



0420

Application for cancellation of incorporation

Associations Incorporation Reform Act 2012

Email: cav.registration.enquiries@justice.vic.gov.au

Web: consumer.vic.gov.au/associations

GPO Box 4567 Melbourne VIC 3001

Telephone: 1300 55 81 81

Things to know before starting your application

- **An application to cancel an incorporation association under section 136 of the *Associations Incorporation Reform Act 2012* can only be made if, to the best of your knowledge, the incorporated association:**
 - has gross assets of less than \$10,000; and
 - has no outstanding debts or liabilities; and
 - has paid all fees and penalties applying to it under this Act; and
 - is not a party to any legal proceedings; and
 - has ceased operations.

If any of these do not apply, please do not continue with this form. To understand how your association can wind up or cancel refer to the Consumer Affairs Victoria website.
- If completing the form by hand, please use a blue or black pen and print clearly using block letters.
- There is no fee to lodge this request.

Details of association

1. Provide details of the association

Name of association	Prom Country Regional Tourism Inc
Association registration number	A0044278E
Registered address of association (including postcode)	9 Smith St Leongatha VIC 3953

Ceasing operation

2. On what date did the association cease operations?

7 July 2020

3. What is the reason for requesting cancellation? Why should the incorporation of the association be cancelled?

The Prom Country Regional Tourism Inc (PCRT) Executive Committee called a Notice of Special General Meeting on 27 November 2019 at 6.45pm to consider and pass the following Special Resolutions:

1. A Special Resolution to wind up Prom Country Regional Tourism Inc
2. A Special Resolution to distribute surplus assets to a body with similar purposes to PCRT.

Supporting information for the meeting was distributed as follows:

"PCRT Inc was formed in 2003 to represent South Gippsland Tourism interests. For sixteen years, it has served that purpose well.

Over the past 18 months it has become apparent to your committee that changes to the industry require a different approach for effective tourism advocacy. These changes include:

- *PCRT's engagement with Destination Gippsland and confidence in that organisation's capabilities;*
- *the effective rollout of broader branding and marketing by Destination Gippsland;*
- *digital disruption: a huge take-up of online services: booking engines, social media, individual business web sites over the past 5 years;*
- *a reduction in the impact of (locally produced) print media and campaigns and their effectiveness;*

- more efficient ways to deliver services; and,
- more effective ways to use your money.

In addition, Committee feels the existing structure and funding model no longer provides the best outcomes for industry or our partners.

However, committee is extremely enthusiastic about the prospects for tourism development in South Gippsland. We have recently made a significant investment with Destination Gippsland and we'll share more about this at the meeting. We propose that in 2020, industry members meet to discuss more innovative ways to progress tourism development and the Visitor Economy in South Gippsland."

This meeting did not proceed, and shortly following this, all of the industry committee members resigned unexpectedly from the PCRT committee, leaving two remaining members. The remaining Council representatives have continued to fulfil the intention of those industry members of the Prom Country Regional Tourism Inc prior to their resignation, and have committed to "wind up" or cancel Prom Country Regional Tourism Inc.

Please note that the remaining Committee Members have been in touch directly with CAV (Ms Bee Wah Ang) in relation to the details of this matter and have advised on the finalising steps that have now been completed as part of the Cancellation process.

4. Was a special resolution passed approving the request to make this application to cancel the incorporation?

Yes	☐	Date and location of special resolution – please provide meeting minutes if available
No	☒	Reason why a special resolution was not passed and identify whether remaining members have been notified. The proposed Special General Meeting on 27 November 2019 did not proceed due to the announcement of an undisclosed issue that was raised by the committee prior to the commencement of the meeting. A short time later, all of the PCRT industry committee members resigned from the committee prior to carrying out the Special General Meeting. These unexpected resignations resulted in two remaining PCRT committee members, who were representatives of Council. Both of the remaining committee members are aware of this submission to cancel PCRT.

5. Were the assets of the association distributed according to the association's rules?

Yes	☒	Please provide any supporting documentation if available (e.g. bank statement, receipt, etc.)
No	☐	Please identify the value and type of remaining assets and the reason why these assets have not been distributed

Declaration and signature

6. I declare that:

- I am qualified under section 136(2) to make this application for cancellation of incorporation.
- The association:
 - has gross assets of less than \$10 000; and
 - has no outstanding debts or liabilities; and
 - has paid all fees and penalties applying to it under the *Associations Incorporation Reform Act 2012*; and
 - is not a party to any legal proceedings; and
 - in the case of an application by a member or former member of the association, that the association is not in operation
 - has and/or will dispose of remaining assets in accordance with the rules of the association.
- The particulars contained in this form are true and correct. I acknowledge that it is an offence under section 208 of the *Associations Incorporation Reform Act 2012* to make a false or misleading statement or omit information.

Signature (type name if lodging by email)	
Printed name	
Date (dd/mm/yyyy)	
Address	
Daytime telephone number	
Email address	
Position relative to the association	

How to lodge

If lodging by email. Email the completed form to Cav.registration.enquiries@justice.vic.gov.au

If lodging by post, print the form and sign in the declaration section. Post the completed form to Consumer Affairs Victoria at GPO Box 4567, Melbourne VIC 3001.

What happens when you lodge your application

- You will receive an acknowledgment. You may be required to provide more information including lodging any outstanding annual statements for the association.
- When the Registrar is satisfied that the incorporation can be cancelled, a notice will be placed in the Government Gazette and on our website. Members and former members have 28 days from the date of the notice to object to the cancellation.
- We will write to you notifying of any objections or that the association has been cancelled.

Privacy – CAV is committed to responsible and fair handling of your personal information, consistent with the laws we administer and the *Privacy and Data Protection Act 2014*. Some information on this form will be placed on a public register in accordance with the *Associations Incorporation Reform Act 2012*. We may be unable to process this application if you do not provide the required information. You can contact us at any time to request access to the personal information we hold about you. In exceptional circumstances, you may apply to have public access to your personal information restricted. Our privacy statement and other privacy information is available at the [Consumer Affairs Victoria website](#) or on request.