

Approved form AF2002-103

made under the

Co-operative Societies Act 1939

Co-operative Societies Act 1939—Form C

(see *Co-operative Societies Regulations 1945*, reg 3)

Australian Capital Territory

Co-operative Societies Act 1939

Statement showing in which rules certain matters are dealt with

Particulars of matter	No of Rule	For office use only
1 Matters required by the Act, section 49 to be dealt with—		
(1) the name of the society with the word ‘co-operative’ as part of the name and the word ‘limited’ as the last word of the name		
(2) whether the liability of the members is limited		
(3) where the office of the society is to be situated		
(4) the objects of the society		
(5) whether the society intends to avail itself of any powers authorised by the Act as incidental to its objects and, for powers enabling the society to raise moneys, within what limits not exceeding the prescribed limits		
(6) how the capital of the society is to be raised		
(7) how the funds of the society are to be managed, and, in particular, the way of drawing and signing		

Particulars of matter	No of Rule	For office use only
cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments for and on behalf of the society		
(8) the purposes to which the funds of the society are to be applied and how they are to be invested		
(9) for any society that is authorised to make an advance—		
(a) how an application for an advance is to be made; and		
(b) the conditions with which an applicant is to comply; and		
(c) how an advance is to be made and repaid; and		
(d) the deduction (if any) for premium; and		
(e) the conditions on which a borrower may redeem the amount due from the borrower before the end of the period for which the advance was made; and		
(f) the terms upon which a mortgage may be redeemed		
(10) how any gain or surplus that may result from the transactions of the society is to be distributed among the members		
(11) how any loss that may result from the transactions of the society is to be provided for		
(12) the mode and conditions of admission to membership, and the payment to be made or the share of interest to be acquired before the exercise of the rights of membership		
(13) the rights and liabilities of members, and of the estates of deceased members and of members whose estates have been sequestrated or assigned		
(14) how the share or interest of members may be		

Particulars of matter	No of Rule	For office use only
transferred		
(15) the circumstances in which members may be expelled and the rights and liabilities of expelled members		
(16) the number of directors, the qualification of directors, the manner of electing, remunerating and removing directors and filling a vacancy in the directorate, whether directors are to be elected annually or half-yearly, the period for which directors are to hold office, and whether directors are to retire by rotation or otherwise		
(17) the powers and duties of the board, the required notice of meetings, the quorum for meetings, and the procedure at meetings, of the board		
(18) the intervals between general meetings of the society, the way of calling special and general meetings, the required notices of meetings and the quorum of meetings, of the society		
(19) the procedure at meetings of the society, including the rights of members in voting at them, the way of voting, and the majority necessary for carrying resolutions		
(20) the way of appointing, remunerating and removing officers of the society, the powers and duties of officers and the security to be given by any officer having the receipt of charge of any money belonging to the society		
(21) whether the accounts of the society are to be audited annually or more frequently		
(22) the way of appointing, remunerating and removing auditors, the powers and duties of auditors, and, in particular, their powers and duties in relation to the inspection of securities		

Particulars of matter	No of Rule	For office use only
belonging to the society		
(23) the provision for the custody of securities belonging to the society		
(24) the charges, including any charges on admission or for working expenses or otherwise, that are to be payable by a member of the society		
(25) the circumstances in which fines and forfeitures may be imposed on members of the society and the amount of the fines, not exceeding the prescribed maximum		
(26) whether disputes between the society and any of its members, or any person claiming by or through any member, under the rules, are to be settled by reference to arbitration or by some other specified way		
(27) the way of altering and rescinding the rules and making additional rules		
(28) the provision for the device, custody and use of the seal of the society		
(29) how the society may be wound up		
(30) the nominal value of each share in the society		
(31) the maximum proportion of the shares that may be held by a member, not exceeding the prescribed proportion		
(32) the periodic subscriptions by which or the way in which shares are to be paid for		
(33) the maximum amount which may be paid to a member in the form of a dividend in relation to his or her shares, not exceeding the prescribed maximum		
(34) the provision for the forfeiture of shares on expulsion or on failure to pay any subscription or		
page 4	Co-operative Societies Act 1939—Form C	AF2002-103

Particulars of matter	No of Rule	For office use only
call, the extent to which members whose shares have been forfeited shall remain liable for any amount still unpaid in relation to them, and the sale or cancellation of forfeited shares		
(35) how shares may be transferred		
2 Matters permitted by the Act to be prescribed in the rules—		
(1) who may be members		
(2) provision whether persons under 18 years old may be members		
(3) how surplus arising in any year from the business of the society is to be disposed of		
(4) whether members' shares may be purchased out of reserve fund within the limits allowed by the Act		
(5) whether different classes of shares may be issued, and, if so—		
(a) those classes of shares; and		
(b) whether different rates of dividend or interest may be payable in respect of those classes of shares; and		
(c) whether different conditions relate to the issue of those classes of shares.		
(6) how the share or interest of a deceased member shall be ascertained for section 29		
(7) whether contracts may be made with members to require them to have specified dealings with the society for a fixed period		
(8) whether question for decision by a meeting of the society is to be determined by a majority of members present in person at the meeting or how otherwise		

Particulars of matter	No of Rule	For office use only
(9) whether members shall be entitled to more than 1 vote		
(10) whether conditions are stated on which members shall be entitled to any additional vote		
(11) whether members may vote by proxy		
(12) (a) whether a copy of the balance sheet and profit and loss account, fully audited, together with a copy of the auditor's report to the members of the society, is to be transmitted to each member with a notice of annual general meetings, or whether the notice of the annual general meetings may include a notice that the balance sheet and profit and loss account and auditor's report may be inspected by members at the office of the society;		
(b) the period before an annual general meeting within which the inspection may be made		
(13) whether the society may make an advance to a member out of the reserve fund on the security of his shares		

Endnotes

- 1 This form was originally in the *Co-operative Societies Regulations 1945*, schedule. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the regulations and became a form approved under the *Co-operative Societies Act 1939*, section 80D (see amdt 1.920, amdt 1.925).
- 2 This republication includes amendments made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

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