



FORM 06n

Application for voluntary cancellation of incorporation

Associations Incorporation Act 2015 s130 and 141

Purpose

For use when an incorporated association passes a special resolution in accordance with the *Associations Incorporation Act 2015* (the Act) to voluntarily cancel its incorporation.

The incorporation of an association can only be voluntarily cancelled if it is solvent.

Instructions

- Type directly into this form electronically before printing and signing it or hand print neatly using an ink pen in block letters.
- Tick where appropriate and attach additional pages if space in this form is insufficient.
- An incomplete application cannot be processed
- Please do not staple the documents
- Keep a copy of the application (including attachments) for your own records.

OFFICE USE ONLY

SECTION A: PROPOSED INCORPORATED ASSOCIATION PARTICULARS

1. What is the name of the association?
The association's name as shown on the certificate of incorporation.

AGED & COMMUNITY SERVICES WESTERN AUSTRALIA INCORPORATED
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2. What is the incorporated association's registration number (IARN):

AO760044T

SECTION B: TERMS OF THE SPECIAL RESOLUTION TO VOLUNTARILY CANCEL

3. At a meeting of members, the association resolved by special resolution to:

Select all that apply

- Apply for the voluntary cancellation of the association's incorporation
- Approve the distribution plan set out in **Section C** for the transfer of the association's surplus property

4. What is the date of the general meeting where members passed the required special resolutions?

<i>Day</i>	<i>Month</i>	<i>Year</i>
15	03	2016

5. Provide the terms (wording) of the special resolution to voluntarily cancel below:

As attached – see resolution 2(c)

If there is insufficient space, please attach an annexure labelled "Special Resolution"

SECTION C: DISTRIBUTION PLAN

Only complete this section if the association has any surplus property after the satisfaction of all debts and liabilities. If there is no surplus property proceed directly to **Section D**.

IMPORTANT: Consumer Protection will provide written advice of when the distribution plan is approved for implementation. The association must not distribute its surplus property before receiving this advice.

6. Provide the details of the association's property remaining after the satisfaction of all debts and liabilities.

Funds	\$50,000.00 (approx)
Other property or assets:	Suites 15-16, 25 Walters Drive, OSBORNE PARK WA 6007:
	- Lot 15 on Strata Plan 20434 (Certificate of Title volume 1938 folio 551)
	- Lot 16 on Strata Plan 20434 (Certificate of Title volume 1938 folio 552)

If there is insufficient space, please attach an annexure labelled "Surplus Assets"

1. The members agreed by special resolution to that the surplus assets to be distributed to:

Select all that apply

- An association incorporated under the Act
- A company limited by guarantee under the *Corporations Act 2001*
- A company under the *Corporations Act 2001* that is registered under the *Australian Charities and Not-for-profits Commission Act 2012*
- A body corporate which holds a licence under the *Charitable Collections Act 1946*
- A body corporate whose rules prevent the distribution of property to members and is a former member of the incorporated association that is applying for cancellation
- A non-distributing Co-operative registered under the *Co-operatives Act 2009*
- A trustee for a body corporate that is a member or former member of the incorporated association which at the time of the distribution has rules that prevent the distribution of property to members

7. Provide the name of the entity or entities that the assets are to be distributed to, and the estimated value of assets being transferred:

Entity name	Estimated value of assets
AGED & COMMUNITY SERVICES AUSTRALIA ACN 609 882 288	\$1,100,000.00

If there is insufficient space, please attach an annexure labelled "Distribution"

8. Do the terms of the distribution plan comply with the association's rules?

- Yes No

SECTION D: AUTHORISED PERSONS PARTICULARS & DECLARATION

Tick only **one (1)** option. If you do not hold a position on the committee, select the Agents declaration and provide a signed copy of the **Certificate and statement of a management committee member**



Committee Member's declaration

I hereby certify that:

- I am a duly elected committee member of the association who is authorised to lodge this application along with any accompanying documents under the Act;
- before the special resolution to voluntarily cancel the incorporation of the association was passed by members, the management committee examined the association's affairs and by resolution declared the association has met, or is able to meet its debts and liabilities;
- the special resolution to cancel the incorporation of the association was duly passed by special resolution of the members at a general meeting called in accordance with the rules and the requirements of the Associations Incorporation Act 2015;
- the distribution plan, if any, set out in this application for voluntary cancellation was approved by special resolution of the association's members; and
- I understand that it is an offence under section 177 of the Act to make a false and misleading declaration in relation to this application.



Agent's declaration

I certify that:

- I am authorised by the association's committee to lodge this application any accompanying documents under the Act;
- I have prepared this application in accordance with the information supplied by the association's committee;
- I have attached a Certificate and Statement of a Committee Member form signed by a member of the association's management committee; and
- I understand that it is an offence under section 177 of the Act to make a false and misleading declaration in relation to this application.

Signed

Date

Title

Mr Mrs Ms Miss Other ► _____

Name

Surname

Address
(Street or PO)

Suburb

State

Postcode

Email

Telephone

IMPORTANT: Before you sign this form, check that you have provided true and correct information.

Privacy Statement – please read. The Department of Mines, Industry Regulation and Safety, Consumer Protection Division is collecting and holding information supplied for the purposes of the Act. In accordance with this legislation, a copy of this form and the information it contains will be available for purchase by the public upon payment of a prescribed fee.

LODGING THIS APPLICATION

This application can be lodged through the AssociationsOnline portal. You can access it by logging in at www.commerce.wa.gov.au/AssociationsOnline and following the links there.

Alternatively, make a copy of the completed application (including any attachments) for your own records and then return by:

mail to: Department of Mines, Industry Regulation and Safety
Consumer Protection Division
Associations and Charities Branch
Locked Bag 100
EAST PERTH WA 6892

email to: associations@dmirs.wa.gov.au *(Please ensure that the form is clearly scanned)*

For assistance call our information line on 1300 304 074 or (08) 6552 9300 (8.30 am to 5.00pm weekdays)

PAYMENT

This application is subject to fee relief.

Please refer to our webpage for further fee waiver information

<https://www.commerce.wa.gov.au/consumer-protection/associations-fees-forms-and-online-transactions>