



New South Wales

Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2007

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*.

LINDA BURNEY, 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*. Most of the fee increases are generally 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) and, in particular, section 225 (1A).

2007 No 340

Clause 1 Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2007

**Co-operative Housing and Starr-Bowkett Societies
Amendment (Fees) Regulation 2007**

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 2007*.

2 Commencement

This Regulation commences on 20 July 2007.

**3 Amendment of Co-operative Housing and Starr-Bowkett Societies
Regulation 2005**

The *Co-operative Housing and Starr-Bowkett Societies Regulation 2005* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 27)

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	\$16
2	23 (1) (b)	Certified copy of prescribed document	\$17 and \$2 for each page after the first page
3	25	Application for extension or abridgement of time within which anything is required to be done under the 1998 Act	\$65
4	50 (1)	Application to Registrar for registration of proposed co-operative housing society or Starr-Bowkett society	\$191
5	67	Registration of alteration of society's rules	\$14 per rule to a maximum of \$127
6	80 (2)	Application for issue of amended certificate of incorporation or new certificate resulting from change of name of co-operative housing body	\$65
7	80 (4)	Application for approval of use by co-operative housing body of name other than registered name	\$33

2007 No 340Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2007

Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
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	\$318
9	88	Application of the following sections of the Corporations Act in accordance with section 88 of the 1998 Act: Section 263 (1): Lodgment of: (a) notice of charge (b) copy of resolution, where it is only evidence of charge (c) instrument, where charge was created or evidenced by the instrument	\$65 \$65 \$65
10		Section 264 (1): Lodgment of: (a) notice of acquisition of property subject to charge (b) copy of resolution, where it is only evidence of charge (c) instrument, where charge was created or evidenced by the instrument	\$65 \$65 \$65
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	\$65

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
12		Section 268 (1): Lodgment of notice of assignment of charge	\$65
13		Section 268 (2): Lodgment of notice of variation of terms of charge	\$65
14		Section 269 (2): Lodgment of memorandum acknowledging satisfaction of, and release of property from, charges	\$65
15	115 (7)	Lodgment of special resolution for registration	\$14
16	117 (3)	Application for consent of Registrar for society to keep all or any registers at office other than registered office	\$33
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 \$94 \$191
18	149 (1)	Application for order for relief from certain specified requirements as to accounts or audit	\$254
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	\$65
20	153 (1)	Application for registration of merger of, or transfer of engagements by, co-operative housing societies	\$65

2007 No 340Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
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Schedule 1 Amendment

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
21	153 (2)	Application for determination by Registrar that co-operative housing societies' boards may approve of proposed merger or transfer of engagements	\$65
22	153 (3)	Application for approval by Registrar of statement to be sent to members specifying details of proposed merger or transfer of engagements	\$254
23	153 (5)	Application to Registrar seeking exemption from requirement to send statement under section 153 (3) of the 1998 Act	\$65
	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 for lesser period of notice of hearing of application under section 411 (1) or (1A)	\$65
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	\$632
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	\$254

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
27		Section 413 (3): Lodgment of office copy of order made under section 413	\$33
		Additional fee for late lodgment of copy of order	\$65
	174	Application of the following sections of the Corporations Act in accordance with section 174 of the 1998 Act:	
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	\$254
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	\$94
		(c) 28 days or more after the due date	\$191
30		Section 421A (3) (b): Inspection of managing controller's report at Registrar's office	\$16
31		Section 427 (1) (a): Lodgment of notice of order of appointment of receiver	Nil
		Additional fee for late lodgment	\$33

2007 No 340Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
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Schedule 1 Amendment

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

Column 1	Column 2	Column 3	Column 4
Item	Section of 1998 Act	Type of fee	Amount
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	\$94
		(c) 28 days or more after the due date	\$191
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	\$34
		(b) section 177 (2) (b) of the 1998 Act	\$65
40	184 (1)	Application for registration of two or more bodies as an association	\$191
41		Lodgment of any other document under the 1998 Act	Nil
42		Additional fee for late lodgment	\$33