office of Fair Trading.

**A receipt will not be issued unless specifically requested.**

### Debit/Credit card

- [ ] Charge my:
  - [ ] MasterCard
  - [ ] VISA


- Debit/Credit card number: 
- Cardholder’s name: 
- Amount authorised: $ 
- Expiry date: / 
- Cardholder’s signature: 

### Online payments

Tick box if you wish to pay online

If you select this option, once OFT has received your documentation, an officer will be in contact to provide you with a Customer Reference Number (CRN). You can use this to pay via the following methods:


Payments can be made using **BPAY** through your bank or financial institution using the reference details that will be provided to you.

### By post

A cheque or money order can be posted in, together with the application form.

**Make money order or cheque payable to the Office of Fair Trading**

### In person

You can also visit a Fair Trading Office or an applicable Queensland Government Service Office to lodge this application and pay the applicable fees over the counter.

## Application for incorporation upon amalgamation of associations

*Associations Incorporation Act 1981*

This form is effective from 1 July 2019

### Appendix A

**Application for incorporation upon amalgamation of associations**

ABN: 13 846 673 994

This form is effective from 1 July 2019

### Complete this appendix only if the association is adopting its own rules.

Matters to be provided for in rules (Part 1—matters with examples)—

Each of these matters must be fully provided for in the association’s rules.

Possible wording for any or all of these rules may be found in the model rules.

<table>
<thead>
<tr>
<th>Insert rule number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The name of the incorporated association (example—see model rule 2).</td>
</tr>
<tr>
<td>2. The objects of the incorporated association (example—see model rule 3).</td>
</tr>
<tr>
<td>3. Any membership or other fees to be paid by the members of each class of membership of the incorporated association (example—see model rule 8).</td>
</tr>
<tr>
<td>4. Whether or not there is a right of rejection or termination of membership and if so, the way the rejection or termination is decided (example—see model rules 9 and 10).</td>
</tr>
<tr>
<td>5. Whether or not there is a right of appeal against rejection or termination of membership and if so, how the right of appeal may be exercised (example — see model rules 11 and 12).</td>
</tr>
<tr>
<td>6. The recording of minutes of proceedings of management committee meetings and general meetings, and inspection of the minutes of a general meeting by financial members (example—see model rules 26(1) and 41(1) and (3)).</td>
</tr>
<tr>
<td>7. The verification of the accuracy of the recorded minutes of meetings (example—see model rules 26(2) and 41(2)).</td>
</tr>
<tr>
<td>8. The amendment or rescission of, or addition to, the rules of the incorporated association (example—see model rule 43(1)).</td>
</tr>
<tr>
<td>9. The validation of an amendment or rescission of, or addition to, the rules of the incorporated association (example—see model rule 43(2)).</td>
</tr>
<tr>
<td>10. The form, custody and use of the common seal of the incorporated association (example—see model rule 44).</td>
</tr>
<tr>
<td>11. The way the income and property of the incorporated association may be used (example—see model rule 46(2)).</td>
</tr>
<tr>
<td>12. The custody of the books, documents, instruments of title and securities of the incorporated association (example—see model rule 47).</td>
</tr>
<tr>
<td>13. The end date of the incorporated association’s financial year (example—see model rule 48).</td>
</tr>
<tr>
<td>14. Distribution of surplus assets on winding-up (example—see model rule 49).</td>
</tr>
</tbody>
</table>

### Matters to be provided for in rules (Part 2—matters without examples)—

Each of these matters must be fully provided for in the association’s rules.

<table>
<thead>
<tr>
<th>Insert rule number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The following matters about membership:</td>
</tr>
<tr>
<td>a) the classes of membership of the incorporated association</td>
</tr>
<tr>
<td>b) the conditions of entry to a class</td>
</tr>
<tr>
<td>c) whether membership of a class is limited or unlimited in numbers</td>
</tr>
<tr>
<td>d) how a class is limited, if at all, and additional limitations of rights for a class, for example, voting rights and eligibility for holding office.</td>
</tr>
</tbody>
</table>
2. The following matters about the management committee:
   a) the designation of the positions constituting the management committee and how a member of the management committee is elected or appointed to a position
   b) the term of office of a member
   c) the resignation of a member
   d) how a member is removed from office
   e) appeal rights of a member if the member is removed from office
   f) how a casual vacancy on the management committee is filled
   g) the frequency of meetings of the management committee, how the meetings are called and the notice requirements for a meeting
   h) the procedure for meetings and the size of a quorum
   i) the functions and powers of the management committee.

3. The following matters about general meetings of the incorporated association:
   a) the grounds for calling a meeting
   b) how a meeting is called
   c) the procedure for general meetings.

4. How the register of members is kept.

5. The way the income and property of the incorporated association is to be managed and how the association’s cheques must be drawn and signed.

---

**Statutory declaration**

**QUEENSLAND OATHS ACT 1867—STATUTORY DECLARATION FOR INCORPORATION UPON AMALGAMATION OF ASSOCIATIONS**

I, ............................................................................................................................................... do solemnly and sincerely declare that:

(name)

1. I am the person appointed by resolutions of the members of

Association A ..................................................................................................................................................................................

