



Co-operatives Amendment (Fees) Regulation 2012

under the

Co-operatives Act 1992

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Co-operatives Act 1992*.

ANTHONY ROBERTS, 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-operatives Act 1992*. The fee increases are generally in line with movements in the Consumer Price Index (rounded to the nearest dollar).

This Regulation also effects minor law revision.

This Regulation is made under the *Co-operatives Act 1992*, including sections 19 (1) (b), 24 (b), 28G (b), 108 (3), 192 (2) (c), 251 (5), 294 (2) (b), 369E (2) (f), 369F (2) (d), 413A (1) and 446 (the general regulation-making power) and clause 6A (3) (b) of Schedule 4.

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Clause 1 Co-operatives Amendment (Fees) Regulation 2012

Co-operatives Amendment (Fees) Regulation 2012

under the

Co-operatives Act 1992

1 Name of Regulation

This Regulation is the *Co-operatives Amendment (Fees) Regulation 2012*.

2 Commencement

This Regulation commences on 1 July 2012 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Co-operatives Regulation 2005

Schedule 6

Omit the Schedule. Insert instead:

Schedule 6 Fees

(Clause 55)

Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
1	19	Application to Registrar for registration—proposed co-operative	\$145 non-trading \$219 trading
2	24	Application to Registrar for registration—existing body corporate	\$219
3	28G	Issue of duplicate certificate	\$38
4	67 (2)	Application for Registrar's certificate	\$38
5	76A (2)	Application for Registrar's consent	\$76
6	108 (3)	Copy of rules	\$19 for the first page and \$1 for each page thereafter
7	113 (2)	Application for registration of rule alteration	\$17 per rule to a maximum of \$146
8	113 (5)	Issue of certificate of registration of rule alteration	\$38
9	125 (1)	Application to Council for review	\$76
10	126 (3)	Application to Registrar for determination of a member's eligibility to vote	\$145
11	127 (5)	Application to Council for an order against cancellation of membership	\$145

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Schedule 1 Amendment of Co-operatives Regulation 2005

Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
12	136 (6)	Application to Council for reduction in period for repayment	\$292
13	143	Application to Minister for exemption	\$292
14	145 (1)	Application to Council for approval to convert to a co-operative without share capital	\$76
15	155 (3) (a)	Application to Registrar for approval of disclosure statement	\$292
16	172 (3)	Application to Council for exemption regarding purchase and repayment of shares	\$292
17	177 (1) (a)	Application to Council for approval of rules restricting voting rights	\$292
18	178 (2)	Application to Council for review of voting entitlement	\$292
19	192 (2) (c)	Lodgment of special resolution (not involving alteration of rules)	\$17 per resolution to a maximum of \$146
20	192A (3)	Issue of certificate of registration of special resolution	\$38
21	194 (3)	Application to Registrar for approval of disclosure statement	\$292
22	212 (1) (c)	Application to Registrar for approval to fill a casual vacancy on a board in an alternative manner	\$76
23	216 (3) (b)	Application to Council for approval of co-operative to have employee director	\$76
24	244 (1)	Application to Registrar for exemption	\$292
25	250 (1) (d)	Approval of office where register is to be kept	\$38

Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
26*	251 (5)	Obtaining copy of an entry in the Register	\$8 for the first page and \$1 for each page thereafter to a maximum of \$69 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	\$107
		(c) 28 days or more after the due date	\$219
28	255 (5) (g)	Application to Registrar for exemption to use the word "Co-operative" or abbreviation	\$364
29	256	Application to Registrar for approval of the omission of the word "Limited" or abbreviation	\$76
30	257 (e)	Application to Registrar for approval of abbreviation or elaboration of name	\$38
31	259 (1)	Application to Registrar for approval of change of name	\$76
32	260 (3)	Application to Registrar for exemption from the restriction on the use of the words "co-operative" and "co-op" and words importing a similar meaning	\$364
33	261 (3)	Lodgment of notice of change of address	Nil
34	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), other than a disclosure document referred to in item 35	\$2,181

