

# Amalgamation

Under the *Associations Incorporation Act 1985*

This information is for incorporated associations thinking about merging with another association(s). It explains the requirements of the [Associations Incorporation Act 1985](#) (SA) (the Act). It is not legal advice and should not be relied on without consulting a qualified professional.

## What is amalgamation?

An amalgamation is when two or more incorporated associations agree to merge and become a single incorporated association. This usually happens when associations with similar goals see value in combining their resources, assets and members to form a new association.

## What should we consider prior to amalgamating?

- **Consult members.** It's a good idea to involve members throughout the amalgamation process to keep things transparent.
- **Choose a name.** Before you lodge an application to amalgamate, decide on the new association's name. Some names are [restricted and undesirable](#) and cannot be used without Ministerial approval. You can use the name of one of the existing associations or pick a completely new name.
- **Creating rules.** The rules (also called the constitution) for the new association must be written before lodging an application. You can use the [CBS Model Rules](#) and [Checklist](#) as a guide.
- **Appoint a public officer.** Decide who will be the public officer for the new association.
- Understand the consequences:
  - the original associations that merge will be dissolved
  - all property, rights, and liabilities of the original associations will transfer to the new association
  - members of the original associations automatically become members of the new association.

## Are members involved in the decision to amalgamate?

Each association that wishes to amalgamate must pass a special resolution. This means:

- members are given at least **21 days** written notice outlining the intention to propose the amalgamation at a general meeting; and
- the resolution is approved at a general meeting by at least **three-quarters** of members eligible to vote.

## How do I lodge an application to amalgamate?

An application to amalgamate can be lodged here: [SA.GOV.AU - Amalgamating associations](#).

The application must include:

- a copy of the written notice given to members of each association proposing the amalgamation.
- a copy of the signed meeting minutes for each association where members voted on the amalgamation. The minutes must:
  - confirm whether quorum was met (required number of members were present) and record the voting results.
  - be signed by the person who presided over the meeting.
- a copy of the proposed rules (constitution) for the new association.
- copies of any current by-laws or other internal governing documents.

## **Contact us**

Email: [associations@sa.gov.au](mailto:associations@sa.gov.au)

Phone: 131 882 (option 7)

You can also book an [Association Appointments](#) for further assistance.

## **Resources**

[Associations Incorporation Act 1985](#)

[Associations Incorporation Regulations 2023](#)

[Associations-Fee-Schedule-.pdf](#)