

IMPORTANT INFORMATION

Please ensure you read the following information before completing this application

About this form

This form should be used by clubs, groups, organisations and/or associations wishing to become an association incorporated under the *Associations Incorporation Act 1987* (the Act).

Steps for becoming an incorporated association

1. Check the availability of the proposed association's name using **Form 8**.
2. Advertise your intention to incorporate using the wording found on **Form 2**.
3. Adopt a set of rules that comply with the requirements of the Act. You may wish to consider using the department's **Model Rules**.
4. Submit this form and the required accompanying documentation between **one and three months** after the advertisement was published.

The information sheet *Introduction to Incorporated Associations*, outlining what it means to become an incorporated association, the department's Model Rules and application forms can be obtained from the Fees, forms and online transactions page of our [website](#).

Find out more about being incorporated from the department's publication *Inc. A Guide for Incorporated Associations in Western Australia* available [online](#) at www.commerce.wa.gov.au/associationsguide.

Documents you need to provide with this form

You will need to provide:

- a copy of the published 'advertisement of intended application for incorporation'; and
- a copy of the proposed association's rules which comply with the requirements of the Act.

When drafting your rules it is important to ensure that they comply with the requirements of the Act. For assistance, please refer to the 'Self-Assessment' section overleaf.

How to complete this form

Before answering each question, read the instructions provided overleaf.

How to lodge and pay for this application

Fee information is available from the Fees, forms and online transactions page of our [website](#) at www.commerce.wa.gov.au/associations.

The fee can be paid by [cheque](#), [money order](#) or [credit card](#). Do not send cash through the mail. Cash will be accepted if paying in person. Cheques and money orders are to be made payable to: 'Department of Commerce'. The application fee is not subject to GST.

When completed, you may either mail this form and the accompanying documents with the fee, or lodge it over the counter. Applications are not accepted by fax.

What happens when you return this form

If you fill out the form correctly and the application is approved, the department will issue a certificate of incorporation showing the name of the incorporated association, a registration number and a date of incorporation.

It is important to note that your form will not be processed if it is incomplete or the requirements of the Act have not been met. The contact person listed on this form will be advised of any additional information required.

Please ensure you keep a copy of all the documents that are submitted to the department as we do not provide a final copy to the association.

Alternatively you may submit an application for incorporation online using [AssociationsOnline](#) at www.commerce.wa.gov.au/associationsonline.

Further information



If you need help completing this form, or you need further information

- call **9282 0764** (1300 30 40 74 for country callers)
- send an email to associations@commerce.wa.gov.au

DEPARTMENT OF COMMERCE Associations Registration Section

Unit 4
321 Selby Street Nth
Osborne Park WA 6017

Postal Address:

Locked Bag 14
Cloisters Square
Perth WA 6850

Associations Information:

8.30am to 5pm
Monday to Friday
(excluding public holidays)

Telephone:

08 9282 0764

1300 30 40 74

(country callers –
local call cost)

Fax:

08 9282 4337

Website:

[www.commerce.wa.gov.au/
associations](http://www.commerce.wa.gov.au/associations)

Email:

[associations@commerce.
wa.gov.au](mailto:associations@commerce.wa.gov.au)

Inc Guide:

[www.commerce.wa.gov.au/
associationsguide](http://www.commerce.wa.gov.au/associationsguide)



INSTRUCTIONS FOR COMPLETING THIS FORM

Tear off and keep this instruction sheet

- Item 1:** State the proposed name for the incorporated association. This name, ending with Inc or Incorporated, must be shown the same in the rules. The name **MUST NOT** be:
- identical, similar to or capable of being confused with or mistaken for the name of any other body corporate, association incorporated under this Act or registered business name; or
 - misleading to the object or purposes of the association.

Item 2: State the main purpose of the association.

Item 3: Tick the appropriate box (or boxes) to show which category the association's purpose fits into.

You should only tick 'Other' where the stated purpose does not fit into any of the specific categories listed. The 'Other' category requires the Commissioner's approval and an additional fee is applicable.

Item 4: Tick the appropriate box to indicate whether the association is formed to trade or secure a profit for its members.

Please note: Associations intending to distribute profits to its members are not eligible to become incorporated.

