



Company Membership Form

Consent and agreement to become a Member of
Queensland Police-Citizens Youth Welfare Association ACN 009 666 193
being a company limited by guarantee

I consent to become a member of **Queensland Police-Citizens Youth Welfare Association (QPCYWA) ACN 009 666 193** ("Company") and agree to contribute the guarantee amount (stated below) to the property of the Company if it is wound up.

Member Details

1. Member's name

Family Name _____ Given Names _____

Previous or other family name (if applicable) _____

Previous or other given names (if applicable) _____

2. Member's address

Office, unit, level or PO box number _____

Street number and street name _____

Suburb/City _____ State/Territory _____

Postcode _____ Country (if not Australia) _____

3. Blue Card details

Blue card number _____ Blue card expiry date _____

Agreement

By signing this form, the Member:

1. agrees to be bound by the terms and conditions of the Company's constitution;
2. authorises the directors of the Company to enter the Member's name on the members' register relating to the Company;
3. agrees, subject to the Corporations Act and the Company's constitution, where the Company is wound up, to be liable as a present or past member to contribute up to the guarantee amount (stated below) to the Company's property: (i) to pay the Company's debts and liabilities and the costs, charges and expenses of the winding up; and (ii) to adjust the rights of contributories among themselves. It is noted that, subject to the Corporations Act, a past member will not need to contribute: (a) in respect of a debt or liability of the Company contracted after the person ceased to be a member; (b) if he or she was not a member at any time during the year ending on the day of the commencement of the winding up; and (c) unless it appears to the court that the present Members are unable to satisfy the contributions that they are liable to make.

Guarantee amount: \$10.00 or as varied by the Members by special resolution _____

Application fee: NIL _____

Signature of member:

This section *must* be signed in accordance with the instructions below.

Signature of Applicant _____ Date _____

Signature instructions

You must sign this form as follows in the space provided:

Individual the member must sign and date the form.

Power of Attorney to sign under Power of Attorney, the original (or a certified copy) of the Power of Attorney must accompany this document.

Companies no company will be admitted as a member of Queensland Police-Citizens Youth Welfare Association ACN 009 666 193.

Once completed, please return to the Company Secretary by post or email company.secretary@pcyc.org.au

Police-Citizens Youth Clubs (PCYC) Queensland

30 Graystone Street Tingalpa QLD 4173
PO Box 3445 Tingalpa DC QLD 4173

1. Member

A person is a member of an Australian company if they:

- (a) are a member of the company on its registration;
- (b) agree to become a member of the company after its registration and their name is entered on the register of members of the company; or
- (c) become a member of the company upon conversion of the company from one limited by guarantee to one limited by shares

- refer to Corporations Act, section 231.

2. Registration application

2.1 **(Application contents):** An application for registration of an Australian company limited by guarantee must state:

- (a) the name and address of each person who consents to become a member of the company; and
- (b) the proposed amount of the guarantee that each member agrees to in writing

- refer to Corporations Act, sections 117(2)(c) and 117(2)(m).

2.2 **(Consents and agreements):** The person applying for registration of an Australian company must have the consents and agreements referred to in paragraph 2.1 when the application is lodged. After the company is registered, the applicant must give the consents and agreements to the company. The company must keep the consents and agreements - refer to Corporations Act, section 117(5).

3. Guarantee amount

3.1 **(General liability):** If a company limited by guarantee is wound up, a present or past member of the company is liable to contribute up to the agreed amount to the company's property:

- (a) to pay the company's debts and liabilities and the costs, charges and expenses of the winding up; and
- (b) to adjust the rights of contributories among themselves

- refer to Corporations Act, sections 515 and 517.

3.2 **(Past members):** However, a past member will not need to contribute:

- (a) in respect of a debt or liability of the company contracted after the person ceased to be a member;
- (b) if he, she or it was not a member during the year ending on the day of the commencement of the winding up; and
- (c) unless it appears to an Australian court that the present members are unable to satisfy the contributions that they are liable to make under the Corporations Act

- refer to Corporations Act, sections 520, 521 and 522.

3.3 **(Nature of liability):** The liability of a contributory is of the nature of a specialty debt according to the law of the Australian Capital Territory accruing due from the contributory when the liability commenced but payable at the times when calls are made for enforcing the liability - refer to Corporations Act, section 527. A specialty debt can be enforced at any time within 20 years of the time when the cause of action arose. This 20 year period commences to run upon the liquidator's making the call.

3.4 **(Death of contributory):** If a contributory dies, whether before or after being placed on the list of contributories:

- (a) his or her personal representatives are liable in due course of administration to contribute to the company's property in discharge of his or her liability to contribute and are contributories accordingly; and
- (b) if his or her personal representatives default in paying any money that they are ordered to pay -- proceedings may be taken for administering his or her estate and for compelling payment, out of the assets of that estate, of the money due

- refer to Corporations Act, section 528.

3.5 **(Bankruptcy of contributory):** If a contributory becomes an insolvent under administration, or assigns his or her estate for the benefit of his or her creditors, whether before or after being placed on the list of contributories:

- (a) his or her trustee is to represent him or her for the purposes of the winding up and is to be a contributory accordingly; and
- (b) calls already made, and the estimated value of his or her liability to future calls, may be proved against his or her estate

- refer to Corporations Act, section 529.