



Co-operatives Amendment (Fees) Regulation 2004

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*.

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-operatives Act 1992*. The fee increases are in line with movements in the Consumer Price Index.

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

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Clause 1 Co-operatives Amendment (Fees) Regulation 2004

Co-operatives Amendment (Fees) Regulation 2004

under the

Co-operatives Act 1992

1 Name of Regulation

This Regulation is the *Co-operatives Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Co-operatives Regulation 1997

The *Co-operatives Regulation 1997* is amended as set out in 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	\$116 non-trading \$175 trading
2	24	Application to Registrar for registration—existing body corporate	\$175
3	28G	Issue of duplicate certificate	\$25
4	67 (2)	Application for Registrar's certificate	\$30
5	76A (2)	Application for Registrar's consent	\$59
6	108 (3)	Copy of rules	\$6 for the first page and \$1 for each page thereafter to a maximum of \$58 per document
7	113 (2)	Application for registration of rule alteration	\$12 per rule to a maximum of \$77

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
8	113 (5)	Issue of certificate of registration of rule alteration	\$30
9	125 (1)	Application to Council for review	\$59
10	126 (3)	Application to Registrar for determination of a member's eligibility to vote	\$116
11	136 (6)	Application to Council for reduction in period for repayment	\$234
12	143	Application to Minister for exemption	\$234
13	145 (1)	Application to Council for approval to convert to a co-operative without share capital	\$59
14	155 (3) (a)	Application to Registrar for approval of disclosure statement	\$234
15	177 (1) (a)	Application to Council for approval of rules restricting voting rights	\$234
16	178 (2)	Application to Council for review of voting entitlement	\$234
17	192 (2) (c)	Lodgment of special resolution (not involving alteration of rules)	\$12 per resolution to a maximum of \$77
18	194 (3)	Application to Registrar for approval of disclosure statement	\$234
19	216 (3) (b)	Application to Council for approval of co-operative to have employee director	\$59

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Amendment

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	\$234
22	250 (1) (d)	Approval of office where register is to be kept	\$30
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 \$58 per document
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	\$87
		(c) 28 days or more after the due date	\$175
25	255 (5) (g)	Application to Registrar for exemption to use the word "Co-operative" or abbreviation	\$292
26	257 (e)	Application to Registrar for approval of abbreviation or elaboration of name	\$30

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
27	259 (1)	Application to Registrar for approval of change of name	\$59
28	261 (3)	Lodgment of notice of change of address	Nil
29	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)	\$1,752
30	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
31	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	\$234
32	266 (4)	Application to Registrar for exemption	\$234
33	266A (2)	Application to Registrar for approval of disclosure statement	\$234
34	268 (3) (a)	Application to Registrar for approval of disclosure statement	\$234
35	273 (1) (c)	Application to Registrar for approval of terms of issue of CCUs	\$234
36	285 (2)	Application to Council for exemption	\$234

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Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
37	289 (3)	Application to Council for approval of maximum share interest	\$234
38*	294 (2) (b)	Inspection of register of notifiable interests	\$30
39	298	Application to Registrar for exemption	\$234
40	300 (1)	Application to Council for approval of share offer	\$234
41	302 (4)	Application to Registrar for extension of period of share offer	\$59
42	308	Application to Council for exemption	\$234
43	311 (2)	Application for Registrar's consent	\$59
44	311A (2)	Application to Registrar for approval of disclosure statement	\$234
45	311B (1)	Application to Registrar for approval of merger or transfer of engagements	\$59
46	312	Application to Council for exemption	\$59
47	316 (4)	Application to Council for exemption	\$234
48	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)	\$59
49	326 (2)	Application to Council for exemption	\$59
50	346 (1) (a)	Application for Registrar's permission	\$59

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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
51	348 (1) (f)	Application to Registrar for direction	\$234
52	355 (1)	Application to Registrar for approval of explanatory statement	\$583
53	357 (5)	Lodgment of copy of order	\$30
		Additional fee for late lodgment	\$59
54	369E (2) (f)	Application to Registrar for registration—participating co-operative	\$234
55	369F (2) (d)	Application to Registrar for registration—non-participating co-operative	\$583
56	369K	Lodgment of particulars of alteration	\$30
		Additional fee for late lodgment	\$59
57	369L (1)	Lodgment of balance sheet:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$87
		(c) 28 days or more after the due date	\$175
58	369M (1)	Lodgment of notice of cessation of business—foreign co-operative	Nil
59	369N (1)	Application to Registrar for certificate of compliance	\$701
60	369Q (3) (a)	Application for Registrar's consent	\$234

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Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
61	369R (2)	Application to Registrar for approval of disclosure statement	\$234
62	369R (4)	Application to Registrar for exemption	\$234
63	369S (1)	Application to Registrar for approval of merger or transfer of engagements	\$234
64	402 (1) (a)	Application to Registrar for special meeting	\$234
65	402 (1) (b)	Application to Registrar for inquiry	\$583
66	408 (1)	Application to Registrar for extension or abridgment of time	\$59
67	413A (1) (a)	Inspection of Register	\$12
68	413A (1) (b)	Inspection of prescribed document	\$12
69	413A (1) (c)	Certified copy of a document	\$13 for the first page and \$2 for each page thereafter to a maximum of \$69 per document
70	440A (2) (c)	Application to Registrar for permission to give notice by newspaper	\$59
71	Sch 3 cl 13 (1)	Lodgment of notice of charge	\$59

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
72	Sch 3 cl 17 (1) (a)	Lodgment of notice of acquisition of property subject to charge	\$59
73	Sch 3 cl 20 (3) (c)	Application to Registrar for extension of time	\$59
74	Sch 3 cl 36 (1)	Lodgment of notice of assignment of charge	\$59
75	Sch 3 cl 36 (2)	Lodgment of notice of variation of terms of charge	\$59
76	Sch 3 cl 37 (2)	Lodgment of memorandum of discharge	\$30
77	Sch 3 cl 42 (1) and (3)	Request for certificate	Nil
78	Sch 3 cl 44	Application to Registrar for exemption	\$234
79	Sch 4 cl 3 (1) (f)	Application to Registrar for direction	\$234
80	Sch 4 cl 6A (2)	Lodgment of managing controller's report: (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
81	Sch 4 cl 6A (3) (b)	Inspection of managing controller's report	\$12

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
82	Sch 4 cl 7 (1) (c)	Lodgment of receiver's report	Nil
83	Sch 4 cl 12 (1) (a)	Lodgment of notice of order	Nil
		Additional fee for late lodgment	\$30
84	Sch 4 cl 12 (2) (a)	Lodgment of notice of appointment of controller	Nil
		Additional fee for late lodgment	\$30
85	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	\$30
86	Sch 4 cl 12 (5)	Lodgment of notice of change in situation of controller's officer	Nil
		Additional fee for late lodgment	\$30
87	Sch 4 cl 12 (6) (a)	Lodgment of notice of cessation as controller	Nil
		Additional fee for late lodgment	\$30
88	Sch 4 cl 14 (2) (c)	Lodgment of copy of controller's report	Nil
		Additional fee for late lodgment	\$30

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
89	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	\$30
90	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	\$30
91	Sch 4 cl 17 (1)	Lodgment of controller's financial statement:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$87
		(c) 28 days or more after the due date	\$175
92		Lodgment of any other document under the Act	Nil
		Additional fee for late lodgment	\$30
93		Lodgment of any other document under the Corporations Act as adopted by the Act	Nil

*Fees payable to the co-operative

BY AUTHORITY