Item 5: List the name and contact details of the person authorised on behalf of the association to apply for incorporation.

Item 6: *Answering this question is optional.* Tick the box if you wish for the applicant to be enrolled to use AssociationsOnline. A username and password will be issued to the applicant to enable them to submit applications electronically on behalf of the Association.

IMPORTANT: Upon enrolment, the applicant is bound by the AssociationsOnline Terms and Conditions of Use. Please ensure you have read these Terms and Condition of Use found at www.commerce.wa.gov.au/associationsonline.

If you do not answer this question you may enrol for use of AssociationsOnline under separate application at a later date. The enrolment form may be found via AssociationsOnline at www.commerce.wa.gov.au/associationsonline.

Item 7: List the name, contact details and preferred method of communication of the person who should be contacted by the department if further information is needed.

Item 8: Confirm that the association has published a notice of its intention to apply for incorporation. List the name of the newspaper where the advertisement appeared and the date of publication. **A copy of the published advertisement must accompany this application.**

The advertisement must:

- be worded according to the **Form 2**;
- have been published more than one month but less than three months prior to submitting this application; and
- be published in a newspaper that circulates in an area where the association is situated or operates from.

Item 9: Confirm that the association has at least six (6) members and provide the name and full address of six association members. The address provided may be a residential or postal address; however it must be an address where the member would ordinarily receive mail (i.e. not the association's postal or work address).

IMPORTANT: When approved this application is a publically available document and information contained on this form can be made available for inspection or purchase. It is suggested that the applicant seek consent from each member to include their details on this application.

Item 10: Tick the boxes to confirm that the proposed rules comply with the requirements of the Act. **A copy of the rules must accompany this application AND have the following 'annexure statement' written upon them:**

"This is the annexure of [insert the total number of pages in the rules] page marked 'A' referred to in the Form 1 signed by me and dated [insert the date] [insert signature]."

Item 11: The applicant named at item 5 must sign and date the declaration.

SELF ASSESSMENT

Do the rules meet the requirements of the Associations Incorporation Act 1987?

An association's rules must provide for the 14 matters set out in Schedule 1 of the Act. To assist your association with determining whether the rules sufficiently provide for these matters, the department has developed the **Schedule 1 Matrix**. It can be downloaded from the Fees, forms and online transactions page of our website at www.commerce.wa.gov.au/associations

For suggestions on wording for any or all Schedule 1 matters, please refer to the department's **Model Rules** for incorporated associations which is available online. The **Model Rules** has instruction sheets attached which highlight the Schedule 1 matters that need to be included; however, please note that they are intended as a guide only.

A copy of the Act as published by the State Law Publisher is also available for download from their website at www.slp.wa.gov.au.



Form 1

Associations Incorporation Act 1987
ss.4, 5, 6, 9
(includes certificate required by s5(2)(b))

(This form is prescribed)

Application for Incorporation of an Association

IMPORTANT – The Department of Commerce is collecting and holding the information supplied in this form for the purposes of the *Associations Incorporation Act 1987*. A copy of this form and the information it contains can be inspected and purchased by the public upon payment of a prescribed fee.

Date Received	Job Number
This section is for Office Use only	

Association Details

1. Full name of Association applying for Incorporation:

 Inc / Incorporated

2. Describe the main purpose/(s) of the Association:

3. The Association's purpose/s fall within the following category: *(Please tick the option/s that apply)*

- Religion or education
- Charity or other benevolent purpose
- Promotion or encouragement of literature, science or the arts
- Sport, recreation or amusement
- Community, social or cultural centre
- Promotion of the interests of a local community
- Politics
- Other – to be approved by the Commissioner [*extra fee applies*]

4. Is the association formed for the purpose of trading or securing a pecuniary profit to its members?

Yes No

Applicant Details

5. Title Mr Mrs Ms Miss Other: ▶ _____

Full Name:

Address:
Postcode:

Telephone: Mobile:

Fax: Email:

I have been authorised by the Association to apply for incorporation:

Yes No

AssociationsOnline *(optional)*

6. I, the applicant, wish to enrol for access to AssociationsOnline on behalf of the Association and agree to be bound by the AssociationsOnline Terms and Conditions of Use.

