



NORTHERN TERRITORY OF AUSTRALIA

No. 41 of 1995

AN ACT

to amend the *Associations Incorporation Act*

[Assented to 29 September 1995]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Associations Incorporation Amendment Act 1995*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. NEW PART

The *Associations Incorporation Act* is amended by inserting after section 25AZD the following:

"PART IIIIB - INCORPORATED ASSOCIATIONS PERFORMING
LOCAL GOVERNMENT FUNCTIONS

"25AZE. DEFINITION

"In this Part, 'community government council' means a community government council within the meaning of the *Local Government Act*.

Associations Incorporation Amendment

"25AZF. LOCAL GOVERNMENT ACT APPLIES TO INCORPORATED ASSOCIATIONS PERFORMING LOCAL GOVERNMENT FUNCTIONS

"(1) Subject to subsection (2), where an incorporated association is identified under section 25AZH(a) to be functioning as a community government council, the provisions of or under the *Local Government Act* as prescribed apply to, and must be complied with by, the incorporated association in addition to the provisions of or under this Act.

"(2) Where a provision of or under the *Local Government Act* applies to an incorporated association, in the event of an inconsistency between that provision and a provision of or under this Act, the provision of or under this Act shall prevail to the extent of the inconsistency.

"25AZG. PROVISIONS OF THE LOCAL GOVERNMENT ACT THAT APPLY

"The Minister shall, by notice in the *Gazette*, determine which provisions of or under the *Local Government Act* are, in his opinion, suitable to apply to an incorporated association functioning as a community government council.

"25AZH. IDENTIFICATION OF INCORPORATED ASSOCIATIONS WHICH MUST COMPLY WITH LOCAL GOVERNMENT ACT

"The Minister shall, by notice in the *Gazette* -

- (a) identify each incorporated association which, in his opinion, is functioning as a community government council and has been approved for receipt of funding for the purposes of local government; and
- (b) declare that each such incorporated association may exercise the functions of a community government council."