Serial 72
Associations Legislation Amendment Bill 2026
Ms Cahill

A Bill for an Act to amend the *Associations Act 2003*, the *Associations Regulations 2004* and for related purposes

NORTHERN TERRITORY OF AUSTRALIA

ASSOCIATIONS LEGISLATION AMENDMENT ACT 2026

Act No. [ ] of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2026

An Act to amend the *Associations Act 2003,* the *Association Regulations 2004* and for related purposes

[*Assented to [ ] 2026*]
[*Introduced [ ] 2026*]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Associations Legislation Amendment Act 2026*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

Part 2 Amendment of Associations Act 2003

3 Act amended

This Part amends the *Associations Act 2003*.

4 Section 4 amended (Definitions)

(1) Section 4, definitions ***association***, ***incorporated trading association*** and ***trading association***

omit

(2) Section 4

insert

appropriate CEO*,* for Part 8, see section 64.

association means an association, society, institution or body:

(a) that carries on activities in the Territory for one or more of the following purposes:

(i) a religious, educational, benevolent or charitable purpose;

(ii) the purpose of providing medical treatment or attention;

(iii) the purpose of promoting or encouraging literature, science, art or a cultural activity;

(iv) the purpose of recreation or amusement;

(v) the purpose of beautifying or improving a community centre; or

(b) that is declared in writing by the Minister to be an association for this Act.

5 Section 4D inserted

After section 4C

insert

4D Register and documents of incorporated associations

(1) The Director must keep:

(a) a register of incorporated associations; and

(b) a copy of the following:

(i) the constitution of each incorporated association;

(ii) any alteration to the constitution of an incorporated association;

(iii) each document required to be filed with the Director by each incorporated association under section 45(1).

(2) The register must include the following information about each incorporated association:

(a) the name of the association;

(b) the postal address of the association;

(c) the contact details of the association;

(d) the date the association was incorporated;

(e) any other information the Director considers appropriate.

(3) The register and documents may be kept in any form, including electronically.

(4) The Director may publish the register and documents on the Agency's website.

6 Section 8 amended (Application for incorporation of association)

(1) After section 8(3)(c)

insert

(ca) the name, postal address and email address of the applicant; and

(2) Section 8(3)(d), after 'names and'

insert

email

(3) Section 8(3)(d)

omit

association; and

insert

association.

(4) Section 8(3)(e)

omit

(5) After section 8(5)

insert

(5A) The Director may require the applicant to provide any additional information the Director considers necessary to enable the Director to determine whether or not to issue the association a certificate of incorporation.

(6) Section 8(6)

omit

Corporations Act 2001

insert

Corporations Act 2001 (Cth)

7 Section 9 amended (Certificate of incorporation)

Section 9(2) and (3)

omit, insert

(3) The Director must refuse to issue a certificate of incorporation to an association if:

(a) the association's name is an unauthorised name prescribed by regulation, unless the Minister consents to its incorporation under that name; or

(b) the Director is of the opinion that it would be more appropriate for the association to be incorporated under a law of the Commonwealth, a State or another Territory, having regard to the following:

(i) the likely scale or nature of the activities of the association;

(ii) the likely value or nature of the property of the association;

(iii) the extent or nature of the dealings the association is likely to have with the public;

(iv) any other matter the Director considers relevant.

8 Section 10 amended (Director to notify refusal to incorporate association)

After section 10(2)

insert

(3) Despite subsection (1), if the Director refuses to issue a certificate of incorporation to an association under section 9(3)(b), the Director does not need to comply with subsection (1)(b) to (d).

9 Section 17 amended (Change of name)

Section 17(2)

omit

name.

insert

name, unless the Minister consents to its incorporation under that name.

10 Section 21 amended (Constitution)

(1) Section 21(1)(h)

omit

association;

insert

association.

(2) Section 21(1)(i)

omit

(3) Section 21(3)

omit, insert

(3) An incorporated association must make the association's constitution available for inspection by members.

11 Section 28 amended (Notification of appointment and change of address of public officer)

(1) Section 28(1)

omit

full name and address.

insert

name, postal address and email address.

