

FORM A3

Application for registration of an amalgamated incorporated association

Associations Incorporation Act 2009 (section 6)



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 used?

This form should be used where 2 or more existing incorporated associations intend to amalgamate to form one incorporated association.

NOTE: The amalgamated incorporated association must have at least 5 members in order to be and remain registered.

This form **must** be completed by the first public officer of the proposed association.

What should we do before completing the form?

Read the webpage on amalgamation at www.fairtrading.nsw.gov.au and ensure each incorporated association has completed the following steps:

- determine the basis under which the associations will amalgamate, including the objects, constitution, committee and first public officer, as well as the structure and operations of the proposed amalgamated association,
- ensure each association has passed a special resolution authorising the application for registration of the amalgamated incorporated association and approving the objects and proposed constitution of the association.
- ensure all outstanding annual summaries (Form A12) have been lodged for amalgamating incorporated associations.

Proposed association name (part 1)

Set out the spelling of the name of the proposed association EXACTLY as you wish it to appear on the certificate of registration.

Please note that the name will appear on the certificate in CAPITAL letters.

The name **must** end in the word 'INCORPORATED' or the abbreviation 'INC'.

When choosing a name for an association it is important to appreciate Fair Trading may refuse to register a name in certain circumstances, including where:

- it closely resembles the name of an existing or former incorporated association and the public would likely be misled, unless it is the same as one of the amalgamating associations,
- it is the same as a registered business, company or co-operative name,
- it is considered to be offensive or undesirable, or
- if the name or words in the name are restricted by state or federal law.

To reduce delay you should nominate up to 3 different names, in order of preference. The first available name will be registered. Before making this application, please read the webpage titled 'Naming your incorporated association' on www.fairtrading.nsw.gov.au.

Amalgamating association details (part 2)

Set out the details of each of the incorporated associations that propose to amalgamate. If there are more than two associations, list the details of the other associations on a separate page.

First public officer (part 3)

The public officer of the association must:

- be aged 18 years or more,
- reside in NSW,
- not be a bankrupt, and
- not be a mentally incapacitated person.

First official address (part 4)

The official address must be an address in NSW where:

- the person who is to be the association's first public officer can generally be found, and
- documents can be served on the association by post.

The official address CANNOT be a post office box.

For most associations the official address will also be the address where the register of committee members and other records of the association will be kept. The public officer must notify NSW Fair Trading of a change in the official address within 28 days.

Association email address (part 5)

This is the main email address for the Association (e.g. the contact email that may be displayed on an association's website). The email address will appear on the public register.

Constitution (part 6)

Identify whether the proposed association will have the Fair Trading model constitution or its own constitution. Please attach own constitution. For information on the matters that must be addressed in the constitution please read the webpage titled 'About the Constitution' on www.fairtrading.nsw.gov.au.

Objects (part 7)

It is not necessary to complete this item if the objects are attached or included as part of the constitution.

An association that adopts the model constitution must set out or attach its objects to this form.

Principal Activity (part 8)

Tick **one** box that best describes the main activity of the association.

Financial details (part 9)

Financial year end - the association's financial year end is required to be set out in the association's constitution. If the association has adopted the model constitution, the financial year end is 30 June.

Source(s) of income - set out the major source(s) of the association's income.

Gross receipts/total revenue - is the combined total revenue recorded in the amalgamating associations' income and expenditure statements or an estimate of the revenue a new association expects to earn in the first 12 months.

Current assets - are combined assets, other than real property or assets capable of depreciation, held by the amalgamating associations at the end of the associations' last financial year. Current assets include amounts held in financial institutions including bank accounts and term deposits, inventory and debtors.

Property held in trust for the proposed association - if a person is holding property (eg: land or vehicles) in trust on behalf of the proposed association attach details of the property and its approximate value. You should contact Registry and Accreditation for information concerning the transfer of property held on trust into the name of the association.

Declaration (part 11)

The declaration **must** be completed by the person nominated to be the first public officer of the association.

A3 Supplement

A separate A3 Supplement form must be completed for each of the amalgamating associations.

Association details (part 1) - Please ensure the correct name and registration number of the association is included in this section.

Special resolution (part 2) - The terms 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 must be attached to this form.

Declaration (part 4) - The declaration on the reverse of the form must be completed by the respective public officer of each of the amalgamating associations.

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 happens when you lodge your application?

- 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, or
 - it does not have the necessary attachments, or
 - it is received without payment.
- If your application is approved, the association will be registered and the registration of the amalgamating associations will be cancelled. You will receive a certificate of registration for the new amalgamated incorporated association.
- 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 apply in writing to Fair Trading to have the decision reviewed.
- If you are dissatisfied with the outcome of the internal review you may apply to the NSW Civil and Administrative Tribunal for a 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.

FORM A3

Application for registration of an amalgamated incorporated association

Associations Incorporation Act 2009 (section 6)

Registry use only

Updated June 2023

1800 502 042 fairtrading.nsw.gov.au

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

Fee (GST free)
If name is NOT reserved - \$199.00
If name is currently reserved - \$155.00

1. Proposed association name *(in order of preference)*

		Office use
1.	<input type="text"/>	INCORPORATED App / Rej
2.	<input type="text"/>	INCORPORATED App / Rej
3.	<input type="text"/>	INCORPORATED App / Rej

If insufficient space please attach details of proposed names.

