**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](mailto:associations.compliance@nt.gov.au)

**Step 3.**

Provide evidence of completion of transfer to [associations.compliance@nt.gov.au](mailto: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](mailto: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
* 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.

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