
Appendix 1

Summary of the changes to the Association Incorporation Regulation 2022

The following table sets out the main changes to the Regulation.

	Section in current Regulation 2016	Section in New Regulation 2022	Change
Application of Corporations legislation to associations	–	5(c)(iii)	Prescribes “proceedings at the meeting” is to be read as including a reference to the vote conducted by a postal or electronic ballot as a matter relating to an association to be an applied Corporations legislation matter
Financial statements for Tier 1 associations	9 (1)(b)	13 (1)(b)	Changes language to improve clarity of the condition imposed on a Tier 1 association
Financial statements for Tier 2 associations	10 (a)	14 (a)(i)	The phrase “appropriately classified” has been removed from the requirement of Tier 2 associations to include their individual sources of income and expenses in their financial statements
Conduct of postal or electronic ballots	Schedule 3 1 (1)(a)	Schedule 2 4(2)(a) and 5(3)(a)	Requires the returning officer to give to members a copy of the statement prepared by the committee setting out details of the matter to be determined by a ballot
	Schedule 3 1 (1)(b)(i)	Schedule 2 1(1)	Removes the requirement for the committee to fix a date for forwarding of ballot papers. The returning officer is required to give the ballot papers which must be either 14 or 21 days before the date fixed for closing of the

			ballot. This function negates the need to fix a date for forwarding of ballot papers
	Schedule 3 5(2)(a)	Schedule 2 4(2)(b)	Replaces the reference to voting paper with ballot paper for consistency of language
	Schedule 3 5(2)(c)	Schedule 2 4 (2)(b)(iii)	Replaces the reference to a box with a space for members to record their vote thus enhancing the flexibility of associations for conducting postal ballots
	Schedule 3 4(5)(b)(i) and 5(3)(b)(i)	Schedule 2 5(3)(b)(i) and 4(2)(b)(i)	Removes the requirement of the returning officer to include instructions on completing the ballot paper in a notice as the instructions are already mentioned on the ballot paper itself. This amendment thus prevents a duplication of work for the returning officer
	Schedule 3 8(3)	Schedule 2 7(2)(b) and 7(4)	Requires the returning officer to prepare and sign a statement of the result of a ballot and to give a copy of the statement to the secretary of the committee, instead of the chairperson of the committee. This change is done considering the current Regulation does not define a chairperson. The amendment also requires the presiding member, instead of a chairperson, to announce the result of the ballot
Model constitution	Schedule 1 8 and 3	Schedule 3 5(2)	Clarifies that an entrance fee must be paid just once by a successful applicant and not again on becoming a member. This amendment has been done for a clear and better reading of the Regulation
Fees and subscription			
Resolution of disputes	Schedule 1 10	Schedule 3 9(1)	Changes the reference of 2 members to 2 or more members
Election of members	Schedule 1 15(1)(a)	Schedule 3 15 (2)(b)	Changes the reference of 2 members to at least 2 members other than the candidate nominated for the election. This amendment also removes the reference to the phrase

			“which may be endorsed on the form of the nomination”
	Schedule 1 15(2)	Schedule 3 15(4)	Clarifies that further nominations are to be made in a way directed by the presiding member
Vacancies in office	Schedule 1 18 and 19	Schedule 3 17(2)(b) and (5)	Allows only the association to appoint a member to fill a casual vacancy arising from the removal of a committee member
	Schedule 1 19(2)	Schedule 3 17(3)(b)	Allows a committee member who has been removed to request that the committee send a copy of the statement at least 7 days before the general meeting at which the proposed resolution will be considered
Delegation to subcommittees	Schedule 1 23	Schedule 3 20(2)	Refers to the section 49 of the <i>Interpretation Act 1987</i> for consistency in language
Use of technology at general and committee meetings	Schedule 1 37	Schedule 3 27 and 36	Allows for conducting committee and general meetings and transaction of business outside meetings by telephone or other electronic means
Adjournment	Schedule 1 31	Schedule 3 32(3)	Requires the secretary to give oral or written notice, to each member of the association, at least 1 day before the adjourned meeting
Special Resolution	Schedule 1 33	–	Removed for redundancy
Insurance	Schedule 1 38	Schedule 3 39	Clarifies that the insurance may be appropriate to the association’s assets and liabilities
Fees	Schedule 5 Part 2 2	Schedule 4 Part 2 2	Adjusts the fee unit for inflation