

FORM A6

Application to register change of objects or constitution

Associations Incorporation Act 2009 (section 10)



1800 502 042 fairtrading.nsw.gov.au

Please read this information before completing this form.
This form can be completed in Adobe Reader and saved for your records.

When should this form be lodged?

This form **must** be lodged when an association changes its objects or constitution within 28 days after the special resolution approving the change of objects or constitution has been passed.

A change to the constitution is only effective as at the date it is registered by Fair Trading.

Changing the objects or constitution of an incorporated association

A change of constitution or objects is passed by special resolution by members, **not at a management committee meeting**, and takes effect when it is registered by NSW Fair Trading.

Information on the matters that must be addressed in the constitution, and the procedure to adopt a new constitution or to change the constitution or objects, is available on the Fair Trading website at www.fairtrading.nsw.gov.au.

When changing the constitution it is important to ensure the amended constitution complies with the requirements of the Act and the amendments do not create any inconsistencies within the constitution.

Special resolution (motion)

The wording of the special resolution (motion) approved by the members of the association **must** be set out here. If there is insufficient room a copy of the special resolution (motion) must be attached to this form.

While not required by the Act, it is recommended the association consider passing a special resolution to adopt a complete constitution consolidating any changes.

Declaration

The declaration **must** be completed by a person authorised by the committee.

How to lodge

- **By email** to registrylodgements@customerservice.nsw.gov.au ensuring a copy of the receipt of payment is attached.
- **By post** to Registry and Accreditation, PO Box 22, Bathurst NSW 2795, ensuring a copy of the receipt of payment is included.
- **In person** at any **Service NSW Centre**. Before visiting your nearest Service NSW Centre, please telephone 13 77 88 or visit www.service.nsw.gov.au/service-centre to confirm accepted payment methods prior to attending.

How to pay the lodgement fee

Pay by credit card or PayPal using the following link:
www.fairtrading.nsw.gov.au/registrypayments

Step 1 - Click on the link or type the URL into your web browser.

Step 2 - Follow the instructions online to complete payment.
(select 'Registry and Accreditation' as the agency)

Step 3 - You will receive a receipt upon payment.

Step 4 - Attach a copy of the receipt to the form.

Alternatively, if you intend to pay by cheque or money order this can be done in person at a Service NSW Centre accepting this form of payment.

Please telephone 13 77 88 or visit www.service.nsw.gov.au/service-centre prior to attending, to confirm accepted payment methods.

Cheques or money orders should be made payable to NSW Fair Trading.

Not providing all required information and a copy of the receipt may result in delays in processing your application.

What to lodge

- The completed form A6,
- The prescribed fee,
- The wording of the special resolution (motion) approved by the members of the association. **Do not attach minutes of meetings.**
- A copy of the complete constitution if the motion was to;
 - adopt a complete constitution, **OR**
 - adopt an amended version of the Fair Trading model constitution, **OR**
- A copy of any altered, added or deleted clauses as specified by the motion including clause numbers.

If the association is adopting the Fair Trading model constitution **without changes**, do not attach a copy.

What happens when you lodge your form?

- The application will be reviewed. You will be notified in writing if further information is required.
- This form may be returned if:
 - it is not completed correctly,
 - it does not have the necessary attachments, or
 - it is received without payment.
- If your application is approved, the application will be registered and you will receive written confirmation.
- If your application is refused, you will receive written notification of the reasons.
- If any change occurs in the information you have provided in your application, you must notify NSW Fair Trading as soon as possible.

What if my application is refused?

- If you are dissatisfied with the decision made on your application, in the first instance, you may request in writing for Fair Trading to internally review the decision.
- If you are dissatisfied with the outcome of the internal review you may apply to the NSW Civil and Administrative Tribunal for an administrative review of the decision.

Contacting Registry and Accreditation

Telephone	1800 502 042
Mail	Registry and Accreditation PO Box 22, Bathurst NSW 2795
Website	www.fairtrading.nsw.gov.au/associations-and-co-operatives/associations

Assistance

Telephone - 13 14 50	Ask for an interpreter in your language.
TTY - 133 677	Telephone service for the hearing impaired.

The above information is intended as a guide only and is included to assist you in completing and lodging this form. This page is not part of the form. If required, professional advice should be obtained regarding the matters dealt with in this form.



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Registry use only

Updated June 2023

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Please read the information before completing this form.
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Fee (GST free) - \$60.00

1. Association details

Name

INCORPORATED

Registration number (not ABN) INC or Y

2. Special resolution (motion)

The special resolution (motion) approving the change was passed by members on

(DD/MM/YYYY)

Provide the exact wording of the special resolution (motion) passed at a general meeting of the members. If insufficient space please attach. (Do not attach the minutes).

Did the special resolution adopt a complete constitution?

☐ **Yes - The Fair Trading model constitution** (do not attach copy).

OR

☐ **Yes - Our own constitution** (attach a full copy of the adopted Constitution consolidating any changes).

OR

☐ **No - Amending our existing constitution** (attach the new or amended Clauses including clause numbers).

3. Financial year end

Does the special resolution adopt a change to the association's financial year end?

☐ Yes ☐ No

If yes, the association's new financial year end will be

 /

DD

MM

(If the association has adopted the NSW Fair Trading model constitution OR its financial year end is not included in its current constitution then the Association's financial year end will be 30 June)

4. Declaration

I declare:

- I am authorised by the committee of the association to make this application,
- the information set out in this form and in any attachment to this form is correct,
- the constitution/change accompanying this application complies with the requirements of the *Associations Incorporation Act 2009* and have been amended as required by section 10 of the Act.

Signature

Date signed (DD/MM/YYYY)

This form is designed to be completed in Adobe Reader. A cross appearing in the digital signature field above may indicate a compatibility issue. If a cross appears please sign here

Printed name

Position held

5. Privacy statement

NSW Fair Trading, Department of Customer Service gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIP Act). Service NSW acts as a shopfront for us and performs transactions for you, on our behalf.

The personal information contained in your application is collected and held by NSW Fair Trading and Service NSW will collect and hold personal information on our behalf as part of the application process.

We are collecting your personal information for the following purposes:

1. To process and determine your application to register change of objects or constitution in accordance with section 10 of the *Associations Incorporation Act 2009* (AI Act).
2. Internal administrative purposes, including liaising with you in relation to your application.
3. We may use the information to support more informed policy making, program management, evaluation, research and service planning as it can facilitate more efficient service delivery for incorporated associations in NSW.
4. As required by legislation to record information on a public register, parts of which will be published online.

The consequence of not providing it is that your application may not be able to be determined. We may use the personal information contained in your application to confirm your details if you make any subsequent applications. We may also use it to administer/update our public register, including to send you information that we consider important such as information and updates regarding Incorporated Association's obligations under the AI Act.

We will store and manage your personal information in accordance with provisions under the PPIP Act.

If required, we may make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes. We may disclose your personal information for these purposes.

We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or permitted to do so by law. Our [Privacy Statement](#) describes when this may occur. You can find this information and our [Privacy Management Plan](#) on the Department of Customer Service website.

Please see the [Fair Trading Privacy Code of Practice](#) for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint, or email brdprivacy@customerservice.nsw.gov.au.

For more information about how Service NSW handles personal information please visit www.service.nsw.gov.au/privacy.

Who should NSW Fair Trading contact if there is a query about this form?

Title	Given name(s)	Family/Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
Contact number	Mobile number	
<input type="text"/>	<input type="text"/>	
Address		
<input type="text"/>		
Suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>
Email address		
<input type="text"/>		

Payment details

Application fee: \$60.00

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Receipt number