

AUSTRALIAN CAPITAL TERRITORY

ASSOCIATIONS INCORPORATION REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 17 of 1982

The purpose of this Statement is to explain the provisions of the amendments to the Associations Incorporation Regulations which are consequential upon the anticipated commencement of the Companies Act 1981 on 1 July 1982 and the making of the Ordinances Revision (Companies Amendments) Ordinance 1982.

2. The Ministerial Council for Companies and Securities has decided that the Companies Act should come into operation on 1 July 1982 and the Federal Executive Council has approved the making of a proclamation to bring the Act into operation accordingly. The Companies Act will repeal the Companies Ordinance and replace it as the codified company law in force in the Australian Capital Territory.

3. By force of the repeal of the Companies Ordinance the statutory office of the Registrar of Companies will be abolished. The registration functions of the Registrar of Companies under the Associations Incorporation Ordinance 1953 will be, in effect, transferred to the Corporate Affairs Commission of the Australian Capital Territory as of 1 July 1982 on the authority of the Ordinances Revision (Companies Amendments) Ordinance 1982.

Associations Incorporation Regulations (Amendment)

4. The amendment to the Associations Incorporation Regulations is therefore required:

- (a) as a consequence of the Corporate Affairs Commission taking over registration functions under the Associations Incorporation Ordinance; and
- (b) to bring regulations concerning forms required under the Associations Incorporation Ordinance into general line with provisions as to forms in the Companies Regulations, for the purpose of uniformity of registration practice of the Corporate Affairs Commission.

5. Clause 1 provides that the Regulations will come into operation on 1 July 1982. This is to co-incide with the anticipated commencement of the Companies Act 1981.

6. Clause 2 repeals the Regulation 3 of the Associations Incorporation Regulations concerning requirements as to documents; and substitutes a new

Regulation 3 which provides that the Corporate Affairs Commission may refuse to receive a document unless it complies with standards specified in the Regulation.

7. Clauses 3, 4 and 5 substitute as necessary “Commission” for “Registrar” in Regulations 5, 6 and 7.

8. Clause 6 substitutes as necessary “Commission” for “Registrar” (para 6 (a)), and substitutes new forms 2 and 4 (paras 6(b) and (c)).