

Application to register a co-operative

Co-operatives National Law (South Australia)

Email enquiries: associations@agd.sa.gov.au

Web: cbs.sa.gov.au/wcm/licensing-and-registration/co-operatives/

Postal: GPO Box 1719 Adelaide SA 5001

Telephone: 131 882

Things to know before starting your application

Do not complete this form if you are merging or transferring engagements of two or more co-operatives. Instead, you will need to complete different forms available at www.cbs.sa.gov.au/wcm/licensing-and-registration/co-operatives/.

Before applying for registration of a co-operative you must have the co-operative name, rules and if applicable the formation disclosure statement approved by Consumer and Business Services SA. If you have not already done this, before lodging this form you must first complete an 'Application to approve co-operative name, rules and formation disclosure statement' form available at www.cbs.sa.gov.au/wcm/licensing-and-registration/co-operatives/.

Lodging this application

- You can complete the form by hand, using a blue or black pen and print clearly using block letters.
- Post your form and attachments to GPO BOX 1719 Adelaide SA 5001.
- Attachments are required as part of this application. Refer to the document checklist at question 9.

Eligibility

To be eligible for registration, a proposed co-operative must meet both the following criteria:

- Must have a membership of:
 - in the case of a co-operative group—2 or more co-operatives; or
 - in the case of any other co-operative, 5 or more active members
- Must have held a formation meeting.

Fees

- The fee for this application must be paid at the time of lodgement.



Details of proposed co-operative

Name of proposed co-operative approved by the Registrar

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Date formation meeting held

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What is the address of the proposed co-operative's registered office? This must be located in South Australia and must be a street address. PO boxes cannot be accepted

| | |
|------------------------------|--|
| Address (including postcode) | |
|------------------------------|--|

What is the postal address of the proposed co-operative? Can be a PO Box

| | | |
|---|--|--|
| Same as registered office (type yes or no) | | If no, specify different address below |
| Address (including postcode. Can be PO box) | | |

Co-operative contact number and email

| | |
|---|--|
| Daytime telephone number | |
| Registered email address to receive all electronic correspondence | |

For the first financial year of the proposed co-operative is it estimated: Type yes or no

| | |
|--|--|
| The co-operative will issue shares to more than 20 prospective members during the financial year and the amount raised in that year by the issue of those shares will exceed \$2 million? | |
| The co-operative will have securities on issue to non-members other than: shares in the co-operative; and securities issued in respect of the co-operative's obligations under section 163 of the Co-operatives National Law (South Australia)? | |
| The consolidated revenue of the co-operative and the entities it controls (if any) calculated in accordance with accounting standards, will be \$8 million or more at the end of the financial year? | |
| The value of the consolidated gross assets of the co-operative and the entities it controls (if any) calculated in accordance with accounting standards, will be \$4 million or more at the end of the financial year? | |
| The number of employees of the co-operative and the entities it controls (if any) will be 30 or more at the end of the financial year? In counting employees, part-time employees are to be taken into account as an appropriate fraction of a full-time equivalent. For example, four half-time employees should be counted as two employees. | |

Provide details of the board members elected to the co-operative board at the formation meeting

If more than five board members, photocopy this page as required or attach a separate list with the all board member details as specified below

Secretary

| | |
|-----------------------------------|---|
| First name | |
| Surname | |
| Address (must be in Australia) | |
| Occupation | |
| Date of birth | |
| Place of birth | |
| Mobile number | |
| Email | |
| Also a director? (type yes or no) | |
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Member

| | |
|-----------------------------------|---|
| First name | |
| Surname | |
| Address | |
| Occupation | |
| Date of birth | |
| Place of birth | |
| Also a director? (type yes or no) | |
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Member

| | |
|-----------------------------------|---|
| First name | |
| Surname | |
| Address | |
| Occupation | |
| Date of birth | |
| Place of birth | |
| Also a director? (type yes or no) | |
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Member

| | |
|-----------------------------------|---|
| First name | |
| Surname | |
| Address | |
| Occupation | |
| Date of birth | |
| Place of birth | |
| Also a director? (type yes or no) | |
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Member

| | |
|-----------------------------------|---|
| First name | |
| Surname | |
| Address | |
| Occupation | |
| Date of birth | |
| Place of birth | |
| Also a director? (type yes or no) | |
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Declaration and signature

I declare that:

