



New South Wales

Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2010

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*.

VIRGINIA JUDGE, MP
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 generally in line with movements in the Consumer Price Index (rounded to the nearest dollar).

This Regulation is made under the *Co-operative Housing and Starr-Bowkett Societies Act 1998*, including sections 23 (1) and 225 (the general regulation-making power).

2010 No 206

Clause 1 Co-operative Housing and Starr-Bowkett Societies Amendment (Fees)
Regulation 2010

**Co-operative Housing and Starr-Bowkett Societies
Amendment (Fees) Regulation 2010**

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 2010*.

2 Commencement

This Regulation commences on 1 July 2010 and is required to be published on the NSW legislation website.

Schedule 1 **Amendment of Co-operative Housing and Starr-Bowkett Societies Regulation 2005**

Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 **Fees**

(Clause 27)

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
1	23 (1) (a)	Inspection of prescribed document	\$17
2	23 (1) (b)	Certified copy of prescribed document	\$18 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	\$72
4	50 (1)	Application to Registrar for registration of proposed co-operative housing society or Starr-Bowkett society	\$207
5	67	Registration of alteration of society's rules	\$15 per rule to a maximum of \$138
6	80 (2)	Application for issue of amended certificate of incorporation or new certificate resulting from change of name of co-operative housing body	\$72
7	80 (4)	Application for approval of use by co-operative housing body of name other than registered name	\$36

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Column 1	Column 2	Column 3	Column 4
Item	Section of the 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	\$345
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	\$72 \$72 \$72
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	\$72 \$72 \$72
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	\$72
12		Section 268 (1): Lodgment of notice of assignment of charge	\$72

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
13		Section 268 (2): Lodgment of notice of variation of terms of charge	\$72
14		Section 269 (2): Lodgment of memorandum acknowledging satisfaction of, and release of property from, charges	\$72
15	115 (7)	Lodgment of special resolution for registration	\$15
16	117 (3)	Application for consent of Registrar for society to keep all or any registers at office other than registered office	\$36
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 \$102 \$207
18	149 (1)	Application for order for relief from certain specified requirements as to accounts or audit	\$276
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	\$72
20	153 (1)	Application for registration of merger of, or transfer of engagements by, co-operative housing societies	\$72
21	153 (2)	Application for determination by Registrar that co-operative housing societies' boards may approve of proposed merger or transfer of engagements	\$72

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Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
22	153 (3)	Application for approval by Registrar of statement to be sent to members specifying details of proposed merger or transfer of engagements	\$276
23	153 (5)	Application to Registrar seeking exemption from requirement to send statement under section 153 (3) of the 1998 Act	\$72
	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)	\$72
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	\$686
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	\$276
27		Section 413 (3): Lodgment of office copy of order made under section 413	\$36
		Additional fee for late lodgment of copy of order	\$72

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
	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	\$276
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	\$102
		(c) 28 days or more after the due date	\$207
30		Section 427 (1) (a): Lodgment of notice of order of appointment of receiver	Nil
		Additional fee for late lodgment	\$36
31		Section 427 (1A): Lodgment of notice of appointment of controller of property of corporation	Nil
		Additional fee for late lodgment	\$36
32		Section 427 (1B) (a): Lodgment of notice that controller has entered into possession or taken control	Nil
		Additional fee for late lodgment	\$36
33		Section 427 (2): Lodgment of notice of address of controller	Nil

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Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
34		Additional fee for late lodgment Section 427 (3): Lodgment of notice of change in situation of controller's office	\$36 Nil
35		Additional fee for late lodgment Section 427 (4): Lodgment of notice of cessation as controller	\$36 Nil
36		Additional fee for late lodgment 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	\$36 Nil
37		Additional fee for late lodgment 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	\$36 Nil \$102 \$207
38	177	Application to Registrar to exercise powers conferred by the provisions of the Corporations Act referred to in: (a) paragraph (a) of the definition of <i>Commonwealth winding-up and deregistration provisions</i> in section 177 (2) of the 1998 Act	\$36

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Schedule 1

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
		(b) paragraph (b) of the definition of <i>Commonwealth winding-up and deregistration provisions</i> in section 177 (2) of the 1998 Act	\$72
39	184 (1)	Application for registration of two or more bodies as an association	\$207
40	225 (1A)	Lodgment of any other document under the 1998 Act	Nil
		Additional fee for late lodgment	\$36