

THE QUEENSLAND LAWYER

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The nature of the legal capacity possessed by an incorporated association, as with any other body corporate, is fundamental because it determines the scope of the acts which the association is competent to perform. The legal capacity granted to incorporated associations by state legislation differs across Australia. This article examines the relevant provisions of the Queensland incorporated associations legislation, considers the scope of the capacity conferred and compares these arrangements with those of the other Australian states and territories. It has previously been suggested that there is a “tension” in the drafting of the provisions of the Queensland legislation. This article concludes that, on a proper reading of the relevant provisions, such concerns are misplaced.	
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