



# Victoria Government Gazette

No. S 273 Wednesday 13 June 2018  
By Authority of Victorian Government Printer

## Associations Incorporation Reform Act 2012 Section 103(4)

### REPORTING EXEMPTION ORDER FOR INCORPORATED ASSOCIATIONS 2018

I, Marlene Kairouz, Minister for Consumer Affairs, Gaming and Liquor Regulation, make this Order under section 103(4) of the **Associations Incorporation Reform Act 2012**.

#### 1. **Application**

This Order applies to an incorporated association that is registered as a charity type of entity under the **Australian Charities and Not-for-profits Commission Act 2012** of the Commonwealth.

#### 2. **Definitions**

In this Order:

**ACNC Act** means the **Australian Charities and Not-for-profits Commission Act 2012** of the Commonwealth.

**ACNC Regulation** means the Australian Charities and Not-for-profits Commission Regulation 2013 of the Commonwealth.

**Commissioner** means the Commissioner of the Australian Charities and Not-for-profits Commission established by section 110-5 of the ACNC Act.

**Section 102 Information** means the information that an incorporated association provides to the Registrar as required by section 102 of the **Associations Incorporation Reform Act 2012**.

**Register** means the Australian Charities and Not-for-profits Register maintained by the Commissioner under Division 40 of the ACNC Act.

#### 3. **Commencement**

This Order takes effect upon publication in the Gazette.

#### 4. **General exemption from section 102 of the Associations Incorporation Reform Act 2012**

An incorporated association to which this Order applies is exempt from compliance with section 102 of the **Associations Incorporation Reform Act 2012** for a financial year of the incorporated association that ends on or after 30 June 2018, on condition that, in respect of that financial year:

- (a) it is not a member of a reporting group pursuant to Subdivision 60-G of the ACNC Act;
- (b) it complies with the obligation under Division 60 of the ACNC Act to give the Commissioner an annual information statement, and, if applicable, a financial report, and a reviewer's report or auditor's report for that financial year as required under that Division;
- (c) its Section 102 Information for that financial year is provided to the Commissioner as part of its annual information statement, financial report, reviewer's report or auditor's report referred to in subparagraph 4(b); and
- (d) the Commissioner has not declined to include any of its Section 102 Information on the Register, or removed any of its Section 102 Information from the Register, under section 40-10 of the ACNC Act or the ACNC Regulation.

**SPECIAL**

**5. Specific exemption from section 102(2) of the Associations Incorporation Reform Act 2012**

If the Commissioner decides to decline to include any of the Section 102 Information on the Register, or remove any of the Section 102 Information from the Register, under section 40-10 of the ACNC Act or the ACNC Regulation, an incorporated association to which this Order applies is exempt from complying with section 102(2) of the **Associations Incorporation Reform Act 2012**, on condition that:

- (a) the incorporated association lodges its Section 102 Information for the relevant financial year with the Registrar; and
- (b) the Section 102 Information is lodged with the Registrar within one month of the incorporated association being notified of the Commissioner's decision.

Dated 5 June 2018

MARLENE KAIROUZ MP  
Minister for Consumer Affairs, Gaming and Liquor Regulation

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Level 2, 1 Macarthur Street  
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