If the name is reserved, please enter a current reservation number

2. Amalgamating association details

Name	<input type="text"/>	INCORPORATED
Registration number <i>(not ABN)</i> INC or Y	<input type="text"/>	
AND		
Name	<input type="text"/>	INCORPORATED
Registration number <i>(not ABN)</i> INC or Y	<input type="text"/>	

3. First public officer *(must reside in NSW)*

Title	Given name(s)	Family/Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
Date of birth (DD/MM/YYYY)	<input type="text"/>	
Contact number	Mobile number	
<input type="text"/>	<input type="text"/>	
<input type="checkbox"/> I currently reside within New South Wales		

4. First official address *(cannot be a Post Office box - see note 4)*

Address		
<input type="text"/>		
Suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>

5. Association email address

Email address
<input type="text"/>

6. Constitution

The proposed constitution is

- ☐ Fair Trading model constitution (without modification) **OR**
☐ Own constitution (copy to be attached)

7. Objects

The objects must be a clear **detailed** explanation of the purpose of the organisation

8. Principal activity

The principal activity of the association is *(tick 1 box only)*

- | | | |
|---------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------|
| <input type="checkbox"/> 1. Aged care/respite care/home care | <input type="checkbox"/> 5. Education/employment/training/research | <input type="checkbox"/> 9. Religious |
| <input type="checkbox"/> 2. Arts/culture/literary/heritage | <input type="checkbox"/> 6. Environment/horticulture/animal protection | <input type="checkbox"/> 10. Social services/community association |
| <input type="checkbox"/> 3. Business/professional association | <input type="checkbox"/> 7. Legal/civic/advocacy services | <input type="checkbox"/> 11. Sporting |
| <input type="checkbox"/> 4. Child care services | <input type="checkbox"/> 8. Personal interest/hobby group/social group | <input type="checkbox"/> 12. Other |

9. Financial details

The financial year end of the association will be / each year, as set out in the constitution
DD MM

(If the association has adopted the MODEL CONSTITUTION its financial year MUST be 30 JUNE)

The major sources of income of the association will be *(tick one or more)*

- ☐ Donations ☐ Fundraising ☐ Grants ☐ Member fees ☐ Other *(provide details)*

The income, assets, expenditure and liabilities of the amalgamated association and of any trust of which the association will be the trustee during the associations first financial year are **estimated** to be

	Association	Trust
Gross receipts*/total revenue	\$	\$
Expenditure	\$	\$
Current assets*	\$	\$
Total assets (includes current assets)	\$	\$
Liabilities	\$	\$

* See attached notes for the definition of gross receipts/total revenue and current assets.

Amounts must be entered above.

Is a person holding any property (eg: land or vehicles) in trust or otherwise on behalf of the proposed association?

☐ Yes ☐ No

If Yes, please provide details.

10. Optional information *(used for statistical purposes only)*

Is the association specifically established for the benefit of *(tick all that apply)*

- | | |
|--------------------------------------------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Aboriginal and Torres Strait Islanders | <input type="checkbox"/> People with a disability |
| <input type="checkbox"/> People from cultural and linguistically diverse backgrounds | <input type="checkbox"/> Women |

11. Declaration

I declare:

- I have been nominated to be the first public officer of the association,
- I am authorised to apply for registration of the above named association,
- the particulars within this application are true,
- if this application is approved the proposed association will have at least 5 members at the time of registration, and the proposed association has approved the adoption:
 - of the model constitution, OR
 - of the constitution attached to this application AND that constitution complies with the requirements of the *Associations Incorporation Act 2009*, including but not limited to providing for the matters referred to in Schedule 1 to 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

12. 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. For determining an application for registration of an amalgamated incorporated association in accordance with section 6 of *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:

If name is NOT reserved: \$199.00

If name is currently reserved: \$155.00

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.

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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.

Receipt number

Checklist *(tick boxes and ensure documents are attached)*

- ☐ a copy of the special resolution (A3 Supplement) approving the amalgamation for each amalgamating association
- ☐ a copy of your constitution - not necessary if the model constitution is to be adopted
- ☐ any outstanding annual summary of financial affairs (Form A12) required to be lodged under section 45 or 49 of the *Associations Incorporation Act 2009* (as the case may be) for any of the amalgamating associations for the 3 financial years before the application is made

1800 502 042 fairtrading.nsw.gov.au

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Fee Nil

1. Association details

Name

INCORPORATED

Registration number (not ABN) INC or Y

2. Special resolution

The special resolution (motion) approving the amalgamation of the above association with the following association was passed on

(DD/MM/YYYY)

Name

INCORPORATED

Registration number (not ABN) INC or Y

The wording of the special resolution (motion) is set out below, or is attached

3. Privacy statement

NSW Fair Trading 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. For determining an application for registration of an amalgamated incorporated association in accordance with section 6 of *Associations Incorporation Act 2009* No 7.
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 residents and business 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 in relation to any licence or authority issued by NSW Fair Trading. We may also use it to administer/ update our customer database, including to send you information that we consider important such as reminders to renew licences.

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

FORM CONTINUES NEXT PAGE

3. Privacy statement *(continued)*

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.

4. Declaration

I declare:

- I am the public officer of the first named association
- the particulars within this application are true.

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

Note: Each of the incorporated associations intending to amalgamate must lodge a copy of this document with Form A3.

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

Title

Given name(s)

Family/Surname

Contact number

Mobile number

Address

Suburb

State

Postcode

Email address