



# Western Australian Current Acts

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Act\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)

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## ASSOCIATIONS INCORPORATION ACT 2015 - SCHEDULE 1

[s. 3, 22, 23, 26, 28, 133, 182 and 202]

### Division 1 — Matters to be addressed

1. The name of the incorporated association.
2. The objects or purposes of the incorporated association.
3. The qualifications (if any) for membership of the incorporated association and provision for when membership commences and when it ceases.
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 management committee or other body having the management of the incorporated association (in this clause referred to as the committee) and provision for the following —
  - (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;
  - (e) the quorum and procedure at meetings of the committee;
  - (f) the making and keeping of records of the proceedings at meetings of the committee;
  - (g) subject to Division 2 clause 1, the circumstances (if any) in which payment may be made to a member of the committee out of the funds of the association.
7. The quorum and procedure at general meetings of members of the incorporated association.
8. The notification of members or classes of members of general meetings of the incorporated association and their rights to attend and vote at those meetings.
9. The time within which, and manner in which, notices of general meetings and notices of motion are to be given, published or circulated.
10. Subject to Division 2 clause 3, the number of members, expressed as a percentage of membership, who may at any time require that a general meeting of the incorporated association be convened.
11. The manner in which the funds of the association are to be controlled.
12. Subject to Division 2 clauses 4 and 5, the day in each year on which the financial year of the incorporated association commences.

13. The intervals between general meetings of members of the incorporated association and the manner of calling general meetings.
14. The manner of altering and rescinding the rules and of making additional rules of the incorporated association.
15. Provisions for the custody and use of the common seal of the incorporated association, if it has one.
16. The custody of books and securities of the incorporated association.
17. The inspection by members of the incorporated association of records and documents of the incorporated association.
18. A procedure for dealing with any dispute under or relating to the rules —
  - (a) between members; or
  - (b) between members and the incorporated association.
19. Subject to section 24, the manner in which surplus property of the incorporated association must be distributed or dealt with if the association is wound up or its incorporation is cancelled.

## **Division 2 — Particular requirements for certain rules**

### **1 . Payment to members of management committee**

- (1) Any rules made as mentioned in Division 1 item 6(g) are to provide for payment to be made to a member of the management committee of an incorporated association out of the funds of the association only if the payment is authorised by resolution of the association.
- (2) Subclause (1) does not apply to payment to a member of the management committee for out-of-pocket expenses for travel and accommodation in connection with the performance of the member's functions.

### **2 . Entitlement of members in respect of general meetings**

The rules made as mentioned in Division 1 item 8 must provide for all members of the incorporated association to be entitled to receive notice of and to attend any general meeting of the association.

### **3 . Number of members who may call a general meeting**

The rules made for the purpose of Division 1 item 10 cannot specify greater than the prescribed percentage of members as the number of members who may at any time require that a general meeting be convened in accordance with the rules of the incorporated association.

### **4 . Financial year of associations incorporated under this Act**

- (1) In this clause —  
*rules* means rules made for the purposes of Division 1 item 12.
- (2) This clause applies to an association that is incorporated on or after the day on which section 4 comes into operation, other than an incorporated association to which section 190(3) applies.
- (3) The first financial year of an incorporated association after its incorporation is to be a period fixed by its rules, but not exceeding 15 months commencing on the day of incorporation.
- (4) Subsequent financial years of an incorporated association are to be the period of 12 months commencing at the termination of the first financial year or the anniversary of that termination.

(5) Subclause (4) does not limit the power of an incorporated association to amend its rules so that its financial year is some other period of 12 months and, if it does so, an initial period of more or less than 12 months may be determined to be the financial year so far as is necessary for the transition from one period to another.

## 5. Transitional provisions as to financial year of associations incorporated under the repealed Act

(1) In this clause —

*rules* means rules as to the day in each year on which the financial year of the incorporated association commences.

(2) This clause applies to —

(a) an association that is an incorporated association immediately before section 4 comes into operation; and

(b) an incorporated association to which section 191 applies.

(3) Subject to section 199, the financial year of an incorporated association to which this clause applies is to be a period of 12 months fixed by its rules.

(4) Subclause (3) does not limit the power of an incorporated association to alter the provision in its rules that fixes its financial year.

(5) If —

(a) the period fixed by an incorporated association for the purposes of subclause (3) is different from the period previously applicable to the association; or

(b) an incorporated association alters its rules as mentioned in subclause (4),

an initial period of more or less than 12 months may be determined to be the financial year so far as is necessary for the transition from one period to another.

(6) Until an incorporated association to which this clause applies amends its rules for the purposes of Division 1 item 12 —

(a) the financial year of the association continues to be that applicable immediately before section 4 came into operation; and

(b) the definition of *financial year* in section 3 is taken to provide accordingly.