(2) Section 28(3)

omit

address,

insert

postal address or email address,

12 Sections 31 and 32 replaced

Sections 31 and 32

repeal, insert

31 Disclosure of material personal interest

(1) A member of the committee of an incorporated association who has a material personal interest in a matter being considered at a committee meeting must, as soon as the member becomes aware of the interest, disclose the interest to the committee.

Maximum penalty: 200 penalty units.

(2) A member of the committee of an incorporated association who has a material personal interest in a matter being considered at a committee meeting must disclose the interest at the next general meeting of the association.

Maximum penalty: 200 penalty units.

(3) Subsections (1) and (2) do not apply in relation to a material personal interest:

(a) that exists only because the member:

(i) is an employee of the association; or

(ii) is a member of a class of persons for whose benefit the association is established; or

(b) that the member has in common with all, or a substantial proportion of, the members of the association.

(4) If a member of the committee of an incorporated association discloses a material personal interest in a contract, or proposed contract, in accordance with this section, or the member has a material personal interest in a contract, or proposed contract, that is not required under this section to be disclosed:

(a) the contract is not liable to be avoided by the association on a ground arising from the fiduciary relationship between the member and the association; and

(b) the member is not liable to account for profits derived from the contract.

(5) A disclosure of a material personal interest required by subsection (1) or (2) must give details of:

(a) the nature and extent of the interest; and

(b) how the interest is related to the activities of the association.

(6) The details mentioned in subsection (5) must be recorded in the minutes of the meeting at which the disclosure is made.

32 Voting on matter in which committee member has a material personal interest

(1) A member of the committee of an incorporated association who has a material personal interest in a matter being considered at a meeting of the committee must not:

(a) be present while the matter is being considered at the meeting; or

(b) vote on the matter.

Maximum penalty: 200 penalty units.

(2) Subsection (1) does not apply in respect of a material personal interest mentioned in section 31(3).

(3) If there are not enough committee members to form a quorum to consider a matter because of subsection (1):

(a) one or more committee members, including the members who have a material personal interest in the matter, may call a general meeting; and

(b) the general meeting may pass a resolution to deal with the matter.

13 Section 34 amended (Register of members)

Section 34(2)

omit, insert

(2) An incorporated association must:

(a) make the register of members available for inspection, free of charge, by a member within a reasonable time on request by the member; and

(b) give a member a copy of the register of members, or part of it, free of charge, on request by the member.

Maximum penalty: 20 penalty units.

14 Section 38 amended (Minutes)

Section 38(1)(a)

omit

purpose;

insert

purpose as soon as reasonably practicable after the meeting is held;

15 Sections 39A to 39C inserted

After section 39, in Part 4, Division 2

insert

39A Director may direct that general meeting be convened

(1) This section applies if the Director is of the opinion that:

(a) there is a dispute or matter affecting the proper conduct of the affairs of an incorporated association; and

(b) the giving of a direction under this section may assist in resolving the dispute or matter.

(2) The Director may, in writing, direct a relevant officer of an incorporated association to take such steps as are required under the constitution of the association to convene a general meeting of the association at a specified time or within a specified period.

(3) A direction under subsection (2) may also require the relevant officer to take such steps as are reasonably required to enable any matter specified in the direction to be discussed and determined at the meeting, including the putting of any specified motion for consideration at the meeting.

(4) A relevant officer to whom a direction is given under subsection (2) must not, without reasonable excuse, fail to comply with the direction.

Maximum penalty: 100 penalty units.

(5) In this section:

relevant officer means:

(a) the public officer; or

(b) any other officer who under the constitution of an incorporated association has power to convene a general meeting of the association.

39B Director may attend general meeting

(1) The Director may attend a meeting convened as a result of a direction under section 39A and take part in the consideration and discussion of the dispute or matter in relation to which the direction was given and any incidental matter.

(2) The Director cannot vote at a meeting and is not to be counted for the purposes of determining the existence of a quorum.

39C Director may direct that dispute resolution process be engaged in

(1) This section applies if the Director is of the opinion that:

(a) there is a dispute between an incorporated association and its members that is affecting the proper conduct of the affairs of the association; and

(b) the association has not engaged in the procedure for the settling of disputes under the association's constitution; and

(c) the giving of a direction under this section may assist in resolving the dispute.

