In New South Wales (NSW), transitioning from an unincorporated association to an incorporated association involves registering under the Associations Incorporation Act 2009. This process grants your group a distinct legal identity, enabling it to own property, enter contracts, and limit members' personal liability.

**Steps to Incorporate Your Association in NSW**

1. **Choose a Name**
	* Ensure your desired name isn't already in use or too similar to existing entities. [Search Here](https://connectonline.asic.gov.au/RegistrySearch/faces/landing/SearchRegisters.jspx)
	* Optionally, reserve the name for three months by submitting [Form A1](https://www.nsw.gov.au/business-and-economy/incorporated-associations/incorporated-associations-forms-and-fees/form-a1-application-for-reservation-of-name) and paying the prescribed fee.
2. **Develop a Constitution**
	* You can either:
		+ Adopt the Model Constitution provided by Rugby Australia (contact Michael Flude).
		+ Draft your own constitution, ensuring it complies with the Act's requirements.
3. **Appoint a Public Officer**
	* Nominate an individual over 18 years old, residing in NSW, to serve as the association's public officer. (To nominate, click [HERE](https://associations.fairtrading.nsw.gov.au/forms/a9))
4. **Authorize the Application**
	* If you're transitioning from an unincorporated group, pass a special resolution authorizing the incorporation.
	* Attach a copy of this resolution to your application.
5. **Complete and Submit Form A2**
	* Fill out [Form A2](https://www.nsw.gov.au/business-and-economy/incorporated-associations/incorporated-associations-forms-and-fees/form-a2-application-for-registration-of-an-incorporated-association): Application for Registration of an Incorporated Association.
	* Include:
		+ The proposed name and official address (not a P.O. Box).
		+ Details of the public officer.
		+ A copy of the constitution or a statement adopting the Model Constitution.
		+ A statement of the association's objectives and principal activities.
		+ The prescribed application fee.
6. **Submit the Application**
	* Lodge the completed Form A2 and accompanying documents with NSW Fair Trading either by [email](http://registrylodgements@customerservice.nsw.gov.au), by post (Fair Trading, P.O Box 22, Bathurst NSW 2795) or in person at any NSW Service centre (to speak to them, call 13 77 88)

**Post-Incorporation Considerations**

* **Legal Status**: Your association will become a legal entity, capable of owning property, entering contracts, and being sued or suing in its own name. For information on this, click [HERE](https://www.nsw.gov.au/business-and-economy/incorporated-associations/about-incorporated-associations)
* **Compliance Obligations**: You'll be required to:
	+ Maintain accurate records and registers.
	+ Hold annual general meetings.
	+ Submit annual financial summaries to NSW Fair Trading.
	+ Notify NSW Fair Trading of any changes to the association's details.
* **Taxation and Funding**: Consider [applying for an Australian Business Number (ABN)](https://www.abr.gov.au/business-super-funds-charities/applying-abn) and exploring eligibility for tax concessions or grants.
* **GST:** If your club has revenue over $150,000 per annum, you must [register for GST](https://www.ato.gov.au/businesses-and-organisations/gst-excise-and-indirect-taxes/gst/registering-for-gst)

For detailed guidance and access to necessary forms, visit the [NSW Fair Trading website.](https://www.nsw.gov.au/business-and-economy/incorporated-associations/starting-an-incorporated-association) If you need assistance with specific aspects of the process, feel free to contact Michael Flude from Rugby Australia.