



New South Wales

Co-operatives Amendment (Fees) Regulation 2002

under the

Co-operatives Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Co-operatives Act 1992*.

JOHN AQUILINA, M.P.,

Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable in connection with the administration of the *Co-operatives Act 1992*.

This Regulation is made under the *Co-operatives Act 1992*, including section 446 (the general power to make regulations).

2002 No 85

Clause 1 Co-operatives Amendment (Fees) Regulation 2002

Co-operatives Amendment (Fees) Regulation 2002

1 Name of Regulation

This Regulation is the *Co-operatives Amendment (Fees) Regulation 2002*.

2 Commencement

This Regulation commences on 31 March 2002.

3 Amendment of Co-operatives Regulation 1997

The *Co-operatives Regulation 1997* is amended as set out in Schedule 1.

Co-operatives Amendment (Fees) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 55)

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
1	19	Application to Registrar for registration—proposed co-operative	\$110 non-trading \$166 trading
2	24	Application to Registrar for registration—existing body corporate	\$166
3	28G	Issue of duplicate certificate	\$23
4	67 (2)	Application for Registrar's certificate	\$28
5	76A (2)	Application for Registrar's consent	\$56
6	108 (3)	Copy of rules	\$6 for the first page and \$1 for each page thereafter to a maximum of \$55
7	113 (2)	Registration of rule alteration	\$11 per rule to a maximum of \$73
8	113 (5)	Issue of certificate of registration of rule alteration	\$28

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
9	125 (1)	Application to Council for review	\$56
10	126 (3)	Application to Registrar for determination of a member's eligibility to vote	\$110
11	136 (6)	Application to Council for reduction in period for repayment	\$222
12	143	Application to Minister for exemption	\$222
13	145 (1)	Application to Council for approval to convert to a co-operative without share capital	\$56
14	155 (3) (a)	Application to Registrar for approval of disclosure statement	\$222
15	177 (1) (a)	Application to Council for approval of rules restricting voting rights	\$222
16	178 (2)	Application to Council for review of voting entitlement	\$222
17	192 (2) (c)	Lodgment of special resolution (not involving alteration of rules)	\$11 per resolution to a maximum of \$73
18	194 (3)	Application to Registrar for approval of disclosure statement	\$222
19	216 (3) (b)	Application to Council for approval of co-operative to have employee director	\$56

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Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
20	243	Lodgment by a disclosing entity that is a co-operative of an annual financial report and an annual director's report pursuant to sections 292 and 319 of the Corporations Act (as applied by section 243 of the Act)	Nil
21	244 (1)	Application to Registrar for exemption	\$222
22	250 (1) (d)	Approval of office where register is to be kept	\$28
23*	251 (5)	Obtaining copy of an entry in the Register	\$6 for the first page and \$1 for each page thereafter to a maximum of \$55
24	252 (1)	Lodgment of annual report:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166
25	255 (5) (g)	Application to Registrar for exemption to use the word "Co-operative" or abbreviation	\$276
26	257 (e)	Application to Registrar for approval of abbreviation or elaboration of name	\$28
27	259 (1)	Application to Registrar for approval of change of name	\$56

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
28	261 (3)	Lodgment of notice of change of address	Nil
29	266 (1)	Lodgment by unlisted disclosing entity of document containing price sensitive information referred to in section 1001B (1) of the Corporations Act (as applied by section 266 of the Act)	Nil
30	266 (1)	Lodgment of disclosure document under sections 706, 707, 721 and 727 of the Corporations Act (as applied by section 266 of the Act)	\$1,660
31	266 (1)	Lodgment of supplementary or replacement disclosure document under section 719 of the Corporations Act (as applied by section 266 of the Act)	Nil
32	266 (1)	Lodgment of disclosure document under section 707 of the Corporations Act (as applied by section 266 of the Act) relating to sale of unquoted securities	\$222
33	266 (4)	Application to Registrar for exemption	\$222
34	266A (2)	Application to Registrar for approval of disclosure statement	\$222
35	268 (3) (a)	Application to Registrar for approval of disclosure statement	\$222

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
36	273 (1) (c)	Application to Registrar for approval of terms of issue of CCUs	\$222
37	285 (2)	Application to Council for exemption	\$222
38	289 (3)	Application to Council for approval of maximum share interest	\$222
39*	294 (2) (b)	Inspection of register of notifiable interests	\$28
40	298	Application to Registrar for exemption	\$222
41	300 (1)	Application to Council for approval of share offer	\$222
42	302 (4)	Application to Registrar for extension of period of share offer	\$56
43	308	Application to Council for exemption	\$222
44	311 (2)	Application for Registrar's consent	\$56
45	311A (2)	Application to Registrar for approval of disclosure statement	\$222
46	311B (1)	Application to Registrar for approval of merger or transfer of engagements	\$56
47	312	Application to Council for exemption	\$56
48	316 (4)	Application to Council for exemption	\$222