- If a non-corporation applicant, at least one person signing below has been authorised by the proposed co-operative to apply for the registration of the co-operative.
- If an existing corporation applicant, a resolution has been passed approving the proposed registration and any amendment of its existing constituent documents necessary to enable the corporation to comply with the Co-operatives National Law (South Australia).
- A formation meeting was held on the date specified in this application, at which the attached co-operative rules were passed in accordance with the Co-operatives National Law (South Australia).
- If a disclosure statement is attached, the disclosure statement has been presented and passed at the formation meeting in accordance with the Co-operatives National Law (South Australia).
- No director of the proposed co-operative is disqualified under sections 181 and 182 of the Co-operatives National Law (South Australia).
- At least two directors of the proposed co-operative are ordinarily resident in Australia in accordance with s172 of the Co-operatives National Law (South Australia).
- The proposed co-operative has the prescribed number of active members in accordance with the Co-operatives National Law (South Australia).
- The primary and majority of activities of the proposed co-operative will be conducted in South Australia.
- The particulars contained in this application and other documents are true and correct. I acknowledge that it is an offence under section 514 of the Co-operatives National Law (South Australia) to provide the Registrar with false or misleading documents.
- Who must sign this application
- For non-corporation applicants
- In the case of a co-operative group, 2 directors of the proposed co-operative unless there is only one director
- In the case of any other proposed co-operative at least 5 members of the co-operative including 2 directors elected at the formation meeting.
- For existing corporation applicants 2 directors of the corporation or if a sole director corporation, 1 director and the secretary of the corporation.
- For existing incorporated association applicants The Secretary and 1 committee member of the incorporated association.

| | |
|-------------------|---|
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

| | |
|-------------------|---|
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

| | |
|-------------------|---|
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

| | |
|-------------------|---|
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

| | |
|-------------------|---|
| Signature | X |
| Title/position | |
| Date (dd/mm/yyyy) | |

Document checklist

Your application cannot be processed without the following documents (Mark with an X)

For existing body applicants (including corporations, indigenous corporations and incorporated associations)

| | |
|---|--|
| Two copies of the proposed rules of the new co-operative. | |
| If you are proposing to be a distributing co-operative or you were directed by the Registrar to present a disclosure statement, you must also attach one copy of the formation disclosure statement presented at the formation meeting. The copy must be signed and certified by the directors or committee of management of the corporation. | |
| A written declaration, signed by the directors or committee of management of the corporation, no more than 28 days before the application for registration and stating that at a meeting of the directors or committee they formed the opinion the corporation will be able to pay its debts as they fall due. | |
| A report in the approved form (balance sheet) as to the affairs of the corporation and showing its assets and liabilities, made up to the latest practicable date before the application. | |
| A copy of the constituent documents of the corporation in force at the date of the application. | |
| A registration document to evidence the incorporation or registration of the corporation. | |

For non-corporation applicants

| | |
|--|--|
| Two copies of the proposed rules signed and certified by the persons who acted as chairperson and secretary at the formation meeting. | |
| If you are proposing to be a distributing co-operative or directed by the Registrar to present a disclosure statement, you must also attach one copy of the formation disclosure statement presented at the formation meeting. The copy must be signed and certified by the persons who acted as chairperson and secretary at the formation meeting. | |

How to lodge and pay

- The application fee must be paid at the time of application. There is no GST payable.
- Use paperclips and not staples for all documents.
- All signatures must be included in question 8.
- If paying by credit card fill in the details on the next page or attach a cheque or money order made payable to 'Consumer and Business Services' to the application form.

What happens when you lodge your application

- If any change occurs in the information you have provided in your application, you must notify Consumer and Business Services as soon as possible.
- If your registration is granted, you will receive a certificate of registration, which is ongoing unless deregistered or cancelled.
- If your registration is refused, you will receive written notification of the reasons.

The *Co-operatives National Law (South Australia)* can be found on the South Australian Government Legislation website.

Privacy - CBS is committed to responsible and fair handling of your personal information, consistent with the laws we administer and the *Freedom of Information Act 1991*. Some information on this form will be placed on a public register in accordance with the *Co-operatives National Law (SA)*. We may be unable to process this application if you do not provide the required information. You can contact us at any time to request access to the personal information we hold about you. In exceptional circumstances, you may apply to have public access to your personal information restricted. Our privacy statement and other privacy information are available at the **Consumer and Business Services** website or on request.

Credit card details

Please debit my (choose one of two credit card types. Mark the choice with an X, then complete the rest of the card details)

| | |
|--|----|
| Visa | |
| Mastercard | |
| Amount | \$ |
| Card number | |
| Expiry date | |
| CCV number (3 numbers) | |
| Name of cardholder | |
| Signature of cardholder | X |
| Date | |
| Daytime telephone number of cardholder | |