Association B ..................................................................................................................................................................................

(names of incorporated associations applying to amalgamate)

to prepare and make an application for the association to be incorporated under the Associations Incorporation Act 1981.

2. The ‘own rules’ adopted by the members of the above mentioned associations by special resolutions passed

on  /  /  (Association A) and  /  /  (Association B) comply with the Associations Incorporation Act 1981 and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

Declared at .......................................................................................................................................................................................

(place)

in the State of Queensland on  /  /  /  /  /  /  

.......................................................................................................................................................................................................

(signature of Appointed Person)

Before me ........................................................................................................................................................................................

(J.P., Commissioner for Declarations, etc)
# Appendix B

## Application for incorporation upon amalgamation of associations

*Associations Incorporation Act 1981*

This form is effective from 1 July 2019

<table>
<thead>
<tr>
<th>Rule 2—Name</th>
<th>Complete this appendix only if the association is adopting the model rules.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert the first preference of name as per Part 3 on the Application for incorporation of an association. Include the word 'Incorporated' or 'Inc.' at the end of the name.</td>
<td>If you wish to add any further clauses (other than those below) you must adopt own rules and complete Appendix A and the statutory declaration instead.</td>
</tr>
</tbody>
</table>

The name of the incorporated association (in these rules called 'the association') is:

| Rule 3—Objects | | Rule 4—Powers |
|----------------|-------------------------------------------------|
| If there is not enough space in this appendix for the objects, attach additional pages. | The objects for which the association is established are: | The association may take over the funds and other assets and liabilities of the present unincorporated association known as the: |

(Do not include the word 'Incorporated' or 'Inc' at the end of the name)

<table>
<thead>
<tr>
<th>Rule 48—Financial year</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The end date of the association’s financial year is [D M] in each year.</td>
<td></td>
</tr>
</tbody>
</table>
The model rules set out the classes of membership of an association. All associations who adopt the model rules have an unlimited number of ‘ordinary members’. Other classes of membership could include associate, life or honorary membership. In the table below:

1. For ‘ordinary members’ fill in columns (b) and (c) (column (a) has been filled in for you already in relation to ordinary members).

2. Fill in all columns if the association has additional classes of members.

If the association has a class of membership specifically for persons under 18 years of age, note that these members are not entitled to vote (unless permitted by law) or to hold positions on the association’s management committee. These limitations should be reflected in column (c) headed ‘Membership limitations’.

<table>
<thead>
<tr>
<th>Class of member</th>
<th>Description of membership</th>
<th>a) Number of members in this class</th>
<th>b) Membership eligibility</th>
<th>c) Membership limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary</td>
<td>Unlimited</td>
<td>Unfilled</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Junior members</td>
<td></td>
<td>No more than 100 junior members at any one time.</td>
<td>Must be under 18 years of age.</td>
<td>May not vote (unless permitted by law).</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Must be a registered hockey player.</td>
<td>Not eligible for election to the management committees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Must support the objects of the association.</td>
<td></td>
</tr>
</tbody>
</table>

The matters contained in this appendix are the insertions to the model rules agreed to by special resolutions passed at meetings of the amalgamating associations.

Signature of appointed person: ........................................................................................................

Dated: [ ]/ [ ]/ [ ] [ ] [ ] [ ] [ ]
## IMPORTANT – PRIOR NOTIFICATIONS AND APPROVALS

The effect of amalgamation of two or more associations is the incorporation of a new association and the cancellation of incorporation of the old associations. The assets and liabilities of the old associations become the assets and liabilities of the new association. Should either of the old associations hold real property, the secretary of the new association must inform the Titles Office in order that the interest may be recorded on the appropriate land register.

The change in corporate structure may affect any existing statutory or contractual obligations with government funding agencies, affiliated bodies or accreditation bodies.

Any existing property, rights or obligations may not be recognised despite section 88 of the *Associations Incorporation Act 1981* which provides the amalgamation of the old associations into a new association does not:

(a) affect a right or obligation of the old associations or anyone else; or

(b) make legal proceedings by or against an old association defective.

Consequently associations should consider what approvals, if any, they should obtain before calling a general meeting of members to consider a change in corporate structure.

Associations are responsible for making their own enquiries as the Office of Fair Trading can not to do so on their behalf.

Examples of arrangements which may be affected and notifications which should be made or approvals sought are:

1. Associations that have been appointed as trustee of trust land or hold a lease under the *Land Act 1994* should notify the chief executive of the Department of Natural Resources and Mines to ensure their tenancy arrangements will not be affected by their proposed change of corporate structure;

2. Associations that have gaming or liquor licences should notify the chief executive of the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General to ensure their licences will not be affected by their proposed change of corporate structure;

3. An association that is the governing body of a provisionally accredited or accredited non-State school under the *Education (Accreditation of Non-State Schools) Act 2001* must obtain prior approval under that Act of the Non-State Schools Accreditation Board.