



New South Wales

# Co-operatives Amendment (Fees) Regulation 2006

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*.

DIANE BEAMER, 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 generally 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).

## **2006 No 312**

Clause 1            Co-operatives Amendment (Fees) Regulation 2006

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## **Co-operatives Amendment (Fees) Regulation 2006**

under the

Co-operatives Act 1992

### **1 Name of Regulation**

This Regulation is the *Co-operatives Amendment (Fees) Regulation 2006*.

### **2 Commencement**

This Regulation commences on 1 July 2006.

### **3 Amendment of Co-operatives Regulation 2005**

The *Co-operatives Regulation 2005* is amended as set out in Schedule 1.

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## 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	\$122 non-trading \$185 trading
2	24	Application to Registrar for registration—existing body corporate	\$185
3	28G	Issue of duplicate certificate	\$32
4	67 (2)	Application for Registrar's certificate	\$32
5	76A (2)	Application for Registrar's consent	\$63
6	108 (3)	Copy of rules	\$15 for the first page and \$1 for each page thereafter
7	113 (2)	Application for registration of rule alteration	\$13 per rule to a maximum of \$123
8	113 (5)	Issue of certificate of registration of rule alteration	\$32
9	125 (1)	Application to Council for review	\$63
10	126 (3)	Application to Registrar for determination of a member's eligibility to vote	\$122
11	136 (6)	Application to Council for reduction in period for repayment	\$246

## 2006 No 312

### Co-operatives Amendment (Fees) Regulation 2006

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 Act</b>	<b>Type of fee</b>	<b>Amount</b>
12	143	Application to Minister for exemption	\$246
13	145 (1)	Application to Council for approval to convert to a co-operative without share capital	\$63
14	155 (3) (a)	Application to Registrar for approval of disclosure statement	\$246
15	172 (3)	Application to Council for exemption regarding purchase and repayment of shares	\$246
16	177 (1) (a)	Application to Council for approval of rules restricting voting rights	\$246
17	178 (2)	Application to Council for review of voting entitlement	\$246
18	192 (2) (c)	Lodgment of special resolution (not involving alteration of rules)	\$13 per resolution to a maximum of \$123
19	192A (3)	Issue of certificate of registration of special resolution	\$32
20	194 (3)	Application to Registrar for approval of disclosure statement	\$246
21	212 (1) (c)	Application to Registrar for approval to fill a casual vacancy on a board in an alternative manner	\$63
22	216 (3) (b)	Application to Council for approval of co-operative to have employee director	\$63
23	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
24	244 (1)	Application to Registrar for exemption	\$246
25	250 (1) (d)	Approval of office where register is to be kept	\$32

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Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
26*	251 (5)	Obtaining copy of an entry in the Register	\$7 for the first page and \$1 for each page thereafter to a maximum of \$62 per document
27	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	\$91
		(c) 28 days or more after the due date	\$185
28	255 (5) (g)	Application to Registrar for exemption to use the word "Co-operative" or abbreviation	\$308
29	256	Application to Registrar for approval of the omission of the word "Limited" or abbreviation	\$63
30	257 (e)	Application to Registrar for approval of abbreviation or elaboration of name	\$32
31	259 (1)	Application to Registrar for approval of change of name	\$63
32	261 (3)	Lodgment of notice of change of address	Nil
33	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)	\$1,843
34	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

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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 Act</b>	<b>Type of fee</b>	<b>Amount</b>
35	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	\$246
36	266 (4)	Application to Registrar for exemption	\$246
37	266A (2)	Application to Registrar for approval of disclosure statement	\$246
38	268 (3) (a)	Application to Registrar for approval of disclosure statement	\$246
39	273 (1) (c)	Application to Registrar for approval of terms of issue of CCUs	\$246
40	282 (3)	Application to Registrar for approval of limited dividend amount or rate in excess of prescribed amount	\$246
41	285 (2)	Application to Council for exemption	\$246
42	289 (3)	Application to Council for approval of maximum share interest	\$246
43*	294 (2) (b)	Inspection of register of notifiable interests	\$32
44	298	Application to Registrar for exemption	\$246
45	300 (1)	Application to Council for approval of share offer	\$246
46	302 (4)	Application to Registrar for extension of period of share offer	\$63
47	308	Application to Council for exemption	\$246
48	311 (2)	Application for Registrar's consent	\$63
49	311A (2)	Application to Registrar for approval of disclosure statement	\$246
50	311B (1)	Application to Registrar for approval of merger or transfer of engagements	\$63

Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
51	312	Application to Council for exemption	\$63
52	316 (4)	Application to Council for exemption	\$246
53	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)	\$63
54	326 (2)	Application to Council for exemption	\$63
55	346 (1) (a)	Application for Registrar's permission	\$63
56	348 (1) (f)	Application to Registrar for direction	\$246
57	355 (1)	Application to Registrar for approval of explanatory statement	\$1,843
58	357 (5)	Lodgment of copy of order	\$32
		Additional fee for late lodgment	\$63
59	369E (2) (f)	Application to Registrar for registration—participating co-operative	\$246
60	369F (2) (d)	Application to Registrar for registration—non-participating co-operative	\$613
61	369K	Lodgment of particulars of alteration	\$32
		Additional fee for late lodgment	\$63
62	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	\$91
		(c) 28 days or more after the due date	\$185
63	369M (1)	Lodgment of notice of cessation of business—foreign co-operative	Nil
64	369N (1)	Application to Registrar for certificate of compliance	\$737

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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 Act</b>	<b>Type of fee</b>	<b>Amount</b>
65	369Q (3) (a)	Application for Registrar's consent	\$246
66	369R (2)	Application to Registrar for approval of disclosure statement	\$246
67	369R (4)	Application to Registrar for exemption	\$246
68	369S (1)	Application to Registrar for approval of merger or transfer of engagements	\$246
69	402 (1) (a)	Application to Registrar for special meeting	\$246
70	402 (1) (b)	Application to Registrar for inquiry	\$613
71	408 (1)	Application to Registrar for extension or abridgment of time	\$63
72	413A (1) (a)	Inspection of Register	\$15
73	413A (1) (b)	Inspection of prescribed document	\$15
74	413A (1) (c)	Certified copy of a document	\$16 for the first page and \$2 for each page thereafter
75	421 (1A)	Application to Registrar for certificate of compliance	\$63
76	421 (1B)	Application to Registrar for certificate stating that a body was not or had ceased to be registered as a co-operative	\$32
77	440A (2) (c)	Application to Registrar for permission to give notice by newspaper	\$63
78	Sch 3 cl 13 (1)	Lodgment of notice of charge	\$63
79	Sch 3 cl 17 (1) (a)	Lodgment of notice of acquisition of property subject to charge	\$63
80	Sch 3 cl 20 (3) (c)	Application to Registrar for extension of time	\$63
81	Sch 3 cl 36 (1)	Lodgment of notice of assignment of charge	\$63
82	Sch 3 cl 36 (2)	Lodgment of notice of variation of terms of charge	\$63



Column 1	Column 2	Column 3	Column 4
Item	Section of Act	Type of fee	Amount
83	Sch 3 cl 37 (2)	Lodgment of memorandum of discharge	\$32
84	Sch 3 cl 42 (1) and (3)	Request for certificate	Nil
85	Sch 3 cl 44	Application to Registrar for exemption	\$246
86	Sch 4 cl 3 (1) (f)	Application to Registrar for direction	\$246
87	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	\$91
		(c) 28 days or more after the due date	\$185
88	Sch 4 cl 6A (3) (b)	Inspection of managing controller's report	\$13
89	Sch 4 cl 7 (1) (c)	Lodgment of receiver's report	Nil
90	Sch 4 cl 12 (1) (a)	Lodgment of notice of order	Nil
		Additional fee for late lodgment	\$32
91	Sch 4 cl 12 (2) (a)	Lodgment of notice of appointment of controller	Nil
		Additional fee for late lodgment	\$32
92	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	\$32
93	Sch 4 cl 12 (5)	Lodgment of notice of change in situation of controller's officer	Nil
		Additional fee for late lodgment	\$32
94	Sch 4 cl 12 (6) (a)	Lodgment of notice of cessation as controller	Nil

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<b>Item</b>	<b>Section of Act</b>	<b>Type of fee</b>	<b>Amount</b>
		Additional fee for late lodgment	\$32
95	Sch 4 cl 14 (2) (c)	Lodgment of copy of controller's report	Nil
		Additional fee for late lodgment	\$32
96	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	\$32
97	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	\$32
98	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	\$91
		(c) 28 days or more after the due date	\$185
99		Lodgment of any other document under the Act	Nil
		Additional fee for late lodgment	\$32
100		Lodgment of any other document under the Corporations Act as adopted by the Act	Nil

\*Fees payable to the co-operative

BY AUTHORITY