

# The statutory obligations of an incorporated association

September 2004

*Incorporation may benefit an association and its members, yet it also brings a number of statutory obligations. Failure to comply with these obligations may lead to prosecution or a direction from the Registrar to wind up the association.*

### ***Need more information?***

Call Consumer Affairs Victoria on 1300 36 16 73.

### **Annual reporting obligations**

Each calendar year an incorporated association must:

- hold an annual general meeting, within five months after the end of the association's financial year
- lodge an Annual Statement by Public Officer with the Registrar within one month after the annual general meeting.

### **Ongoing obligations**

An incorporated association is also required to:

- ensure that the registered name and number of the association appears in all its notices, advertisements publications and business documents
- notify the Registrar of a change of its registered address
- notify the Registrar if it becomes a trustee of a trust
- notify the Registrar of any changes to its statement of purposes or rules
- make a copy of its rules available for inspection by its members on request
- notify the Registrar of a change of Public Officer or change of Public Officer's address

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- maintain adequate and accurate accounting records of its financial transactions
- make a copy of the trust deed of any trust held on behalf of the incorporated association by a person or body other than the association available for inspection by its members on request
- have its accounts audited at the end of each financial year and retain accounting records for seven years (prescribed associations only)
- notify the Registrar of any special resolution relating to winding up and distribution of assets.

### **More information**

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Information on Associations is available from:

**Consumer Affairs Victoria  
Victorian Consumer &  
Business Centre**

113 Exhibition Street  
Melbourne 3000

Counter hours: 8.30am-5.00pm Mon-Fri

Postal Address

GPO Box 4567

Melbourne 3001

Telephone: 1300 36 16 73

Fax: 03 8684 6210

Phone hours: 9.00am-5.00pm Mon-Fri

Website [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)



The information contained in this fact sheet is of a general nature only and should not be regarded as a substitute for a reference to the legislation or professional advice.

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