

AUSTRALIAN CAPITAL TERRITORY.

ASSOCIATIONS INCORPORATION ORDINANCE 1953.

EXPLANATORY MEMORANDUM

No. 15 of 1953

The purpose of this Ordinance is to enable certain non profit-making associations to be incorporated in the Australian Capital Territory otherwise than under the companies law.

Similar legislation has existed in South Australia since 1890 and in Western Australia since 1895, in both of which States it has apparently worked successfully. The legislation, whilst safeguarding the rights of the public, provides an inexpensive method of incorporation with less onerous conditions than is imposed by the companies legislation on non profit-making companies.

Associations which may be incorporated under the Ordinance are those formed for any religious, educational, benevolent or charitable purpose, for the purpose of providing medical treatment or attention, for promoting literature, science or art, for the purpose of recreation or amusement, or for beautifying or improving a community centre.

The effect of incorporation under the Ordinance is that the association becomes a body corporate with perpetual succession and a common seal, may acquire, hold and dispose of real and personal property, and may sue and be sued in its corporate name.

A member of an incorporated association is not liable, except as provided in the rules of the association, to contribute towards the payment of the debts and liabilities of the association, or the costs, charges and expenses of a winding-up.