|  |
| --- |
| P:\2085 - Associations Working Documents\2017 - Letter updating for Department renaming\New Logo & Style Guide\GovLogo_DMIRS_Consumer Protection_Hi res_BW.jpg |
| **Form 10** | This form is effective from 1 November 2023 |
| Annual return to the Registrar |
| *Co-operatives Act 2009 244ZB, 244ZC and Regulation 18E* |
|  |
| **Please read this information before completing this form** |
|  |
| **About this form** |
| This form is used by a co-operative to lodge its Annual return to the Registrar of Co-operatives under the *Co-operatives Act 2009* (the Act). **Lodgement period**This form should be lodged within 28 days of the co-operative’s Annual General Meeting (AGM) being held. |
|  |
| **How to complete this form** |
| * You can complete this form onscreen and print it out or print and complete by hand.
* If completing by hand use a blue or black pen and print using BLOCK letters.
* Complete sections 1, 2, 3, 5, and 6 in all cases. **Only complete section 4 if the co-operative is small**.
* Large co-operatives must attach copies of its financial reports, annual director’s report or a concise report and a signed copy of the auditor’s reports to this return.
* Small co-operatives do not need to attach any documents to this return unless notifying of changes in the directors or secretary.
* If there are any changes to the secretary, chief executive officer or directors, a completed [Form 13 – Notice of appointment or cessation of directors and officers](https://www.commerce.wa.gov.au/publications/co-operative-form-13-notice-appointment-or-cessation-appointment-directors-and-officers) must be attached to this return.
 |
|  |
| **Fees** |
| Please refer our [Co-operatives fees and forms webpage](https://www.commerce.wa.gov.au/consumer-protection/co-operatives-fees-and-forms) for the current fees. Fees are exempt from GST and subject to change without notice. |
|  |
| **Guides and related information** |
| Different reporting requirements apply between small and large co-operatives. A co-operative that does not fit the criteria of a small co-operative for a particular financial year is a large co-operative.A co-operative is defined as a small co-operative for a particular financial year if:1. **It does not issues shares to more than 20 prospective members** during the year, or if it has done this the amount raised by the issue of those shares does not exceed $2 million.

**AND**1. It satisfies **at least two** of the following criteria:
* The consolidated revenue of the co-operative and the entities it controls (if any) is **less than $8 million** 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) is **less than $4 million** at the end of the financial year.
* The co-operative and the entities it controls (if any) had **fewer than 30 employees** at the end of the financial year. In counting the employees, part-time employees are taken into account as an appropriate fraction of a full time equivalent. For example, four half time employee’s should be counted as two employees.

**Note: Consolidated revenue is calculated in accordance with the accounting standards in force at the relevant time (even if the standard does not apply to the financial year of some or all of the entities concerned).** |
| **How to lodge and pay** |
| Once you have completed this form and have your supporting documents ready, you can lodge this form using one the following methods: |
| **In person**: | Bring your completed form and supporting documents to our cashier counter services located at:Level 1, Mason Bird Building303 Sevenoaks Street CANNINGTON Hours: 8:30 am to 4:30 pm (weekdays)  |
| **By post** | * **If you are making payment by credit card or Bpay** after we receive your form, you will be issued with a Payment Number (PN) so that you can make payment using the Department’s secure online payment gateway at <https://payportal.dmirs.wa.gov.au/>.
* **If you are making payment by cheque or money order**attach a cheque or money order made payable to “Department of Mines, Industry Regulation and Safety” to the completed form.

**Post to:**Department of Mines, Industry Regulation and Safety - Consumer Protection, Associations & Charities BranchLocked Bag 100 EAST PERTH WA 6892 |
|  |
| **What happens next** |
| * The form and supporting documents will be reviewed. The contact person will be notified in writing if further information is needed.
* If the form is completed correctly and the necessary documents are provided, the information will be recorded on the Register of Co-operatives. Confirmation that the information has been recorded will be provided.
* If any change in the information you have provided in your application occurs, you must notify the Department as soon as possible.
* The Co-operative must retain a copy of this annual return at the office where its registers are held and make the return available for inspection by any member free of charge.
 |
|  |
| **Privacy** |
| The Department of Mines, Industry Regulation and Safety, Consumer Protection is collecting information on this form for the purposes of the *Co-operatives Act 2009* (the Act). In accordance with the Act, a register of this information and any documents lodged with the Registrar will be available for inspection by the public upon payment of a prescribed fee. In other instances, information on this form can be disclosed without your consent where authorised or required by law. |
|  |
| **Contact** |
| For assistance with completing this form, information about the progress of your application or general information about co-operatives, please contact us: |
| Telephone | **1300 30 40 74 or (08) 6552 9300** (8:30 am to 4:30 pm weekdays) |
| Email | cooperatives@dmirs.wa.gov.au  |
| Website | [**www.dmirs.wa.gov.au/co-ops**](file:///C%3A%5CObjective%20Cache%5Crwhite%5Ccache%5CObjects%5Cwww.dmirs.wa.gov.au%5Cco-ops) |
|  |  |

