

# ASSOCIATIONS INCORPORATION ACT 1981

## ACT AMENDMENTS OVERVIEW

After 13 years without change, Queensland's *Associations Incorporation Act 1981* has undergone a comprehensive review. The *Associations Incorporation and Other Legislation Amendment Act 2020* was passed by Queensland Parliament on 16 June 2020.

Some of the approved amendments bring the Act into line with other similar legislation around the country. Changes are taking effect incrementally, with some commencing immediately from June 2020 and others rolling out over the following years.

### Key changes include:

#### Changes introduced in **June 2020**



You can now hold general meetings using technology such as video conferencing, even if your constitution doesn't provide for this.



Should your members decide to wind up your association, the voluntary cancellation process has been simplified.



The maximum penalty for a breach of multiple sections of the Act has been increased to more than \$8,000.



Management committee members now have the power to appoint an administrator to place their association into voluntary administration.

#### Changes introduced in **2022**



Duties of officeholders are better aligned with company directors' duties, including duties to:

- Disclose material personal interests
- Exercise care and diligence
- Act in good faith
- Not improperly use position or information to gain benefit
- Prevent insolvent trading



Associations will no longer need to have a common seal.



Secretary must be 18 years or older.



Associations that are also Charities will only need to report to the ACNC, not OFT.

#### Changes expected to commence in **2024**



Any remuneration or benefits paid to management committee members and senior staff members, and their relatives, will need to be disclosed at the AGM.



Your association's constitution will need to include an internal grievance procedure for dealing with disputes and this procedure must provide for mediation.