

Application for voluntary winding up of an incorporated association

Associations Incorporation Act 1981

This form is effective from 1 July 2011

OFFICE USE ONLY

Date received

Lodgement details

LU number:

Instructions

Please use **BLOCK** letters when you fill out this form. Attach extra sheets if there is not enough space. All dates should be DD/MM/YYYY.

Privacy statement—please read

The Office of Fair Trading is collecting information, including personal information, on this form for the purposes of the *Associations Incorporation Act 1981* and Associations Incorporation Regulation 1999. In accordance with this legislation, a register of this information and any documents required by the department is available for inspection by the public upon payment of a prescribed fee. Where authorised or required by law, information on this form can be disclosed without your consent.

No fee is payable.

Part 1—Personal particulars—appointed person

Incorporated association details

Incorporated association number

Name of incorporated association

Part 2—Current or unincorporated association details

This form should be completed by the president, secretary or treasurer

Any correspondence regarding this application will be sent to this person.

Postal address

Contact details

Preferred title Mr Mrs Ms Miss Other (specify)

Surname Given names

Postal address

Suburb State Postcode

Phone (day time) Mobile

Email

Part 3—Application for voluntary winding up and disposal of assets

Voluntary winding up

*A special resolution is a resolution passed at a general meeting by the votes of $\frac{3}{4}$ of the members who are taken to be present and entitled to vote on the resolution. Written notice of a proposed special resolution, and of the time and place of the general meeting at which it is proposed to move the resolution, must be given as required under the association's rules, before the general meeting to each member who has a right to vote on the resolution.

Application is made for the winding up and deregistration of the above named association. At a general meeting of the members of the association duly convened and held at (place)

.....

on / / (date) a special resolution* resolving to wind up the association was passed by the members, in accordance with Section 89 of the Act.

Part 3—Application for voluntary winding up and disposal of assets continued

Disposal of assets

Surplus assets must not be distributed among members and must be given to another non-profit entity.

At a general meeting of the members of the association duly convened and held at (place)

.....

on / / (date) a special resolution* resolving to dispose of the surplus assets of the association was passed by the members, in accordance with Section 92 of the Act.

The members resolved to dispose of the surplus assets in the following manner:

.....

Part 4—Attachments

Documents

All of these documents must be provided to enable the association to be deregistered.

Please note: the definition of a Level 1, 2 and 3 association is contained in Section 58 of the Act.

An association which is also required to have an audit conducted under the *Collections Act 1966*, *Gaming Machine Act 1991* or under any law for any other purpose must meet the reporting requirements of a Level 1 association.

1. A copy of the special resolution to wind up the association signed by two members of the management committee is attached.
 2. The original certificate of incorporation is attached.
- OR
- The original certificate of incorporation has been lost or destroyed and a statutory declaration to that effect signed by the secretary is attached.
3. A final financial statement of the association is attached.
- The financial statement must be:
- Level 1 association—audited by an auditor or an accountant as defined in Section 58 of the Act.
 - Level 2 association—contain a statement signed by an auditor, an accountant, or an approved person as defined in Section 58 of the Act, that states the person has sighted the association's records and the association's financial records show that the association has bookkeeping processes in place to adequately record the association's income and expenditure and dealing with its assets and liabilities.
 - Level 3 association—contain a statement signed by the president or treasurer that states that the association keeps financial records in a way that properly records the association's income and expenditure and dealings with its assets and liabilities.
4. Receipts from the organisations receiving the surplus assets of the association are attached (if not, please provide reason).

.....

Part 5—Statutory declaration for winding up

Details

To be completed by the president, secretary or treasurer.

I (name)

do solemnly and sincerely declare that:

1. I am the president/secretary/treasurer of (name of incorporated association)

2. The association has complied with all the requirements of the Act and the association's rules in relations to the calling, holding and passing of the special resolution at a general meeting on / / (date) to wind up the association and the association has ceased to exist and I make this solemn declaration conscientiously believing that same to be true and by virtue of the provisions of the *Oaths Act 1867*.

Declaration

To be signed by the president, secretary or treasurer.

To be signed by J.P., Commissioner for Declarations etc.

Declared at (location)

in the state of Queensland.

Date / /

Signature of the president/secretary/treasurer

Before me

Signature of Justice of the Peace (J.P.), Commissioner for Declarations (C.Dec), etc.

Lodgement

Please lodge the completed application and any supporting documentation to the Office of Fair Trading at the address below, or at one of our regional offices. No fees are payable on lodgement.

By mail:

Registration Services
Office of Fair Trading
GPO Box 3111
Brisbane QLD 4001.

Visit www.fairtrading.qld.gov.au or call **13 QGOV** (13 74 68) for information and your nearest Fair Trading Office.