**The above information is intended as a guide only and is included to assist you in completing and lodging this form. This page is not part of the form. If required, professional advice should be obtained regarding the matters dealt with in this form**

|  |  |
| --- | --- |
| C:\Users\acurtis\Downloads\frame (2).png | P:\2085 - Associations Working Documents\2017 - Letter updating for Department renaming\New Logo & Style Guide\GovLogo_DMIRS_Consumer Protection_Hi res_BW.jpg |
| **Form 10** |  |  |
| Annual return to the Registrar |  |
| *Co-operatives Act 2009 244ZB, 244ZC and Regulation 18E* |  |
| **OFFICE USE ONLY** |
|  |
| **SECTION 1 – CO-OPERATIVE DETAILS**  |
|  | **Co-operative registration number** |  |  |  |
|  | **C** |  |  |  |  |
| *If you do not know the number check on our list of* [*Registered Co-operatives webpage*](https://www.commerce.wa.gov.au/consumer-protection/registered-co-operatives) |
|  | **Name of co-operative** |  |
|  |  |  |
|  | **Registered office address**  |  |
|  | *The registered office address must be in Western Australia and be a street address.* |  |
|  | **Street** |  |
|  |  |  |
|  | **Suburb** |  | **State** |  | **Postcode** |  |
|  |  |  | WA |  |  |  |
|  | **Principal place of business**  |  |
|  | *The principal place of business address must be in Western Australia and be a street address.* |  |
|  | [ ] The principal place of business is the same as the registered office address.  |  |
|  | **Street** |  |
|  |  |  |
|  | **Suburb** |  | **State** |  | **Postcode** |  |
|  |  |  | WA |  |  |  |
|  | **Contact number and email** |  |
|  | *The email address will be used to email correspondence to the co-operative. This should be a generic email address or an email that the board members have access to.* |  |
|  | **Daytime telephone number** |  | **Email to receive all electronic correspondence** |  |
|  |  |  |  |  |
|  |  |

