

# Checklist for the rules of a new incorporated association or alteration of rules of an existing association

What must be included in the rules of new incorporated associations, or existing incorporated associations that are altering their rules, is outlined in Section 23A of the [Associations Incorporation Act 1985](#) (SA) (the Act).

This checklist is designed for you to check that your proposed rules include all of these requirements.

A copy of the CBS 'Template rules for incorporated associations' can be found on the website. Please refer to the example rule reference within the table below to see an example of suitable wording.

Act/Regulation reference	Example rules reference	Required information	Rule number where you have included the required information
20(1)(c)	1	The <b>name</b> of the association is not: <ul style="list-style-type: none"> <li>misleading; or</li> <li>likely to be confused with the name of any other body corporate or registered business name; or</li> <li>undesirable (<a href="#">Restricted and undesirable names</a>).</li> </ul>	
23A(1)(a)	1	<b>Name</b> of the association	
	2	<b>Definitions and interpretations</b>	
18(1) & 23A(1)(a)	3	<b>Objects or purposes</b> of the association	
23A(1)(c)(vii)	4	<b>Powers</b> of the association and by who and what manner they are exercised	
23A(1)(c)(i)	5	<b>Membership</b> (only applicable for associations with members)	
	5.1	<ul style="list-style-type: none"> <li>Types of membership and applicable voting rights</li> </ul>	
	5.2	<ul style="list-style-type: none"> <li>How to become a member</li> </ul>	
	5.3	<ul style="list-style-type: none"> <li>Register of members</li> </ul>	
	5.4	<ul style="list-style-type: none"> <li>Membership fees               <ul style="list-style-type: none"> <li>→ <i>Who determines the fees and when are they to be paid?</i></li> </ul> </li> </ul>	
	5.5	<ul style="list-style-type: none"> <li>How to cease membership</li> </ul>	

	5.6	<ul style="list-style-type: none"> <li>Resignation of membership</li> </ul>	
	5.7 & 5.8	<ul style="list-style-type: none"> <li>Disciplining members</li> </ul>	
	5.9	<ul style="list-style-type: none"> <li>Dispute resolution</li> </ul>	
23A(1)(c)(ii)	6	<b>The Committee/Board</b>	
23A(1)(c)(vi)	6.1	<ul style="list-style-type: none"> <li>Powers/duties of the committee <ul style="list-style-type: none"> <li>→ <i>Who has the management and control of the funds and other property of the association?</i></li> </ul> </li> </ul>	
	6.2	<ul style="list-style-type: none"> <li>Committee composition</li> </ul>	
	6.3	<ul style="list-style-type: none"> <li>Committee elections</li> </ul>	
	6.4	<ul style="list-style-type: none"> <li>Public Officer and officers</li> </ul>	
	6.5	<ul style="list-style-type: none"> <li>Removal of committee members and sub-committee members</li> </ul>	
	6.6	<ul style="list-style-type: none"> <li>Committee meetings and quorum <ul style="list-style-type: none"> <li>→ <i>How often do the committee meet?</i></li> <li>→ <i>What notice is given to committee members ahead of meetings?</i></li> <li>→ <i>What is quorum for committee meetings?</i></li> </ul> </li> </ul>	
	6.7	<ul style="list-style-type: none"> <li>Voting at committee meetings</li> </ul>	
	6.8	<ul style="list-style-type: none"> <li>Proxy voting</li> </ul>	
	6.9	<ul style="list-style-type: none"> <li>Transaction of business outside of committee meetings</li> </ul>	
	6.10	<ul style="list-style-type: none"> <li>Sub-committees</li> </ul>	
	6.11	<ul style="list-style-type: none"> <li>Disclosure of financial interests</li> </ul>	
23A(1)(c)(v)	7	<b>General meetings</b>	
	7.1	<ul style="list-style-type: none"> <li>Annual general meetings <ul style="list-style-type: none"> <li>→ <i>Order of business</i></li> </ul> </li> </ul>	
	7.2	<ul style="list-style-type: none"> <li>Special general meetings <ul style="list-style-type: none"> <li>→ <i>Who can call a special general meeting?</i></li> </ul> </li> </ul>	
	7.3	<ul style="list-style-type: none"> <li>Notice of meetings</li> </ul>	
	7.4	<ul style="list-style-type: none"> <li>Quorum for meetings</li> </ul>	
	7.5	<ul style="list-style-type: none"> <li>Duties of the President at meetings</li> </ul>	
	7.6	<ul style="list-style-type: none"> <li>Making decisions at meetings</li> </ul>	

	7.7	<ul style="list-style-type: none"> <li>• Voting <ul style="list-style-type: none"> <li>➔ <i>In the event of a tie when voting, is there a casting vote or is the motion lost?</i></li> </ul> </li> </ul>	
	7.8	<ul style="list-style-type: none"> <li>• Proxy voting</li> </ul>	
	7.9	<ul style="list-style-type: none"> <li>• Use of technology</li> </ul>	
51	8	<b>Minutes</b>	
	9	<b>Financial matters</b>	
3	9.1	<ul style="list-style-type: none"> <li>• Financial year</li> </ul>	
	9.2	<ul style="list-style-type: none"> <li>• Management of funds</li> </ul>	
39C	9.3	<ul style="list-style-type: none"> <li>• Accounts to be kept</li> </ul>	
55(1)	9.4	<ul style="list-style-type: none"> <li>• Prohibition against securing profits for members</li> </ul>	
23A(1)(c)(iii)	9.5	<ul style="list-style-type: none"> <li>• Appointment of auditor</li> </ul>	
34(2)	9.6	<ul style="list-style-type: none"> <li>• Accounts to be laid before members</li> </ul>	
36(1) & Reg 7	9.7	<ul style="list-style-type: none"> <li>• Periodic returns</li> </ul>	
23A(1)(c)(viii)	10	<b>Rules and by-laws</b>	
24	10.1	<ul style="list-style-type: none"> <li>• Alteration to rules</li> </ul>	
	10.2	<ul style="list-style-type: none"> <li>• By-laws</li> </ul>	
	10.3	<ul style="list-style-type: none"> <li>• Inconsistency between the rules or by-laws and the Act.</li> </ul>	
43 & 43A	11	<b>Winding up</b>	
	11.1	<ul style="list-style-type: none"> <li>• Voluntary winding up</li> </ul>	
	11.2	<ul style="list-style-type: none"> <li>• Application of surplus assets</li> </ul>	