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
49	325	Application to Registrar to exercise powers conferred by section 601AE or 601AF of the Corporations Act (as applied by section 325 of the Act)	\$56
50	326 (2)	Application to Council for exemption	\$56
51	346 (1) (a)	Application for Registrar's permission	\$56
52	348 (1) (f)	Application to Registrar for direction	\$222
53	355 (1)	Application to Registrar for approval of explanatory statement	\$553
54	357 (5)	Lodgment of copy of order	\$28
		Additional fee for late lodgment	\$56
55	369E (2) (f)	Application to Registrar for registration—participating co-operative	\$222
56	369F (2) (d)	Application to Registrar for registration—non-participating co-operative	\$553
57	369K	Lodgment of particulars of alteration	\$28
		Additional fee for late lodgment	\$56

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
58	369L (1)	Lodgment of balance sheet: (a) on or before the due date (b) more than 1 day but less than 28 days after the due date (c) 28 days or more after the due date	Nil \$82 \$166
59	369M (1)	Lodgment of notice of cessation of business—foreign co-operative	Nil
60	369N (1)	Application to Registrar for certificate of compliance	\$664
61	369Q (3) (a)	Application for Registrar's consent	\$222
62	369R (2)	Application to Registrar for approval of disclosure statement	\$222
63	369R (4)	Application to Registrar for exemption	\$222
64	369S (1)	Application to Registrar for approval of merger or transfer of engagements	\$222
65	402 (1) (a)	Application to Registrar for special meeting	\$222
66	402 (1) (b)	Application to Registrar for inquiry	\$553
67	408 (1)	Application to Registrar for extension or abridgment of time	\$56
68	413A (1) (a)	Inspection of Register	\$11

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
69	413A (1) (b)	Inspection of prescribed document	\$11
70	413A (1) (c)	Certified copy of a document	\$12 for the first page and \$2 for each page thereafter to a maximum of \$65 per document
71	440A (2) (c)	Application to Registrar for permission to give notice by newspaper	\$56
72	Sch 3 cl 13 (1)	Lodgment of notice of charge	\$56
73	Sch 3 cl 17 (1) (a)	Lodgment of notice of acquisition of property subject to change	\$56
74	Sch 3 cl 20 (3) (c)	Application to Registrar for extension of time	\$56
75	Sch 3 cl 36 (1)	Lodgment of notice of assignment of charge	\$56
76	Sch 3 cl 36 (2)	Lodgment of notice of variation of terms of charge	\$56
77	Sch 3 cl 37 (2)	Lodgment of memorandum of discharge	\$28
78	Sch 3 cl 42 (1) and (3)	Request of certificate	Nil
79	Sch 3 cl 44	Application to Registrar for exemption	\$222
80	Sch 4 cl 3 (1) (f)	Application to Registrar for direction	\$222

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
81	Sch 4 cl 6A (2)	Lodgment of managing controller's report:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166
82	Sch 4 cl 6A (3) (b)	Inspection of managing controller's report	\$11
83	Sch 4 cl 7 (1) (c)	Lodgment of receiver's report	Nil
84	Sch 4 cl 12 (1) (a)	Lodgment of notice of order	Nil
		Additional fee for late lodgment	\$28
85	Sch 4 cl 12 (2) (a)	Lodgment of notice of appointment of controller	Nil
		Additional fee for late lodgment	\$28
86	Sch 4 cl 12 (3) (a)	Lodgment of notice that person has entered into possession or taken control of property of co-operative	Nil
		Additional fee for late lodgment	\$28
87	Sch 4 cl 12 (5)	Lodgment of notice of change in situation of controller's officer	Nil
		Additional fee for late lodgment	\$28

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
88	Sch 4 cl 12 (6) (a)	Lodgment of notice of cessation as controller	Nil
		Additional fee for late lodgment	\$28
89	Sch 4 cl 14 (2) (c)	Lodgment of copy of controller's report	Nil
		Additional fee for late lodgment	\$28
90	Sch 4 cl 14 (4)	Lodgment of notice by controller that extension of time within which to report has been granted	Nil
		Additional fee for late lodgment	\$28
91	Sch 4 cl 14 (5)	Lodgment of copy of court order that extension of time within which to report has been granted	Nil
		Additional fee for late lodgment	\$28
92	Sch 4 cl 17 (1)	Lodgment of controller's account:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$82
		(c) 28 days or more after the due date	\$166

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
93	—	Lodgment of any other document under the Act	Nil
	—	Additional fee for late lodgment	\$28
94	—	Lodgment of any other document under the Corporations Act (as adopted by the Act)	Nil

* Fees payable to the co-operative

BY AUTHORITY