|  |
| --- |
|  **SECTION 2 - FINANCIAL YEAR, AGM, MEMBERSHIP AND OFFICERS DETAILS** |
|  | **This return is for the financial year ending** (dd/mm/yyyy – for example 30/06/2022) |  |
|  |  |  |  |
|  | **What date was the annual general meeting held?** (dd/mm/yyyy) |  |
|  |  |  |  |
|  | **What date were the financial reports provided to members?** (dd/mm/yyyy) |  |
|  |  |  |  |
|  | **What is the total number of co-operative members at the end of the financial year?** |  |
|  | *This should include all members (excluding cancelled members) from the membership register.* |  |
|  |  |  |  |
|  | **List the names of the secretary and all directors as at the date you submit this annual return**  |  |
|  | *We require up-to-date information about the co-operative’s secretary, chief executive officer (if applicable) and directors. If any changes have occurred that the co-operative hasn’t already given notification of complete and attach a ‘Form 13 - Notification of appointment or cessation of directors’ and officers’.* |  |
|  | **Position**  | **Full name of person holding the position** |  |
|  | Secretary |  |  |
|  | CEO (optional) |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  | Director |  |  |
|  |  |  |  |
|  |
|  **SECTION 3 – REVENUE, EMPLOYMENT AND SIZE** |
|  | **What is the gross consolidated revenue of the co-operative at the end of the financial year?** |  |
|  | *This should include revenue amounts from any entities (if any) the co-operative controls.* |  |
|  |  |  |  |
|  | **What is the total number of employees that the co-operative has at the end of the financial year?** |  |
|  | *This should include the employee’s from any entities (if any) the co-operative controls.* |  |
|  |  |  |  |
|  | **What is the full time equivalent number of the co-operatives employees?** |  |
|  | *For example: Four half-time employees are counted as two.*  |  |
|  |  |  |  |
|  | **Has the board resolved that it is satisfied that the co-operative is a small co-operative under section 3A of the *Co-operatives Regulations 2010*?** |  |
|  | [ ]  | Yes – Go to **section 4** |  |
|  | [ ]  | No – Go to **section 5** |  |
|  |  |  |  |
| **SECTION 4 – SMALL CO-OPERATIVES (If the co-operative is large DO NOT complete this section** |
|  | **Date on which the board resolved that it is satisfied that the co-operative is solvent?** (dd/mm/yyyy) |  |
|  |  |  |  |
|  | **During the financial year, were there any directions by the co-operative’s members to prepare additional financial reports under section 244I of the *Co-operatives Act 2009*?** |  |
|  | [ ]  | No |  |  |
|  | [ ]  | Yes |  |  |
|  |  |  |  | What were the terms of these directions? What did they cover? Provide details, including dates, of any directors to audit or review reports. |  |
|  |  |
|  |  |  |  |  |
|  | **During the financial year, did the co-operative have securities on issue to non-members?** |  |
|  | [ ]  | No |  |  |
|  | [ ]  | Yes |  |  |
|  |  |  |  | How many securities were issued? Provide details of the securities. |  |
|  |  |
|  |  |  |  |
|  |
|  |
| **SECTION 5 - DOCUMENT CHECKLIST**  |
|  | This form cannot be processed without the following documents. Mark the documents you are submitting. |  |
|  | **SMALL co-operatives**  |  |
|  | You do not need to attach any documents unless you are notifying of any changes to the co-operatives secretary, chief executive officer or directors. If notifying of changes, you must attach a *Form 13*. |  |
|  | [ ]  | [Form 13 – Notice of appointment or cessation of directors and officers](https://www.commerce.wa.gov.au/publications/co-operative-form-13-notice-appointment-or-cessation-appointment-directors-and-officers) is completed and attached (if applicable) |  |
|  | **LARGE co-operatives**  |  |
|  | [ ]  | The financial report required under section 244K of the *Co-operatives Act 2009* that includes the:* Financial statements for the year; and
* Notes to the financial statements; and
* The directors declaration about the statements and notes.
 |  |
|  | [ ]  | The annual directors’ report as required under section 244P of the *Co-operatives Act 2009.* |  |
|  | [ ]  | A signed copy of the auditor’s report, prepared in accordance with Division 3 of Part 2M.3 of the *Corporations Act 2001* as required under section 244N of the *Co-operatives Act 2009.* |  |
|  | [ ]  | If a concise report that has been prepared and given to members under section 244V(3) of the *Co-operatives Act 2009,* a copy of the concise report. |  |
|  | If you need to notify of changes to the co-operatives secretary, chief executive officer or directors, you must attach a Form 13. |  |
|  | [ ]  | [Form 13 – Notice of appointment or cessation of directors and officers](https://www.commerce.wa.gov.au/publications/co-operative-form-13-notice-appointment-or-cessation-appointment-directors-and-officers) is completed and attached (if applicable). |  |
|  |
| **SECTION 6 – DECLARATION AND SIGNATURE** |
|  | I declare that:* I am authorised to lodge this annual return for this co-operative.
* No director of the co-operative is disqualified under section 206B and 206C of the *Co-operatives Act 2009.*
* At least two directors of the co-operative are ordinarily resident in Australia in accordance with section 197(2A) of the *Co-operatives Act 2009.*
* All of the information contained in this annual return, and any documents accompanying this annual return, is true and correct.
* I understand that it is an offence under section 477 of the *Co-operatives Act 2009* to give to the Registrar a document containing false or misleading information.
 |  |
|  | **Signature**  |  | **Date signed** |  |
|  |  |  |  |  |
|  | **Full name of person signing this form** |  |
|  |  |  |
|  | **Address** |  |
|  |  |  |
|  | **Suburb** |  | **State** |  | **Postcode** |  |
|  |  |  |  |  |  |  |
|  | **Position held**  |  |
|  |  |  |
|  | **Daytime telephone number** |  | **Email** |  |
|  |  |  |  |  |
|  | **Who should be contacted if there is a query about this form?** |  |
|  | [ ]  | The person signing the declaration |  |
|  | [ ]  | The person named below: |  |
|  | **Name of contact** |  |
|  |  |  |
|  | **Address** |  |
|  |  |  |
|  | **Suburb** |  | **State** |  | **Postcode** |  |
|  |  |  |  |  |  |  |
|  | **Daytime telephone number** |  | **Email** |  |
|  |  |  |  |  |
|  |