

AssociationsOnline Information & Summary of Changes to the Act

AssociationsOnline

As an affiliate of WACSSO, you can register with AssociationsOnline to submit applications and access documents held by the Department of Mines, Industry Regulation and Safety (DMIRS) Consumer Protection Division. Please note there is a fee for some downloads and for lodging some documents.

In order to access all of the AssociationsOnline services you will be required to register a user account and then link it to the Association. As WACSSO is a 'Primary User' for all affiliated Associations, you will be required to request approval to become a 'Primary' or 'Authorised User'. You can do this via the AssociationsOnline website. Please do not remove WACSSO as a 'Primary User' (more than one 'Primary User' is permitted). The Association 'Primary User' should be one of the Office Bearers and this responsibility should be motioned and voted upon at a General Meeting.

Once approved you will be able to use the AssociationsOnline services. The Association is encouraged to keep records of any AssociationsOnline users it approves. There are help guides and videos for using AssociationsOnline available on the Consumer Protections website.

Annual Information Statement

WACSSO-affiliated P&Cs, School Councils and School Boards are Incorporated Associations and as such are now required to submit an Information Statement to the Commissioner for Consumer Protection every year. This Statement confirms for the Commissioner that:

- ✓ an Association is still active and eligible to be incorporated;
- ✓ the address details held by Consumer Protection are correct; and
- ✓ the Association has met its obligation to hold an Annual General Meeting for the year.

The Statement needs to be lodged with Consumer Protection within six months after the end of an Association's financial year. So, for Associations operating on a 1 January to 31 December financial year, the 2022 Statement should be provided by no later than 30 June 2023.

The Statement can be lodged by either the Primary or Authorised User linked to the Association's account using AssociationsOnline. Currently, it is free to lodge this Statement on AssociationsOnline.

Annual Information Statement details you will need:

- Current Address
- AGM Date
- Total Revenue for the last financial year (total amount of money received by the Association)
- Confirm that it has at least 6 voting members
- Confirm its main purpose (educational)
- Confirm whether you are ACNC registered

You do not need to submit meeting minutes, Financial Reports or details of the Association's members or committee of management.

The 2019 P&C Constitution

The 2019 P&C Constitution complies with the Associations Incorporation Act 2015. The 2019 P&C Constitution should have been adopted by now, for P&Cs who have not yet adopted the constitution we urge you to do so as soon as possible.

Individual affiliates cannot update or change their own Constitution. If you attempt to do so, the Department of Mines, Industry Regulation and Safety will contact WACSSO. Regardless of your progress on the adoption of the 2019 P&C Constitution, the following changes in the new Associations Incorporation Act 2015 must be put into action NOW.

Key obligations of Associations under the *Associations Incorporation Act (AIA) 2015*

Committee members are required to take all reasonable steps to ensure that their Association complies with all of these obligations:

- Annual General Meeting (AGM) must be held within six months after the end of the Association's financial year (AIA 2015 Section 50).
- Annual accounts must be prepared and presented to members at each AGM (AIA 2015 68-76).
- Special resolutions are needed to amend the rules, voluntarily cancel or amalgamate the Association. A special resolution must be approved by 75% of the members who attend and vote at a general meeting that has been properly convened under the rules. Details of the special resolution must be lodged with Consumer Protection for it to have a legal effect (AIA 2015 Section 51). Any resolutions that amend rules, or cancel or amalgamate Associations must be processed by WACSSO.
- Accounting records must be kept in such a way that true and fair accounts of the Association can be prepared from time to time according to the requirements for the Association's financial reporting Tier (AIA 2015 Sections 66).
- An up-to-date members' register must be maintained and made available to any member to inspect and copy on request (AIA 2015 Section 53,54).
- The rules of the Association must be kept up-to-date and made available to any member to inspect and copy on request (AIA 2015 Section 35))
- A copy of the rules must be provided to each member when they join the Association (AIA 2015 Section 36).
- A list of committee members and office bearers, together with their residential, postal, business or email address must be maintained and made available to any member to access or copy on request (AIA 2015 Section 58).
- Notify Consumer Protection of any changes in the Association's address within 28 days of the change occurring (AIA 2015 Section 175)
- Submit Annual Information Statements within 6 months after the end of each financial year (AIA 2015 Section 156).

For further information

Help guides for AssociationsOnline

Online: www.commerce.wa.gov.au/consumer-protection/help-using-associationsonline

Inc guide for Incorporated Associations

Online: www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia

Department of Mines, Industry Regulation and Safety (DMIRS)

Call: 1300 304 074 for general enquiries or the Associations Branch 6552 9300 during office hours 8.30am to 5pm, Monday to Friday.

Email: associations@dmirs.wa.gov.au

Online: www.commerce.wa.gov.au/consumer-protection/associations-and-clubs

WACSSO Corporate Support

Call: 6210 0106 during office hours 8am to 4pm, Monday, Tuesday, Thursday and Friday.

Email: corporatesupport@wacssso.wa.edu.au