



# Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2004

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 increase certain 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.

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

**2004 No 351**

Clause 1 Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)  
Regulation 2004

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**Co-operative Housing and Starr-Bowkett Societies  
Amendment (Fees) Regulation 2004**

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 2004*.

**2 Commencement**

This Regulation commences on 1 July 2004.

**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.

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## Schedule 1 Amendment

(Clause 3)

### Schedule 2

Omit the Schedule. Insert instead:

### Schedule 2 Fees

(Clause 28A)

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	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 \$69
3	25	Application for extension or abridgement of time within which anything is required to be done under the 1998 Act	\$59
4	50 (1)	Application to Registrar for registration of proposed co-operative housing society or Starr-Bowkett society	\$175
5	67	Registration of alteration of society's rules	\$12 per rule to a maximum of \$77
6	80 (2)	Application for issue of amended certificate of incorporation or new certificate resulting from change of name of co-operative housing body	\$30

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Regulation 2004

Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
7	80 (4)	Application for approval of use by co-operative housing body of name other than registered name	\$30
8	84 (3)	Application by person or body (other than co-operative housing body) for exemption to use words <b>co-operative housing society</b> or <b>Starr-Bowkett</b> , or other words, abbreviations or symbols with similar meaning	\$292
	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	\$59
		(b) copy of resolution, where it is only evidence of charge	\$59
		(c) instrument, where charge was created or evidenced by the instrument	\$59



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Schedule 1      Amendment

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Section of 1998 Act</b>	<b>Type of fee</b>	<b>Amount</b>
14		Section 269 (2):  Lodgment of memorandum acknowledging satisfaction of, and release of property from, charges	\$59
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	\$30
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  \$87  \$175
18	149 (1)	Application for order for relief from certain specified requirements as to accounts or audit	\$234
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	\$59

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Section of 1998 Act</b>	<b>Type of fee</b>	<b>Amount</b>
20	153 (1)	Application for registration of merger of, or transfer of engagements by, co-operative housing societies	\$59
21	153 (2)	Application for determination by Registrar that co-operative housing societies' boards may approve of proposed merger or transfer of engagements	\$59
22	153 (3)	Application for approval by Registrar of statement to be sent to members specifying details of proposed merger or transfer of engagements	\$234
23	153 (5)	Application to Registrar seeking exemption from requirement to send statement under section 153 (3) of the 1998 Act	\$59
	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)	\$59

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Schedule 1      Amendment

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Section of 1998 Act</b>	<b>Type of fee</b>	<b>Amount</b>
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	\$583
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	\$234
27		Section 413 (3):  Lodgment of office copy of order made under section 413  Additional fee for late lodgment of copy of order	\$30  \$59
	174	Application of the following sections of the Corporations Act in accordance with section 174 of the 1998 Act:	

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	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	\$234
29		Section 421A (2):  Lodgment of managing controller's report about corporation's affairs:  (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  \$87  \$175
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  Additional fee for late lodgment	Nil  \$30

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Schedule 1      Amendment

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Section of 1998 Act</b>	<b>Type of fee</b>	<b>Amount</b>
32		Section 427 (1A) (a):	
		Lodgment of notice of appointment of controller of property of corporation	Nil
		Additional fee for late lodgment	\$30
33		Section 427 (1B) (a):	
		Lodgment of notice that controller has entered into possession or taken control	Nil
		Additional fee for late lodgment	\$30
34		Section 427 (2):	
		Lodgment of notice of address of controller	Nil
		Additional fee for late lodgment	\$30
35		Section 427 (3):	
		Lodgment of notice of change in situation of controller's office	Nil
		Additional fee for late lodgment	\$30
36		Section 427 (4) (a):	
		Lodgment of notice of cessation as controller	Nil
		Additional fee for late lodgment	\$30

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
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  Additional fee for late lodgment	Nil  \$30
38		Section 432 (1):  Lodgment of controller's accounts:  (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  \$87  \$175
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  (b) section 177 (2) (b) of the 1998 Act	\$31  \$59
40	184 (1)	Application for registration of two or more bodies as an association	\$175

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Section of 1998 Act</b>	<b>Type of fee</b>	<b>Amount</b>
41		Lodgment of any other document under the 1998 Act	Nil
42		Additional fee for late lodgment	\$30

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BY AUTHORITY