
Other Government Notices

ASSOCIATIONS INCORPORATION ACT 2009

Exemption Order No. 001/18

Section 53(1) of the *Associations Incorporation Act 2009*

Financial reporting requirements

I, Rosemary Ann Webb, Commissioner for Fair Trading, NSW Department of Finance, Services and Innovation, pursuant to section 53(1) of the *Associations Incorporation Act 2009*, exempt the class of associations defined in Schedule A of this Order from the requirement to lodge documents with the Secretary under Division 1 and Division 2 of Part 5 of the *Associations Incorporation Act 2009* for a financial year that ends on or after 30 June 2018 on the conditions set out in Schedule B of this Order.

1. Commencement

This Order commences on 1 October 2018 and has effect until revoked, suspended or varied by a further Order in writing.

2. Definitions

In this Order:

AI Act means the *Associations Incorporation Act 2009* of New South Wales.

ACNC Act means the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth.

ACNC Regulation means the *Australian Charities and Not-for-profits Commission Regulation 2013* of the Commonwealth.

Commissioner means the Commissioner of the Australian Charities and Not-for-profits Commission established by section 110-5 of the *ACNC Act*.

Financial reports means the documents that must be lodged with the Secretary under Division 1 or Division 2 of the *AI Act*.

Register means the Australian Charities and Not-for-profits Register maintained by the Commissioner under Division 40 of the *ACNC Act*.

Secretary has the same meaning as under section 4(1) of the *AI Act*.

Schedule A

This Order applies to an association that is also a registered entity under the *ACNC Act*.

Schedule B

An association to which this Order applies must comply with each of the following conditions:

1. The association must comply with the obligation under Division 60 of the *ACNC Act* to give the Commissioner an annual information statement and, if applicable, an annual financial report, and a reviewer's report or auditor's report for that financial year as required under that Division.
2. The association must provide to the Commissioner in the documents referred to in Condition 1 all of the information that the association would have been required, but for this Order, to provide to the Secretary under Division 1 or Division 2 of Part 5 of the *AI Act*.
3. If the Commissioner does not, under section 40-10 of the *ACNC Act* or the *ACNC Regulation*, include on, or removes from, the Register any of the information that the association is required to provide to the Commissioner under Division 60 of the *ACNC Act*, the association must lodge the financial reports with the Secretary within one month of being notified that the information will not be included on or will be removed from the Register.
4. The association must not report to the Commissioner as part of a reporting group under Subdivision 60-G of the *ACNC Act*.

Dated this 4th day of September 2018

Rosemary Ann Webb
Commissioner for Fair Trading
Department of Finance, Services and Innovation

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