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Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
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	\$292
36	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
37	266 (4)	Application to Registrar for exemption	\$292
38	266A (2)	Application to Registrar for approval of disclosure statement	\$292
39	268 (3) (a)	Application to Registrar for approval of disclosure statement	\$292
40	273 (1) (c)	Application to Registrar for approval of terms of issue of CCUs	\$292
41	282 (3)	Application to Registrar for approval of limited dividend amount or rate in excess of prescribed amount	\$292
42	285 (2)	Application to Council for exemption	\$292
43	289 (3)	Application to Council for approval of maximum share interest	\$292
44*	294 (2) (b)	Inspection of register of notifiable interests	\$36
45	298	Application to Registrar for exemption	\$292
46	300 (1)	Application to Council for approval of share offer	\$292
47	302 (4)	Application to Registrar for extension of period of share offer	\$76
48	308	Application to Council for exemption	\$292
49	311 (2)	Application for Registrar's consent	\$76
50	311A (2)	Application to Registrar for approval of disclosure statement	\$292
51	311B (1)	Application to Registrar for approval of merger or transfer of engagements	\$76

Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
52	312	Application to Council for exemption	\$76
53	316 (4)	Application to Council for exemption	\$292
54	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)	\$76
55	326 (2)	Application to Council for exemption	\$76
56	346 (1) (a)	Application for Registrar's permission	\$76
57	348 (1) (f)	Application to Registrar for direction	\$292
58	355 (1)	Application to Registrar for approval of explanatory statement	\$2,181
59	357 (5)	Lodgment of copy of order	\$38
		Additional fee for late lodgment	\$76
60	369E (2) (f)	Application to Registrar for registration—participating co-operative	\$292
61	369F (2) (d)	Application to Registrar for registration—non-participating co-operative	\$725
62	369K	Lodgment of particulars of alteration	\$38
		Additional fee for late lodgment	\$76
63	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	\$107
		(c) 28 days or more after the due date	\$219
64	369M (1)	Lodgment of notice of cessation of business—foreign co-operative	Nil
65	369N (1)	Application to Registrar for certificate of compliance	\$872
66	369Q (3) (a)	Application for Registrar's consent	\$292

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Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
67	369R (2)	Application to Registrar for approval of disclosure statement	\$292
68	369R (4)	Application to Registrar for exemption	\$292
69	369S (1)	Application to Registrar for approval of merger or transfer of engagements	\$292
70	402 (1) (a)	Application to Registrar for special meeting	\$292
71	402 (1) (b)	Application to Registrar for inquiry	\$725
72	408 (1)	Application to Registrar for extension or abridgment of time	\$76
73	413A (1) (a)	Inspection of Register	\$19
74	413A (1) (b)	Inspection of prescribed document	\$19
75	413A (1) (c)	Certified copy of a document	\$20 for the first page and \$2 for each page thereafter
76	421 (1A)	Application to Registrar for certificate of compliance	\$76
77	421 (1B)	Application to Registrar for certificate stating that a body was not or had ceased to be registered as a co-operative	\$38
78	440A (2) (c)	Application to Registrar for permission to give notice by newspaper	\$76
79	Sch 4 cl 3 (1) (f)	Application to Registrar for direction	\$292
80	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	\$107
		(c) 28 days or more after the due date	\$219

Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
81	Sch 4 cl 6A (3) (b)	Inspection of managing controller's report	\$19
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	\$38
84	Sch 4 cl 12 (2) (a)	Lodgment of notice of appointment of controller	Nil
		Additional fee for late lodgment	\$38
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	\$38
86	Sch 4 cl 12 (5)	Lodgment of notice of change in situation of controller's office	Nil
		Additional fee for late lodgment	\$38
87	Sch 4 cl 12 (6) (a)	Lodgment of notice of cessation as controller	Nil
		Additional fee for late lodgment	\$38
88	Sch 4 cl 14 (2) (c)	Lodgment of copy of controller's report	Nil
		Additional fee for late lodgment	\$38
89	Sch 4 cl 14 (4)	Lodgment of notice by controller that extension of time within which to report has been granted	Nil
90	Sch 4 cl 14 (5)	Lodgment of copy of court order that extension of time within which to report has been granted	Nil

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Column 1	Column 2	Column 3	Column 4
Item	Provision of Act	Type of fee	Amount
91	Sch 4 cl 17 (1)	Lodgment of controller's financial statement: (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 \$107 \$219
92		Lodgment of any other document under the Act Additional fee for late lodgment	Nil \$38
93		Lodgment of any other document under the Corporations Act as applied by the Act	Nil

*Fees payable to the co-operative