(2) The Director may, in writing, direct the public officer of an incorporated association to engage in the procedure for settling of disputes under the association's constitution.

(3) A public officer to whom a direction is given under subsection (2) must not, without reasonable excuse, fail to comply with the direction.

Maximum penalty: 100 penalty units.

16 Sections 43 and 44 replaced

Sections 43 and 44

repeal, insert

43 Presentation of documents at annual general meeting

(1) At each annual general meeting of an incorporated association, the association must ensure that the following documents are presented for the consideration of the meeting:

(a) if the association is a tier 1 incorporated association that is not required to have its accounts audited under section 46 – the statement of the association's accounts in relation to the last financial year of the association;

(b) if the association is a tier 1 association that is required to have its accounts audited under section 46, a tier 2 incorporated association or a tier 3 incorporated association:

(i) the audited statement of the associations accounts in relation to the last financial year of the association; and

(ii) a copy of the auditor's report to the association in relation to the association's accounts for that financial year;

(c) a report signed by 2 members of the committee of the association (or, if the committee consists only of the person having the management of the affairs of the association – that person) stating the following:

(i) the name of each member of the committee of the association during the last financial year of the association and, if different, at the date of the report;

(ii) the principal activities of the association during the last financial year and any significant change in the nature of those activities that occurred during that financial year;

(iii) the net profit or loss of the association for the last financial year.

Maximum penalty: 100 penalty units.

(2) An incorporated association must ensure that the number of copies of the documents prescribed by regulation referred to in subsection (1)(a) and (b) are available to members of the association immediately before, during and after the annual general meeting.

Maximum penalty: 100 penalty units.

(3) If an incorporated association contravenes subsection (1) or (2), each member of the committee of the association commits the same offence.

(4) If an incorporated association contravenes subsection (1), the association must ensure that the documents required under subsection (1) are presented at a general meeting of the association as soon as reasonably practicable after the documents are prepared.

44 Inspection of statement or audited statement of accounts by members

(1) An incorporated association must take reasonable steps to ensure that, at least 14 days before each annual general meeting, the following actions occur:

(a) if the association is a tier 1 incorporated association that is not required to have its accounts audited under section 46 – the statement of the association's accounts in relation to the last financial year of the association is available for inspection by members;

(b) if the association is a tier 1 association that is required to have its accounts audited under section 46, a tier 2 incorporated association or a tier 3 incorporated association – the audited statement of accounts of the association is available for inspection by members;

(c) if the association is a tier 3 incorporated association – members are informed of the availability of the audited statement of accounts mentioned in paragraph (b) by notice:

(i) published in a newspaper circulating in the part of the Territory where the association carries on its activities; or

(ii) published in any other publication circulating in the part of the Territory the Director considers appropriate; or

(iii) sent to each member; or

(iv) given in any other manner approved by the Director.

Maximum penalty: 100 penalty units.

(2) If an incorporated association contravenes subsection (1), each member of the committee of the association commits the same offence.

17 Section 46 replaced

Section 46

repeal, insert

46 Audits of tier 1 incorporated association

(1) A tier 1 incorporated association must ensure its accounts are audited in accordance with subsection (2) if:

(a) a majority of the members present at a general meeting of the association pass a resolution to that effect; or

(b) the association is directed by the Director to do so.

Maximum penalty: 100 penalty units.

(2) The association's accounts must be audited by:

(a) a person who is a member of an accountants body; or

(b) a person who holds a qualification prescribed by regulation; or

(c) a person who is, or is a member of a class of persons, approved by the Director.

(3) If an incorporated association contravenes subsection (1), each member of the committee of the association commits the same offence.

18 Section 48 amended (Audits of tier 3 incorporated association)

Section 48(1) and (2)

omit, insert

(1) This section applies to an incorporated association (a ***tier 3 incorporated association***) that:

(a) has gross receipts, at the end of a financial year of the association, exceeding the amount prescribed by regulation; or

(b) has gross assets, at the end of a financial year of the association, exceeding the amount prescribed by regulation.

(2) The association must ensure its accounts are audited by:

(a) a person who holds a public practice certificate issued by an accountants body; or

(b) a person who is, or is a member of a class of persons, approved by the Director.

