

Our Ref: 25-21407

Tony Augustine
19 Silvarum Street
CHISHOLM NSW 2322

By Email: ntlmalayalee.boatclub@gmail.com

Dear Client

Re: **Newcastle Malayalee Boat Club Incorporated - INC2501125**

I refer to the Form A2 - Application for registration of incorporated association received by NSW Fair Trading on 04/09/2025 for the above association.

The above association was registered on **10 September 2025**.

Please ensure the name of the association appears correctly on the enclosed Certificate of Incorporation.

At the time of registration, the Register of Incorporated Associations currently records the Public Officer as **Tony Augustine** and the official address of the Association as **19 Silvarum Street CHISHOLM NSW 2322**.

The model constitution may be updated from time to time. The updates will apply to the constitution of any association that has adopted the model constitution, or where the updated clause is taken as part of the association's constitution.

Fair Trading will monitor the association's ongoing suitability for incorporation under the Act.

The Association is reminded of some key requirements of the Act:

Annual General Meetings (AGM) and Reporting Obligations

An association's reporting obligations under the Act depend on its status as either a Tier 1 (large) or Tier 2 (smaller) association.

The committee must, as soon as practical after the end of its financial year, cause statements for the association, and any trust for which the association acts as a trustee, to be prepared. Tier 1 associations must have their financial statements audited.

The financial statements (and for Tier 1 associations the auditor's report) must be submitted to the AGM. The association's first AGM is required to be held within 18 months after incorporation and within 6 months after the end of its first financial year.

Within one month of the AGM and no later than 7 months after the end of the association's financial year a person authorised by the committee is required to lodge with Fair Trading an:

- Form A12-T1 Annual summary of financial affairs - Tier 1 or

- Form A12-T2 Annual summary of financial affairs - Tier 2.

Information concerning the financial reporting obligations of incorporated associations is available on the Fair Trading website.

Public Officer

The association's public officer is the official contact point for the association. If there is a vacancy in the office of public officer, the committee must fill that vacancy within 28 days.

The public officer, who must reside in NSW, is required to lodge Form A9 Notice of appointment of public officer and Notice of change of association address within 28 days of becoming public officer or of any change in the association's official address.

The official address of the association must be an address within NSW, other than a post office box, at which documents can be served on the association by post.

Association Records

The association is required to keep and maintain various records including:

- financial records that correctly record and explain its financial transactions and financial position.
- minutes of meetings
- Register of committee members and a Register of members
- A record of any disclosure of conflict of interest by a committee member.

Constitution

The constitution of an incorporated association is a contract between the association and its members, who agree to adhere to the provisions in the constitution. The committee is responsible for ensuring the association operate in accordance with its constitution and the Act.

An incorporated association may, by special resolution, alter its objects or its constitution.

A Form A6 Application to register change of objects or constitution must be lodged within 28 days of the special resolution being passed. Any alteration of the Association's objects or constitution takes effect when the alteration is registered by Fair Trading.

If you require any further information please review the webpages on the NSW Government website at <https://www.nsw.gov.au/business-and-economy/incorporated-associations/about-incorporated-associations>.

Additionally, the Management committee - self-evaluation checklist, developed to assist management committees in understanding and fulfilling their obligations under the *Associations Incorporation Act 2009* can be downloaded from <https://www.nsw.gov.au/business-and-economy/incorporated-associations/running-an-incorporated-association/management-committee-self-evaluation-checklist>.

Yours sincerely

NSW Fair Trading