

**ASSOCIATIONS INCORPORATION (AMENDMENT) BILL,
1985**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Associations Incorporation Act, 1984 ("the Act"), so as—

- (a) to enable the regulations to prescribe persons and classes of persons as being approved insurers for the purposes of provisions of the Act concerned with the duty of an association incorporated under the Act ("an incorporated association") to insure (Schedule 1 (1));
 - (b) to alter, for the purpose of greater flexibility, the provision which requires an incorporated association to effect and maintain insurance against a liability of the association arising out of death, bodily injury or damage to property so that the requirement will be to effect and maintain such insurance as may be required by the regulations (Schedule 1 (2)); and
 - (c) to repeal the provision whereby a member of the committee of an incorporated association which was required to effect and maintain insurance against a liability of the association but which failed to do so was liable to contribute in a winding up of the association to the extent of the liability (Schedule 1 (2)).
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**ASSOCIATIONS INCORPORATION (AMENDMENT) BILL,
1985**

No. , 1985.

A BILL FOR

An Act to amend the Associations Incorporation Act, 1984, in relation to
the duty of incorporated associations to insure.

Associations Incorporation (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **Short title.**

1. This Act may be cited as the "Associations Incorporation (Amendment) Act, 1985".

Amendment of Act No. 143, 1984.

10 2. The Associations Incorporation Act, 1984, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE ASSOCIATIONS INCORPORATION ACT, 1984.

(1) Section 42—

15 Omit the section, insert instead:—

Interpretation.

42. In this Part, "approved insurer" means a person, or a person belonging to a class of persons—

20 (a) approved as referred to in section 156 of the Strata Titles Act, 1973; or

(b) prescribed for the purposes of this paragraph.

(2) Sections 44, 45—

Omit the sections, insert instead:—

Requirement to insure.

25 44. (1) An incorporated association shall effect and maintain with an approved insurer such insurance against a liability of the association as may be required by the regulations, for a cover of not less than the amount required by the regulations.

Penalty: \$500.

Associations Incorporation (Amendment) 1985

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ASSOCIATIONS INCORPORATION ACT, 1984—
continued.