Maximum penalty: 100 penalty units.

19 Section 48A inserted

After section 48

insert

48A Director may require special audit

(1) The Director may direct an incorporated association to:

(a) have the whole or any specified part of the association's accounts audited; and

(b) file a copy of the auditor's report with the Director.

(2) A direction under subsection (1) must be complied with:

(a) within 28 days after the direction is given; or

(b) within the period greater than 28 days specified in the direction.

(3) A direction may:

(a) be given regardless of whether the accounts have previously been audited; and

(b) direct the association as to which person the accounts are to be audited by.

(4) An incorporated association to which the direction is given must ensure that the direction is complied with.

Maximum penalty: 100 penalty units.

(5) If an incorporated association contravenes subsection (4), each member of the committee of the association commits the same offence.

20 Section 52 amended (Removal of auditors)

Section 52(1)(a)

omit

an annual general meeting or special general meeting *insert*

a general meeting

21 Section 53 repealed (Application of Part 6)

Section 53

repeal

22 Section 63 amended (Director may direct incorporated association to change its incorporation)

(1) Section 63(1)

omit, insert

(1) The Director may, by written notice given to an incorporated association, direct the association, within the reasonable time stated in the notice, to apply for incorporation under the *Corporations Act 2001* (Cth) or another Act.

(2) Section 63(6)

omit

23 Section 64 replaced

Section 64

repeal, insert

64 Definition

In this Part:

appropriate CEO means the CEO in relation to whom the property is vested in under section 67.

24 Section 65 amended (Dissolution)

(1) Section 65(1)(b)

omit

one

insert

1

(2) Section 65(2)

omit

incorporated association

insert

incorporated association, or, if there is no public officer, a member of the committee of the association,

(3) Section 65(3)(b)

omit

public officer

insert

applicant

(4) Section 65(4)

omit, insert

(4) The Director may give a notice of intention to dissolve the association if the Director:

(a) has not received, within 1 month after the date of the letter sent under subsection (1), an answer showing cause to the contrary; or

(b) has received an application under subsection (2).

(4A) A notice under subsection (4) must:

(a) state that, after 3 months from the date of the notice, the association may, unless cause is shown to the contrary, be dissolved; and

(b) be published in the *Gazette*; and

(c) be sent to:

(i) if the notice relates to a letter sent under subsection (1) – the person to whom the letter was sent; or

(ii) if the notice relates to an application under subsection (2) – the applicant.

(5) Section 65(7)

omit

his or her

insert

the Director's

25 Section 67 amended (Property of dissolved incorporated association vests in CEO)

(1) Section 67, heading

omit, insert

67 Vesting of property of dissolved incorporated association

(2) After section 67(1)

insert

(1A) Despite subsection (1):

(a) a lease under the *Special Purposes Leases Act 1953* vests in the CEO of the Agency administering that Act; and

(b) a lease under the *Crown Lands Act 1992* vests in the CEO of the Agency administering that Act.

26 Section 77 amended (Prescribed property in winding up)

Section 77(2)

omit

refused,

insert

refused or not provided,

27 Section 95 amended (Director may carry out investigations in relation to books)

Section 95(1)

omit, insert

(1) If the Director exercises a power under this Part to require another person to produce books, the Director may:

(a) if the books are produced, do any of the following:

(i) take possession of the books and make copies of, or take extracts from, the books;

(ii) require the other person, or a person who was party to the compilation of the books, to make a statement providing an explanation, to the best of the person's knowledge and belief, as to a matter relating to the compilation of the books or as to a matter to which the books relate;

(iii) retain possession of the books for the period necessary to enable the books to be inspected and copies of, or extracts from, the books to be made or taken by, or on behalf of, the Director; or

(b) if the books are not produced, require the other person to provide the following information to the best of the person's knowledge and belief:

(i) where the books may be found;

(ii) the identity of the person who last had custody of the books and where that person may be found.

(1A) For subsection (1)(a), the Director must permit a person, who would be entitled to inspect one or more of the books if they were not in the possession of the Director, to inspect that book or those books at a reasonable time.