Yes

Contact Person

7. Title: Mr Mrs Ms Miss Other: ▶ _____

Full Name: _____

Address: _____

Postcode: _____

Telephone: _____ Mobile: _____

Fax: _____ Email: _____

Preferred method of communication: Email Post

Advertising

8. An advertisement (in the form of [Form 2](#)) giving notice of my intention to apply for Incorporation of the Association has been published in a newspaper as required under Section 6 of the Act: Yes No

Name of newspaper: _____ Date of publication of advertisement: ____/____/____

Members

9. The Association has at least six members: Yes No

List the names and addresses of six of the Association's members:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____

Rules

10. The rules of the Association:

- include provisions dealing with all matters listed in Schedule 1 to the Act Yes No
- comply with all other requirements of the Act. Yes No

The copy of the Association's rules accompanying this application and marked annexure 'A' is a true copy of the association's rules. Yes No

Declaration

11. I certify that all the details set out in this application are true and correct

Signature: _____ Date: ____/____/____

Warning: It is an OFFENCE, with a penalty of \$500, to make a false statement in this application

Fees & Credit Card Payment

For fee information please refer to the Fees, forms and online transactions page of our [website](#) at www.commerce.wa.gov.au/associations. The prescribed fee must accompany this form when making the application.

Credit Card Type: VISA MASTERCARD Amount: \$ _____

Card Number: ____/____/____/____ Expiry: ____/____

Cardholder Name: _____ Signature: _____

I would like to have the certificate laminated for an additional fee of \$3.00



Please complete this Attachment and include it with your Application for Incorporation of an Association (Form 1). It will assist you in determining whether you have met the requirements of the Act regarding advertising and the rules of the association.

Advertising

Section 6 (1) of the Act requires an advertisement of intent of incorporation be published using the prescribed form, in a newspaper which circulates the area where the association will be conducting its affairs or is situated. To determine whether your advertisement meets the requirements of Section 6 (1) please answer the following questions.

1. Did you use the prescribed **Form 2** to advertise your intent to incorporate? Y / N
2. What is the name of newspaper and in what area does it circulate? _____
3. Where will the association be situated or conducts its affairs? _____
4. Did the newspaper circulate in an area where the association is situated or conducts its affairs? Y / N

If you answered "yes" to questions 1 and 4, you have advertised in accordance with section 6(1) of the Act. If you did not, then it will be necessary to readvertise your intent to incorporate before lodging your application for incorporation with the Department.

Rules

Schedule 1 of the Act requires certain matters to be provided for in the Association's rules. To determine if your rules are sufficient in detail please complete the following matrix by inserting the clause number in the relevant field. For suggestions on possible wording for any or all of these provisions, please refer to the Department's model rules.

Provision:	List clause No/(s)
1. The name of the incorporated association.	
2. The objects or purposes of the incorporated association, including a provision in, or substantially in, the following terms: The property and income of the association shall be applied solely towards the promotion of the objects or purposes of the association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the association, except in good faith in the promotion of those objects or purposes.	
3. The qualifications (if any) for membership of the incorporated association.	
4. The register of members of the incorporated association.	
5. The entrance fees, subscriptions and other amounts (if any) to be paid by members of the incorporated association.	
6. The name, constitution, membership and powers of the committee or other body having the management of the incorporated association (in this clause referred to as "the committee") and provision for: a) the election or appointment of members of the committee; b) the terms of office of members of the committee; c) the grounds on which, or reasons for which, the office of a member of the committee shall become vacant; d) the filling of casual vacancies occurring on the committee; and e) the quorum and procedure at meetings of the committee.	6.
	(a)
	(b)
	(c)
	(d)
	(e)
7. The quorum and procedure at general meetings of members of the incorporated association.	
8. The time within which, and manner in which, notices of general meetings and notices of motion are to be given, published or circulated.	
9. The manner in which the funds of the association are to be controlled.	
10. The intervals between general meetings of members of the incorporated association and the manner of calling general meetings.	
11. The manner of altering and rescinding the rules and of making additional rules of the incorporated association.	
12. Provisions for the custody and use of the common seal of the incorporated association.	
13. The custody of records, books, documents and securities of the incorporated association	
14. The inspection by members of the incorporated association of the records and documents of the incorporated association.	

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