



ANNO DUODECIMO

## ELIZABETHAE II REGINAE

A.D. 1963

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### No. 18 of 1963

An Act to amend the Associations Incorporation Act, 1956-1957.

[Assented to 7th November, 1963.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Associations Incorporation Act Amendment Act, 1963". Short titles.

(2) The Associations Incorporation Act, 1956-1957, as amended by this Act, may be cited as the "Associations Incorporation Act, 1956-1963".

(3) The Associations Incorporation Act, 1956-1957, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 7 of the principal Act is amended by striking out paragraph iv of subsection (1) thereof and substituting in lieu of that paragraph a new paragraph as follows :— Amendment of principal Act, s. 7.

iv. That the name of the association is similar to that of any body corporate whether incorporated or registered under this Act or any other Act or to a name registered under the Registration of Business Names

Act, 1928-1961, or the Business Names Act, 1963, or is so similar thereto as to be likely to be mistaken therefor.

Repeal and re-enactment of s. 10 of principal Act—

Names of Associations.

4. Section 10 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

10. (1) The registrar may refuse to issue a certificate of incorporation of any association under any name—

(a) which includes any of the words “limited”, “no-liability”, “proprietary”, “corporation”, or “co-operative” or any abbreviation or contraction thereof;

(b) the use of which is prohibited by any Act or law ;  
or

(c) which is not in the English language.

(2) An association shall not be registered by a name by which—

(a) a company or foreign company could not be registered under section 22 or section 353 of the Companies Act, 1962 ; or

(b) a business name could not be registered under section 9 of the Business Names Act, 1963.

Amendment of principal Act, s. 22 (1).

5. Subsection (1) of section 22 of the principal Act is amended by adding after the word “association”, being the last word of the subsection, the following passage:—

“or to the municipal council or district council or other local governing authority constituted pursuant to any Act, for the area within which the property is situate.

Repeal and re-enactment of s. 24 of principal Act—

Winding up of Association.

6. Section 24 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

24. An incorporated association shall be deemed to be an unregistered company for the purposes of Division V of Part X of the Companies Act, 1962, and, if, within the meaning of that Division, it is deemed to be unable to pay its debts, may be wound up under that Part of that Act, and the provisions of that Part, so far as they are applicable, shall apply to, and in relation to, any such winding up.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Governor's Deputy.