

# Transfer of Incorporation

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**Registration and Community Engagement Branch**

# Transfer of Incorporation



An incorporated association may apply to become registered or incorporated as a prescribed body corporate (s31AA).

For the purposes of the Act, a “prescribed body corporate” means:

- a company;
- a co-operative; or
- any body corporate established under a law applying in Victoria and that is prescribed for the purposes of the AIA

# Notifying CAV of a Transfer of Incorporation



An incorporated association must notify the Registrar in writing of its transfer of incorporation within 14 days after it is registered or incorporated as a prescribed body corporate.

## What to lodge with CAV

- brief letter outlining the details of the transfer of incorporation;
- copy of the certificate of registration or incorporation as a prescribed body corporate;
- copy of the minutes of the meeting where the members approved the transfer of incorporation; and
- any outstanding annual statements.

# Effect of Transfer of Incorporation



- Once an incorporated association is registered or incorporated as a prescribed body corporate, the incorporated association ceases to be incorporated under the Associations Incorporation Act.
- The transfer of incorporation does not affect the identity of the association. The organisation is deemed to be the same body before and after the transfer of incorporation.

# Registration of a body corporate as an Australian Company



- Australian Securities & Investments Commission (ASIC)
- *Corporations Act 2001*
- Body Corporate includes foreign company, association, co-operative
- Form 202
- $\frac{3}{4}$  of the associations members who vote at the meeting must consent to the intention to apply for the transfer
- Certified copy of the associations certificate of incorporation
- Certified copy of the associations rules

# How to contact CAV



Online- [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

Telephone- Suza Josevska  
(03) 8684 6202

In Person- Victorian Consumer & Business  
Centre

113 Exhibition Street  
Melbourne

-Regional Offices

By mail- GPO Box 4567, Melbourne 3001