



New South Wales

Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2003

under the

Co-operative Housing and Starr-Bowkett Societies Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Co-operative Housing and Starr-Bowkett Societies Act 1998*.

REBA PAIGE MEAGHER, M.P.,

Minister for Fair Trading

Explanatory note

The object of this Regulation is to alter the fees payable in connection with the administration of the *Co-operative Housing and Starr-Bowkett Societies Act 1998*. The fee increases are in line with movements in the Consumer Price Index. Some of the fees have been altered to maintain parity with similar fees under the *Co-operatives Regulation 1997*, which is also administered by the Registry of Co-operatives and Associations.

This Regulation also introduces a new fee of \$30 for an application to the Registrar to exercise powers conferred by the provisions of the *Corporations Act 2001* of the Commonwealth referred to in section 177 (2) (a) of the 1998 Act.

This Regulation is made under the *Co-operative Housing and Starr-Bowkett Societies Act 1998*, including section 225 (the general regulation-making power).

2003 No 383

Clause 1 Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

**Co-operative Housing and Starr-Bowkett Societies
Amendment (Fees) Regulation 2003**

under the

Co-operative Housing and Starr-Bowkett Societies Act 1998

1 Name of Regulation

This Regulation is the *Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2003*.

2 Commencement

This Regulation commences on 1 July 2003.

**3 Amendment of Co-operative Housing and Starr-Bowkett Societies
Regulation 2000**

The *Co-operative Housing and Starr-Bowkett Societies Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 28A)

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
1	23 (1) (a)	Inspection of prescribed document	\$12
2	23 (1) (b)	Certified copy of prescribed document	\$12 and \$2 for each page after the first page to a maximum of \$67
3	25	Application for extension or abridgement of time within which anything is required to be done under the 1998 Act	\$58
4	50 (1)	Application to Registrar for registration of proposed co-operative housing society or Starr-Bowkett society	\$171
5	67	Registration of alteration of society's rules	\$12 per rule to a maximum of \$75
6	80 (2)	Application for issue of amended certificate of incorporation or new certificate resulting from change of name of co-operative housing body	\$29

2003 No 383Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

Schedule 1 Amendment

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
7	80 (4)	Application for approval of use by co-operative housing body of name other than registered name	\$29
8	84 (3)	Application by person or body (other than co-operative housing body) for exemption to use words co-operative housing society or Starr-Bowkett , or other words, abbreviations or symbols with similar meaning	\$285
	88	Application of the following sections of the Corporations Act in accordance with section 88 of the 1998 Act:	
9		Section 263 (1): Lodgment of:	
		(a) notice of charge	\$58
		(b) copy of resolution, where it is only evidence of charge	\$58
		(c) instrument, where charge was created or evidenced by the instrument	\$58

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
10		Section 264 (1): Lodgment of:	
		(a) notice of acquisition of property subject to charge	\$58
		(b) copy of resolution, where it is only evidence of charge	\$58
		(c) instrument, where charge was created or evidenced by the instrument	\$58
11		Section 265 (5) (b): Application to Registrar for extension of time to lodge certificate to effect that all documents accompanying notice required under section 263 or 264 have been duly stamped	\$58
12		Section 268 (1): Lodgment of notice of assignment of charge	\$58
13		Section 268 (2): Lodgment of notice of variation of terms of charge	\$58

2003 No 383Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

Schedule 1 Amendment

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
14		Section 269 (2): Lodgment of memorandum acknowledging satisfaction of, and release of property from, charges	\$58
15	115 (7)	Lodgment of special resolution for registration	\$12
16	117 (3)	Application for consent of Registrar for society to keep all or any registers at office other than registered office	\$29
17	148 (1)	Lodgment of returns: (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 \$85 \$171
18	149 (1)	Application for order for relief from certain specified requirements as to accounts or audit	\$229
19	152	Application for certification by Registrar that co-operative housing societies are of same type for purpose of proposed merger or transfer of engagements	\$58

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
20	153 (1)	Application for merger of, or transfer of engagements by, co-operative housing societies	\$58
21	153 (2)	Application for determination by Registrar that co-operative housing societies' boards may approve of proposed merger or transfer of engagements	\$58
22	153 (3)	Application for approval by Registrar of statement to be sent to members specifying details of proposed merger or transfer of engagements	\$229
23	153 (5)	Application to Registrar seeking exemption from requirement to send statement under section 153 (3) of the 1998 Act	\$58
	173	Application of the following sections of the Corporations Act in accordance with section 173 of the 1998 Act:	
24		Section 411 (2) (a): Application to Registrar for permission to lesser period of notice of hearing of application under section 411 (1) or (1A)	\$58

2003 No 383Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

Schedule 1 Amendment

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
25		Section 411 (2) (b): Examination by Registrar of terms of proposed compromise or arrangement to which application relates and draft explanatory statement relating to proposed compromise or arrangement	\$570
26		Section 411 (7): Application to Registrar for direction that section 411 (7) (f) does not apply in relation to appointment of person to administer compromise or arrangement	\$229
27		Section 413 (3): Lodgment of office copy of order made under section 413 Additional fee for late lodgment of copy of order	\$29 \$58
	174	Application of the following sections of the Corporations Act in accordance with section 174 of the 1998 Act:	

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
28		Section 418 (1): Application to Registrar for direction that section 418 (1) (f) does not apply in relation to appointment of person as receiver of property of corporation	\$229
29		Section 421A (2): Lodgment of managing controller's report about corporation's affairs:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$85
		(c) 28 days or more after the due date	\$171
30		Section 421A (3) (b): Inspection of managing controller's report at Registrar's office	\$12
31		Section 427 (1) (a): Lodgment of notice of order of appointment of receiver	Nil
		Additional fee for late lodgment	\$29

2003 No 383Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

Schedule 1 Amendment

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
32		Section 427 (1A) (a): Lodgment of notice of appointment of controller of property of corporation Additional fee for late lodgment	Nil \$29
33		Section 427 (1B) (a): Lodgment of notice that controller has entered into possession or taken control Additional fee for late lodgment	Nil \$29
34		Section 427 (2): Lodgment of notice of address of controller Additional fee for late lodgment	Nil \$29
35		Section 427 (3): Lodgment of notice of change in situation of controller's office Additional fee for late lodgment	Nil \$29
36		Section 427 (4) (a): Lodgment of notice of cessation as controller	Nil

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
		Additional fee for late lodgment	\$29
37		Section 429 (2) (c): Lodgment by controller of reporting officers' report about corporation's affairs and notice setting out comments (if any) by controller relating to report	Nil
		Additional fee for late lodgment	\$29
38		Section 432 (1): Lodgment of controller's accounts:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$85
		(c) 28 days or more after the due date	\$171
39	177	Application to Registrar to exercise powers conferred by the provisions of the Corporations Act referred to in:	
		(a) section 177 (2) (a) of the 1998 Act	\$30
		(b) section 177 (2) (b) of the 1998 Act	\$58

2003 No 383Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2003

Schedule 1 Amendment

Column 1 Item	Column 2 Section of 1998 Act	Column 3 Type of fee	Column 4 Amount
40	184 (1)	Application for registration of two or more bodies as an association	\$171
41	—	Lodgment of any other document under the 1998 Act	Nil
42		Additional fee for late lodgment	\$29

BY AUTHORITY