



APPLICATION FOR APPROVAL OF PROPOSED RULES OF A CO-OPERATIVE

<p style="font-size: 2em;">Fm01 P</p>	<p>Instructions Please complete in BLOCK LETTERS. Attach extra pages if needed. All references to dates should be in DD/MM/YYYY format.</p>
<p>Date Received</p>	<p>Privacy Statement – Please Read The Department of Mines, Industry Regulation and Safety, Consumer Protection Division (Consumer Protection) is collecting information on this form for the purposes of the Co-operatives Act 2009 (the Act).</p> <p>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.</p>
<p>Section 17(1)</p>	

Part 1 – Application Details

<p>Section 1 Application Details</p>	<p>Name of proposed co-operative:</p> <p>.....</p> <p>.....</p>
<p>Section 2 Proposed Co-operative Details</p>	<p>Type of Co-operative (tick as appropriate):</p> <p>Distributing <input type="checkbox"/> Non-distributing - with share capital <input type="checkbox"/></p> <p style="padding-left: 150px;">- without share capital <input type="checkbox"/></p> <p>Date the formation meeting is due to be held: ___ / ___ / _____</p>

Part 2 – Checklist and Declaration

<p>Checklist and Declaration</p>	<p>I..... certify that the matters prescribed in Schedule 1 of the Act (and contained in Annexure A) have been provided for in the proposed rules of the co-operative.</p> <p>I confirm that the proposed rules comply with section 98 of the Act.</p> <p>I have attached the following (tick as appropriate):</p> <p><input type="checkbox"/> a) A copy of the proposed rules of the co-operative;</p> <p><input type="checkbox"/> b) The completed Annexure A; and</p> <p><input type="checkbox"/> c) Other document (please specify)</p> <p>I certify that all information contained in this application is true and correct.</p> <p>Signature of Applicant Date ___ / ___ / _____</p>
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Part 3 – Applicant Contact Details

Applicant Name, Address and Contact Details

Preferred contact method:

- Mail
 Phone
 Email

Title: Mr Mrs Ms Miss Other (specify).....

Name of Applicant.....

Address.....

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Suburb..... State Postcode

Business Phone ()..... Business Fax ().....

Mobile.....

Email Address.....

Lodgement Details

Please Note

This application form and Form 02 Application for Approval of Disclosure Statement (in the case of a distributing co-operative) must be submitted to the Registrar **at least 35 days before the formation meeting is due to be held**, or a shorter period as the Registrar may allow in a particular case.

This application should be accompanied by the relevant fee prescribed in the regulations. Please complete Form 99 to submit payment for this fee.

If an applicant wishes to apply for a shorter period to submit this application, they must lodge *Form 12* with Consumer Protection accompanied with the fee prescribed in the regulations.

Should you require further assistance please contact our office on 1300 304 074 or (08) 6552 9300

Lodgement by Mail:

Department of Mines, Industry
 Regulation and Safety
 Consumer Protection Division
 Associations & Charities Branch
 Locked Bag 14
 Cloisters Square
 PERTH 6850

Lodgement in Person:

The Department of Mines, Industry Regulation
 and Safety
 Consumer Protection Division
 Level 1, Mason Bird Building
 303 Sevenoaks Street
 CANNINGTON WA

Annexure A

This annexure contains the matters as prescribed in Schedule 1 of the *Co-operatives Act 2009* and must be completed in all cases.

Item	Rule Number/s
Name of the co-operative	
Active membership provisions (within the meaning of Part 6 of the Act)	
The mode and conditions of admission to membership, and the payment to be made, or the share or interest to be acquired, before rights of membership are exercised	
The rights and liabilities of members, of the estates of deceased members, and of representatives of members under bankruptcy or mental incapacity	
The circumstances in which members may be expelled or suspended, and the rights and liabilities of expelled and suspended members	
The circumstances in which membership ceases	
The charges or subscriptions payable by a member to the co-operative	
The circumstances in which fines and forfeitures may be imposed on members of the co-operative, and the amount of the fines (being not more than the maximum amount prescribed by the regulations)	
The grievance procedures for settling disputes under the rules between the co-operative and any of its members as defined in section 79(4), or between a member and another member	
The restrictions, if any, on the powers of the co-operative and the board	
The number of directors, the qualification of directors, the way of electing, remunerating and removing directors and filling a vacancy, the period for which directors are to hold office, whether directors are to retire by rotation or otherwise, and the holding of annual elections	
The quorum for, and the procedure of, meetings of the board	
The design, custody and use of the seal of the co-operative	
The manner in which funds of the co-operative are to be managed, and in particular the mode of drawing and signing cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments for and on behalf of the co-operative	
The custody of securities belonging to the co-operative	
The way in which debentures are to be transferred	
The date on which the financial year of the co-operative ends	
The auditing of the financial records of the co-operative, and the appointing of an auditor	

Item	Rule Number/s
The way in which a loss that results from the transactions of the co-operative is to be dealt with	
The procedure for calling general and special meetings, the requisite notices of meetings, and the quorum for meetings, of the co-operative	
The procedure at meetings of the co-operative, including the rights of members in voting at meetings, the manner of voting, and the majority necessary for carrying resolutions	
The method of conducting postal ballots, including special postal ballots, and the sending and lodgement of information and votes by facsimile or electronic means	
The way of altering the rules	
The way in which the co-operative may be wound-up	
Additional matters – co-operatives with share capital	
The nominal value of each share in the co-operative	
The amount of the contingent liability, if any, attaching to shares	
The terms on which shares, not including bonus shares but including shares, if any, with a contingent liability attached to them, are to be issued	
The periodic subscriptions by which or the way in which shares are to be paid for	
In the case of a distributing co-operative, the manner in which a surplus may be distributed	
The allocation of a deficiency on the winding-up of a co-operative	
The forfeiture of share on expulsion or on failure to pay any subscription or call, the extent to which members whose shares have been forfeited are to remain liable for an amount still unpaid for them, and the sale or cancellation of forfeited shares	
The way in which shares are to be transferred	
Additional matters - non-distributing co-operatives	
That there must be no return or distribution on surplus or share capital to members other than the nominal value of shares, if any, at winding-up	
For the way of distribution of the surplus property at winding-up	
These additional matters <i>may</i> be included - non-distributing co-operative that has operated	
Surplus funds are payable only to members who have paid contributions to the co-operative and have a credit balance in the member's ledger	
The payment of surplus funds is limited to the return of the contributions paid by the members to the co-operative and the nominal paid up value of the shares, if any	