

Associations Incorporation Form 8



Queensland Government

Application to register an amendment of rules

Associations Incorporation Act 1981

This form is effective from 10 November 2022

ABN: 13 846 673 994

OFFICE USE ONLY

Date received

.....

Lodgement details

LU number:

Instructions

Please use **BLOCK** letters when completing this form. Attach extra sheets if necessary. All dates should be DD/MM/YYYY.

Please note applications must be lodged within three months after the passing of the special resolution at a general meeting of the association.

Applications received by the department after three months of the passing of the special resolution cannot be registered unless an application for extension of time is granted under Section 121 of the Act.

Privacy statement—please read

The Office of Fair Trading (OFT) collects information, including personal information, on this form as required by the *Associations Incorporation Act 1981* to process your application. Your personal information will be placed on a register which may be inspected by the public upon payment of a prescribed fee. Any documents required by the Office of Fair Trading are available for inspection by the public upon payment of a prescribed fee. Additionally, information on this form can be disclosed without your consent where authorised or required by law. Under the *Fair Trading Act 1989* information may also be shared on a confidential basis with other Australian fair trading agencies.

If you give the OFT an email address to communicate with you, the personal information in these communications will be stored on your email service provider's servers. These servers may be outside of Australia. By giving us your email address, you are consenting to the personal information contained within the emails to and from the OFT to be transferred outside Australia.

Fees

The applicable fee for this form is available on the Fair Trading website at www.qld.gov.au/fairtrading. No GST is payable on the fee.

Part 1—Application details

Incorporated association details

Incorporated association number

Name of incorporated association

Application details

* A special resolution is a resolution passed at a general meeting by the votes of 3/4 of the members who are present and entitled to vote on the resolution. Written notice of a proposed special resolution, and of the time and place of the general meeting at which it is proposed to move the resolution, must be given as required under the association's rules, before the general meeting to each member who has a right to vote on the resolution.

Application is made (pursuant to section 48 of the *Associations Incorporation Act 1981*) to register an amendment of the rules of the abovenamed association. At a general meeting of the members of the said association duly convened and held at

..... (place)

on / / (date) a special resolution* was passed

effecting a change to the following rule/s number/s:

.....

.....

.....

OR

adopting a complete set of own/model rules (copy attached)

.....

Signature

Must be completed by secretary.

Signature of secretary

Name of secretary (please print)

Email

Phone (daytime) Date / /

Part 3—Statutory declaration for change of rules

QUEENSLAND OATHS ACT 1867—STATUTORY DECLARATION

I, (name)do solemnly and sincerely declare that:

1. I am the secretary of (name of incorporated association)
2. The association has complied with all the requirements of the Act and the association's rules in relation to the calling, holding and passing of the special resolution at a general meeting on / / (date).
D D / M M / Y Y Y Y
3. The amendments to the rules passed by the members of the above mentioned association by special resolution on / / (date) comply with the *Associations Incorporation Act 1981*.
D D / M M / Y Y Y Y
4. The association has a purpose of furthering, protecting or representing the industrial interests of the members of an industrial association or other persons. Yes No
5. 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 / /
D D / M M / Y Y Y Y

Signature (Appointed Person).....

Before me (J.P., Commissioner for Declarations, etc)

Lodgement details

IMPORTANT!

Please make sure you:

- provide all necessary information and documentation
- sign the application
- 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:

Visit www.qld.gov.au/fairtrading or call **13 QGOV** (13 74 68) for information and your nearest Fair Trading Office or Queensland Government Service Office.

Please note

- If the fees are not included the form will not be processed until the appropriate fees are paid.
- If amending **three or more** rules, please submit a full copy of the rules with amendments included in **bold type**.
- If adopting your own rules or you are submitting a full copy of the constitution, please complete the attached Appendix A.
- The Appendix A is to be completed with the rule numbers of your constitution that correspond with each mandatory matter. Please ensure that you insert the rule number. **Do not** tick, cross, put N/A or leave blank.
- If adopting model rules version 7, the association must complete Appendix B.

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Proceed to next section for payment details.

If you do not complete the payment section this form will be considered incomplete and may delay processing.

Payer details

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

Name

Postal address

Suburb State Postcode

Mobile Fax number

Receipt request Yes No

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

OFT cannot accept debit/credit card details over the phone, fax or email (including any attachments) in accordance with the Payment Card Industry Data Security Standard. If an email or fax is received containing debit/credit card details, it will be deleted immediately and your application and payment will not be processed.

Charge my:



Go online to www.qld.gov.au/fairtrading

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:



Go online to www.qld.gov.au/fairtrading



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.

Visit www.qld.gov.au/fairtrading or call **13 QGOV** (13 74 68) for your nearest Fair Trading Office or Queensland Government Service Office.

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Proceed to next section.**

Application to register an amendment of rules

Associations Incorporation Act 1981

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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.

	Insert rule number
1. The name of the incorporated association (example—see model rule 2).	
2. The objects of the incorporated association (example—see model rule 3).	
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).	
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).	
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).	
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)).	
7. The verification of the accuracy of the recorded minutes of meetings (example—see model rules 26(2) and 41(2)).	
8. The amendment or rescission of, or addition to, the rules of the incorporated association (example—see model rule 43(1)).	
9. The validation of an amendment or rescission of, or addition to, the rules of the incorporated association (example—see model rule 43(2)).	
10. The form, custody and use of the common seal of the incorporated association (example—see model rule 44).	
11. The way the income and property of the incorporated association may be used (example—see model rule 46(2)).	
12. The end date of the incorporated association's financial year (example—see model rule 48).	
13. Distribution of surplus assets on winding-up (example—see model rule 49).	

**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.**

	Insert rule number
1. The following matters about membership:	
a) the classes of membership of the incorporated association	
b) the conditions of entry to a class	
c) whether membership of a class is limited or unlimited in numbers	
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.	
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.	
6. The custody of the books, documents, instruments of title and securities of the incorporated association (example—see model rule 47).	

Rule 5—Classes of membership	<p>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:</p> <ol style="list-style-type: none"> For 'ordinary members' fill in columns (b) and (c) (column (a) has been filled in for you already in relation to ordinary members). Fill in all columns if the association has additional classes of members. <p>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'.</p>		
Class of member	Description of membership (Complete all columns)		
	a) Number of members in this class (Describe the number of members. Put 'unlimited' if there is no limitation.)	b) Membership eligibility (Describe what criteria have to be met for this class of membership. Note: entry requirements should differentiate between the classes of membership. Please do not write 'Nil'.)	c) Membership limitations This refers to the voting rights and election to committees. (Please enter 'nil' if there are no limitations.)
Example: Junior members	No more than 100 junior members at any one time.	<ol style="list-style-type: none"> Must be under 18 years of age. Must be a registered hockey player. Must support the objects of the association. 	<ol style="list-style-type: none"> May not vote (unless permitted by law). Not eligible for election to the management committees.
Ordinary	Unlimited		
Sign here This form must be signed	<p>The matters contained in this appendix are the insertions to the model rules agreed to by a resolution passed at a meeting of the association by the votes of at least three quarters of the association's members who are present and entitled to vote on the resolution.</p> <p>Signature of appointed person:</p> <p>Dated: <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p style="text-align: center;"> <small>D D M M Y Y Y Y</small> </p>		