28 Part 16 inserted

After section 147

insert

Part 16 Transitional matter for Associations Legislation Amendment Act 2026

148 Continuation of existing incorporated trading associations

(1) An incorporated trading association incorporated under section 9, as in force before the commencement, that was still incorporated immediately before the commencement is taken to be an incorporated association under this Act as amended by the amending Act.

(2) This Act as amended by the amending Act applies to an incorporated trading association mentioned in subsection (1), subject to the following modifications:

(a) Parts 6 and 8 and sections 13A and 76 do not apply to the association;

(b) for section 21, the constitution of the association must also provide for the following:

(i) the rights of members of the association to share in its profits;

(ii) the rights of persons who were members of the association at the time of winding up to share in the distribution of surplus assets, if any, resulting from the winding up;

(c) the association is a tier 3 incorporated association for the purposes of Part 5;

(d) sections 9 and 63, as in force immediately before the commencement, continue to apply in relation to the incorporated trading association.

(3) If the Director directs an incorporated trading association to return the association's certificate of incorporation for amendment under section 63(1), as in force immediately before the commencement, on the date that the amendment is made:

(a) subsection (2) ceases to apply to the association; and

(b) this Act as in force after the commencement applies to the association.

(4) In this section:

amending Act means the *Associations Legislation Amendment Act 2026*.

commencement means the commencement of Part 2 of the Amending Act.

incorporated trading association means a trading association incorporated under this Act.

trading association means an association, society, institution or body formed or carried on for the purpose of trading or securing pecuniary profits to its members.

29 Act further amended

The Schedule has effect.

Part 3 Amendment of Associations Regulations 2004

30 Regulations amended

This Part amends the *Associations Regulations 2004*.

31 Part 1 heading inserted

Before regulation 1

insert

Part 1 Preliminary matters

32 Regulation 2 amended (Definitions)

(1) Regulation 2

insert

infringement notice, for Part 3, see regulation 19.

infringement notice offence, for Part 3, see regulation 18(1).

prescribed amount, for Part 3, see regulation 18(2).

(2) Regulation 2, definition ***Australian Accounting Standards***

omit

of the Commonwealth.

insert

(Cth).

33 Part 2 heading inserted

After regulation 2

insert

Part 2 General matters

34 Regulations 5 and 6 repealed

Regulations 5 and 6

repeal

35 Regulation 8 amended (Prescribed particulars for register of members)

Regulation 8, after 'name and'

insert

email

36 Regulation 10 amended (Annual statements)

Regulation 10(1)

omit, insert

(1) For Part 5, Division 1 of the Act, the annual statement of accounts for tier 1 incorporated associations and tier 2 incorporated associations must:

(a) be in the approved form; and

(b) be prepared in accordance with applicable Australian Accounting Standards.

37 Regulation 11 amended (Audit of annual statements)

Regulation 11

omit

tier 2 incorporated associations and tier 3

38 Regulation 13 amended (Prescribed amounts for tier 3 incorporated associations)

(1) Regulation 13(1)

omit

48(1)(b)

insert

48(1)(a)

(2) Regulation 13(2)

omit

48(1)(c)

insert

48(1)(b)

39 Part 3 inserted

After regulation 17

insert

Part 3 Infringement notice offences

18 Infringement notice offence and prescribed amount payable

(1) An ***infringement notice offence*** is an offence against a provision specified in Schedule 4.

(2) The ***prescribed amount*** for an infringement notice offence is the amount equal to the monetary value of the number of penalty units specified for the offence in Schedule 4.

19 When infringement notice may be given

If the Director believes on reasonable grounds that a person has committed an infringement notice offence, the Director may give a notice (an ***infringement notice***) to the person.

20 Contents of infringement notice

(1) The infringement notice must specify the following:

(a) the name and address of the person to whom it is issued, if known;

(b) the date the infringement notice is given to the person;

(c) the date and time of the infringement notice offence and the place at which the infringement notice offence occurred;

(d) a description of the offence;

(e) the prescribed amount payable for the offence;

(f) the enforcement agency to which the prescribed amount is payable.

(2) The infringement notice must include a statement to the effect of the following:

(a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the prescribed amount to the specified enforcement agency within 28 days after the notice is given;

(b) the person may elect to have the offence dealt with by a court by:

(i) completing a statement of election and giving it to the specified enforcement agency; and

(ii) not paying the prescribed amount;

(c) if the *Fines and Penalties (Recovery) Act 2001* applies to the infringement notice offence – enforcement action may be taken under that Act if the person does nothing in response to the notice.