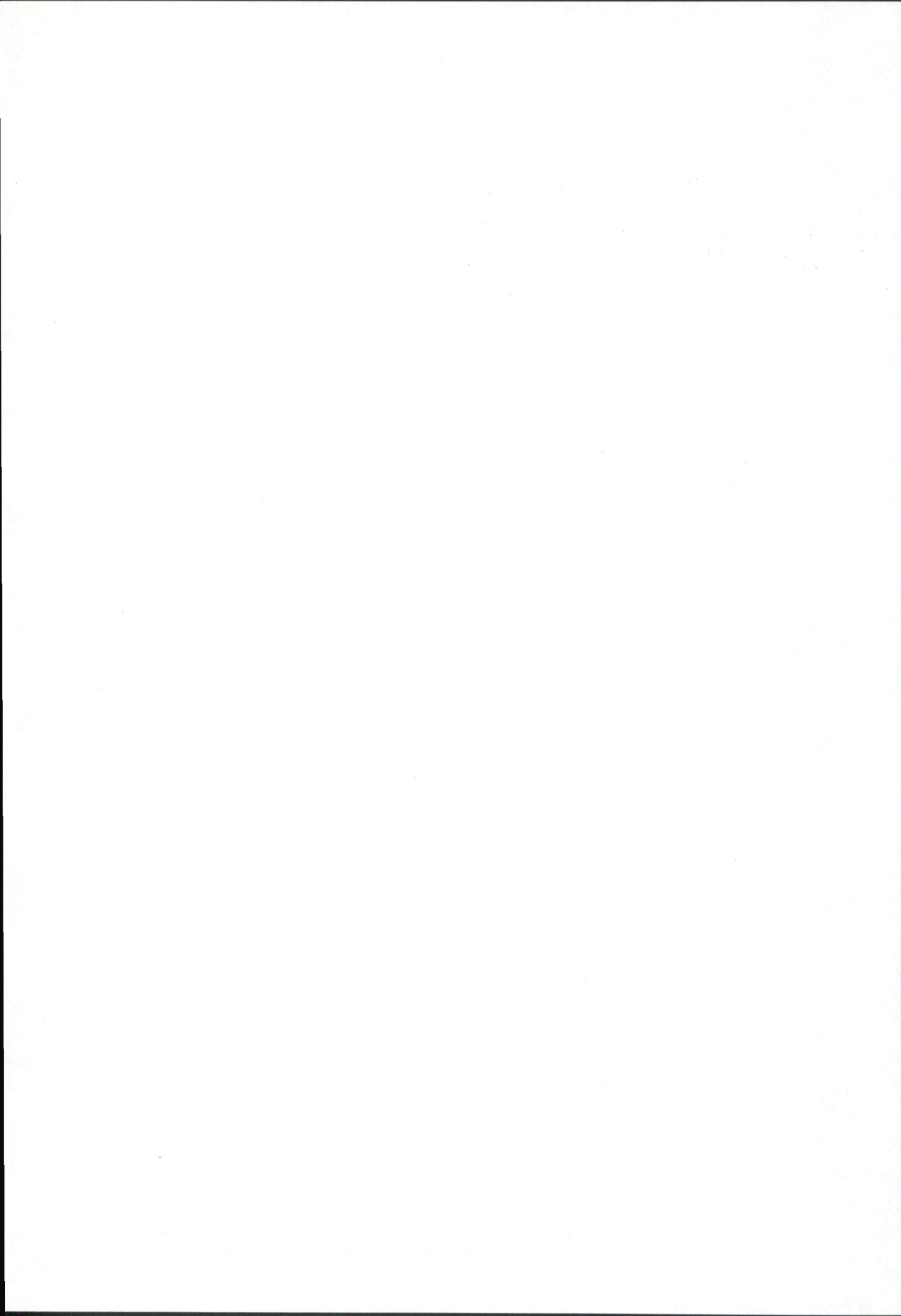
5 (2) Without affecting the generality of subsection (1), regulations made for the purpose of that subsection may require an incorporated association to effect and maintain insurance against a liability of the association arising out of an occurrence causing death or bodily injury to a person or damage to property.

Exemption where members liable.

10 45. Section 44 does not operate to require an incorporated association to effect and maintain insurance against a liability of the association if the members of the association are each liable to contribute in a winding up of the association to an amount which is
15 not less than the amount of the cover required under that section in respect of the liability.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985



**ASSOCIATIONS INCORPORATION (AMENDMENT) ACT, 1985,
No. 75**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 75, 1985.

An Act to amend the Associations Incorporation Act, 1984, in relation to the duty of incorporated associations to insure. [Assented to, 27th May, 1985.]

Associations Incorporation (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Associations Incorporation (Amendment) Act, 1985".

Amendment of Act No. 143, 1984.

2. The Associations Incorporation Act, 1984, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE ASSOCIATIONS INCORPORATION ACT, 1984.

(1) Section 42—

Omit the section, insert instead:—

Interpretation.

42. In this Part, "approved insurer" means a person, or a person belonging to a class of persons—

- (a) approved as referred to in section 156 of the Strata Titles Act, 1973; or
- (b) prescribed for the purposes of this paragraph.

(2) Sections 44, 45—

Omit the sections, insert instead:—

Requirement to insure.

44. (1) An incorporated association shall effect and maintain with an approved insurer such insurance against a liability of the association as may be required by the regulations, for a cover of not less than the amount required by the regulations.

Penalty: \$500.

Associations Incorporation (Amendment) 1985

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ASSOCIATIONS INCORPORATION ACT, 1984—
continued.

(2) Without affecting the generality of subsection (1), regulations made for the purpose of that subsection may require an incorporated association to effect and maintain insurance against a liability of the association arising out of an occurrence causing death or bodily injury to a person or damage to property.

Exemption where members liable.

45. Section 44 does not operate to require an incorporated association to effect and maintain insurance against a liability of the association if the members of the association are each liable to contribute in a winding up of the association to an amount which is not less than the amount of the cover required under that section in respect of the liability.

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

Government House,
Sydney, 27th May, 1985.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

