

Transfer to another entity structure *Associations Act 2003 (the Act)*

Facts

- An association can transfer to another structure, however cannot transfer back to being incorporated in the Northern Territory.
- Transfer is a continuation of the original entity, you take your assets, liabilities and any court action with you.
- Consent to transfer to another structure is only required if the association has prescribed property.

Checklist to transfer to another entity structure

Transfer without prescribed property

Step 1.

Hold a SGM to present the special resolution to dissolve. At this meeting the association will consider the following:

- ✓ Resolve to transfer
- ✓ New entity name
- ✓ Confirm the constitution
- ✓ Any other decision required by the Regulator of the new entity structure.

Step 2.

Provide the minutes of the SGM where the members determined to transfer to associations.compliance@nt.gov.au

Step 3.

Provide evidence of completion of transfer to associations.compliance@nt.gov.au

NOTE: the incorporated association will not be ceased on the public register until all assets have been transferred.

Transfer with prescribed property

Step 1.

Email associations.compliance@nt.gov.au with your request for consent to the transfer to another entity structure.

The request must include:

- The name of the association
- Where the association intends to transfer to (ORIC, ASIC)
- The intended name under the new structure

Checklist

- Provide the constitution which will be used
- Request to transfer prescribed property (if applicable)

If approval is given the committee may proceed with the SGM to transfer.

Step 2.

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