

<b>To:</b>	<b>Club Directors and Club Administration Officers</b>
<b>From:</b>	<b>NSW Fair Trading via Gilbert Olzomer – Executive Assistant</b>
<b>Date:</b>	<b>30 August 2016</b>
<b>Re:</b>	<b>Important information for SLSCs on changes to the NSW Associations Incorporation Act (Act)</b>

The purpose of this memo is to inform Surf Life Saving Clubs about amendments to the Act to enhance the way incorporated associations are administered and to clarify the way associations operate starting on **1 September 2016**.

### **What has changed that may affect your Surf Life Saving Club?**

After public consultation over a 3 year period, the *Associations Incorporation Act 2009* will be amended and the existing Regulation replaced with a new Associations Incorporation Regulation 2016 on 1 September 2016.

Together, the changes to the Act and the new Regulation will assist associations comply with the legislative requirements and improve governance.

The key changes include:

- The official address of an association will now be an address in NSW where the public officer can generally be found and where documents can be served on the association by post (but not a post office box)
- A new provision for keeping financial records and minutes of meetings electronically and providing that financial records be kept for at least 5 years
- Amendments to the model constitution: these changes will automatically apply to all associations that have adopted the model constitution. If an association has its own constitution and it fails to address a matter in Schedule 1 of the Act, the provision in the model constitution relating to that matter will automatically apply
- Allowing for electronic ballots if this is permitted under an association's constitution
- The fee for lodging the annual statement of financial affairs has reduced for Tier 2 [small] associations (gross receipts less than \$250,000) and has increased for Tier 1 [large] associations. In general, fees have been revised to reflect the amount of work required to process the documentation
- Clarifying the duties and liabilities of committee members
- Removing the need to reserve a name before lodging an application to register an association or change an association's name.

For one year from 1 September 2016, any association wishing to update its constitution as a result of the amendments to the legislation will not have to pay a fee to register the change.

**Surf Life Saving Clubs are reminded to please provide any updated versions of their constitutions to both NSW Fair Trading and Surf Life Saving NSW.**

To find out how the changes to the association laws will affect associations, visit the [Fair Trading website](#).<sup>1</sup>

<sup>1</sup> © State of New South Wales through NSW Fair Trading