(3) The infringement notice must include an appropriate form for making the statement of election mentioned in subregulation (2)(b)(i).

21 Electronic payment and payment by cheque

(1) If the person uses electronic means to pay the prescribed amount, payment is not effected until the amount is credited to the payee's bank account.

(2) If the person tenders a cheque in payment of the prescribed amount, payment is not effected unless the cheque is cleared on first presentation.

22 Expiation of offence

If the prescribed amount for the infringement notice offence is paid in accordance with the infringement notice, the alleged offence is expiated and no further proceedings can be taken in relation to the offence.

23 Withdrawal of infringement notice

(1) The Director may withdraw the infringement notice by written notice given to the person.

(2) The notice must be given:

(a) within 28 days after the infringement notice is given to the person; and

(b) before payment of the prescribed amount.

24 Effect of Part

(1) This Part does not prejudice or affect the start or continuation of proceedings for an infringement notice offence for which an infringement notice has been given unless the offence is expiated.

(2) This Part does not:

(a) require an infringement notice to be given; or

(b) affect the liability of a person to be prosecuted in a court for an offence for which an infringement notice has not been given; or

(c) prevent more than one infringement notice for the same offence being given to a person.

(3) If more than one infringement notice for the same offence has been given to a person, the person may expiate the offence by paying the prescribed amount in accordance with any of the notices.

40 Schedule 2 repealed (Prescribed ethnic communities)

Schedule 2

repeal

41 Schedule 3 amended (Fees)

Schedule 3, items 8, 9 and 10

omit

42 Schedule 4 replaced

Schedule 4

repeal, insert

Schedule 4 Infringement notice offences and prescribed amounts

regulation 18(1)

Item	Provision	Prescribed amount in penalty units
1	section 23(1)	4
2	section 31(1) and (2)	40
3	section 34(1) and (2)	4
4	sections 38(1), 39A(4) and 39C(3)	10
5	sections 41 and 42(1)	20
6	section 43(1)	10
7	sections 45(1) and 48A(4)	20

Part 4 Consequential amendment to Kava Management Regulations 1998

43 Regulations amended

This Part amends the *Kava Management Regulations 1998*.

44 Regulation 3 amended (Definitions)

Regulation 3, definition ***incorporated association***, paragraph (a)

omit, insert

(a) an incorporated association as defined under section 4 of the *Associations Act 2003*; or

Part 5 Repeal of Act

45 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 29

Provision	Amendment	
	omit	*insert*
section 3, heading	**Corporations Act 2001**	***Corporations Act 2001* (Cth)**
section 3(1), (2) and (2A)	Corporations Act 2001 *(all references)*	*Corporations Act 2001* (Cth)
section 3(2A)	63(1)(b)	63(1)
section 13A(1)	whole subsection	
section 45, heading	**audited accounts**	**documents**
section 47(2)(b)	qualifications in a prescribed class of qualifications	a qualification prescribed by regulation
section 56(1)	Corporations Act 2001	*Corporations Act 2001* (Cth)
section 68 heading, before '**CEO**'		**Appropriate**
section 68(1) to (5), before 'CEO' *(all references)*		appropriate
section 69 heading, before '**CEO**'		**appropriate**
section 69(1) and (2), before 'CEO' *(all references)*		appropriate
section 70 heading, before '**CEO**'		**Appropriate**
sections 70 and 71(3) and (7)(a) and (b), before 'CEO'		appropriate

Provision	Amendment	
	omit	*insert*
section 72, heading	**Corporations Act 2001**	***Corporations Act 2001* (Cth)**
sections 72(a), 74(2), definition ***registered company liquidator*** and section 75	Corporations Act 2001	*Corporations Act 2001* (Cth)
section 76(1)	other than an incorporated trading association,	
sections 86(2), definition ***relevant day***, paragraph (a)(i) and (ii) and 92(2), definition ***related body corporate***	Corporations Act 2001	*Corporations Act 2001* (Cth)
section 110(8)(c)	association, an incorporated trading	