

AUSTRALIAN CAPITAL TERRITORY  
AMENDMENTS TO THE ASSOCIATIONS INCORPORATION ORDINANCE  
EXPLANATORY MEMORANDUM

The purpose of these amendments to the Associations Incorporation Ordinance (hereafter referred to as the Principal Ordinance) is to increase the fees payable in relation to matters done under that Ordinance.

2. These increases are the first increases since the fees were prescribed in 1954 and are being made to enable the recovery of more of the administrative costs in this area.

3. The new scale of association incorporation fees will be set out in a schedule to the Associations Incorporation Ordinance and not in a schedule to the Associations Incorporation Regulations as is the case with the present fees which are set out in the Second Schedule to the Associations Incorporation Regulations. This will bring the position in relation to association incorporation fees into line with the position in relation to companies fees and business names fees (companies fees are set out in the Second Schedule to the Companies Ordinance and business names fees are set out in a Schedule to the Business Names Ordinance).

Commencement

4. The amendments will come into operation on 1 August 1977, (cl. 2).

Fees

5. A new provision will be inserted in the Principal Ordinance to provide for the payment to the Registrar of Companies of the fees specified in the schedule and such other fees as are prescribed (cl. 4). It is not intended at this stage to prescribe any fees other than those to be set out in the Schedule.

Regulations

6. The power in paragraph 25(f) of the Principal Ordinance to make Regulations prescribing the fees payable for providing certain services has been amended (cl. 5). It is now along the same lines as the equivalent provision in paragraph 33(a) of the Business Names Ordinance 1963 and in paragraph 386(f) of the Companies Ordinance 1962.

New Fees

7. The new scale of fees will be set out in a schedule to the Principal Ordinance (cl. 6).

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8. Some of the items of the new scale of fees to which attention might be drawn are as follows:-

- item 1: issue of certificate of incorporation to an association: this item is increased from \$10 (item 1 of present scale) to \$20.
- item 2: change of name of an association: this item is increased from \$1 (item 2 of present scale) to \$3.
- item 3: for an application for a certificate by the Minister that an association is an association: this item is a new fee and has been set at \$15 in line with corresponding fees for applications to the Minister under the Business Names Ordinance (item 15) and the Companies Ordinance (items 8 and 11).
- item 4: for a certificate by the Minister that an association is an association for the purposes of the legislation: this fee is also a new fee and has been set at \$30 in line with corresponding fees for consents by the Minister under the Business Names Ordinance (item 16) and the Companies Ordinance (items 9 and 12).
- item 5: for application for consent of the Minister to the use of a name: this fee is a new fee and has been set at \$15 in line with the fee for the same application under the Business Names Ordinance (item 15) and the Companies Ordinance (item 8).
- item 6: for consent by the Minister to the use of a name: this fee is also a new fee and has been set at \$30 in line with the fee for the same consent under the Business Names Ordinance (item 16) and the Companies Ordinance (item 9).