



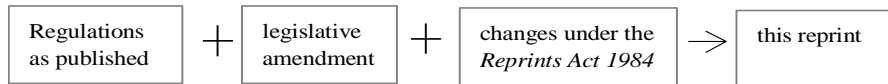
Western Australia

# **Housing Societies Regulations 1977**

**Reprinted as at 8 February 2002**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

## Housing Societies Regulations 1977

---

### CONTENTS

---

|     |   |    |
|-----|---|----|
| 1.  | Citation  | 1  |
| 2.  | Definitions   | 1  |
| 4.  | Manner of application   | 1  |
| 4A. | Feasibility study   | 2  |
| 5.  | Rules of a society (Second Schedule)  | 2  |
| 6.  | Prescribed number of members  | 3  |
| 7.  | Approval of financial accommodation by delegate                                       | 3  |
| 8.  | Publication of change of name   | 4  |
| 9.  | Minutes   | 4  |
| 10. | Returns not available for inspection  | 5  |
| 11. | Publication of accounts   | 5  |
| 12. | Security  | 6  |
| 13. | Form of receipt   | 6  |
| 14. | Winding up on Registrar's certificate   | 6  |
| 15. | Directors' fees — maximum amounts   | 7  |
| 16. | Fees (Third Schedule)   | 7  |
| 17. | Forms (Fourth Schedule) (Fifth Schedule)  | 7  |
| 18. | Penalty   | 8  |
|     | <b>Second Schedule — Matters to be<br/>provided for in the rules of a<br/>society</b> | 9  |
|     | <b>Third Schedule — Fees payable to<br/>Registrar</b>                                 | 11 |

Contents

---

|                        |    |
|------------------------|----|
| <b>Fourth Schedule</b> | 12 |
| <b>Fifth Schedule</b>  | 13 |
| <b>Notes</b>           |    |
| Compilation table      | 32 |



Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 8 February 2002

Housing Societies Act 1976

## Housing Societies Regulations 1977

### 1. Citation

These regulations may be cited as the *Housing Societies Regulations 1977*<sup>1, 2, 4</sup>.

[Regulation 1 amended in Gazette 21 Dec 2001 p. 6543.]

### 2. Definitions

In these regulations, unless the contrary intention appears —

“**Form**” means a form in the Fifth Schedule;

“**the Act**” means the *Housing Societies Act 1976*<sup>2</sup>.

[Regulation 2 amended in Gazette 31 Dec 1987 p. 4580;  
21 Dec 2001 p. 6543.]

[3. Repealed in Gazette 31 Dec 1987 p. 4580.]

### 4. Manner of application

- (1) Application for the registration of a society shall be made in writing addressed to the Registrar.
- (2) An application referred to in subregulation (1) shall be signed by the chairman and secretary of the formation meeting of the society.

**4A. Feasibility study**

- (1) An application for registration shall be accompanied by a feasibility study of the commercial viability of the proposed society prepared in accordance with subregulation (3).
- (2) The feasibility study referred to in subregulation (1) shall be signed by the chairman and secretary of the proposed society.
- (3) The prescribed requirements to be included in a feasibility study under section 15(2)(b)(vii) of the Act are —
  - (a) personal and commercial background of all directors and principal officers;
  - (b) realistic budgets for the first 12 months of operation;
  - (c) lending policies;
  - (d) loan security;
  - (e) interest rates;
  - (f) insurance policies (including fidelity, building, mortgage etc.);
  - (g) liquidity provisions and stand-by arrangements;
  - (h) various services to members;
  - (i) administration efficiency potential;
  - (j) liability policies and borrowing powers; and
  - (k) any other matters considered important to support an application for registration.

*[Regulation 4A inserted in Gazette 15 Mar 1985 p. 959;  
amended in Gazette 21 Dec 2001 p. 6544.]*

**5. Rules of a society (Second Schedule)**

- (1) The rules of a society shall make provision in respect of the matters mentioned in the Second Schedule set forth in the order therein specified as nearly as may be.
- (2) The fee to be paid to a society for a copy of the society's rules is \$1.

**6. Prescribed number of members**

- (1) The prescribed number of members of a society for the purposes of section 14 of the Act is 10.
- (2) The prescribed number of members of a society for the purposes of section 71(3) of the Act is 10.

*[Regulation 6 inserted in Gazette 21 Dec 2001 p. 6544.]*

**7. Approval of financial accommodation by delegate**

- (1) Subject to section 31 of the Act the board of a society may, under subsection (3) of that section, delegate any or all of its powers under subsection (1) of that section and in respect of matters ancillary thereto to —
  - (a) a director of the society;
  - (b) a committee appointed by the board of the society;
  - (c) a person employed or appointed by the board of the society;
  - (d) a committee elected by the members of the society for the purpose of exercising such of those powers as may be so delegated.
- (2) The exercise of any power delegated under section 31(3) of the Act to a committee shall be subject to and in accordance with the following conditions —
  - (a) any application received by the committee shall be considered at a properly constituted meeting of the committee at which a quorum is present and, for the purpose of this paragraph, a quorum shall be one-half or such higher proportion of the members of the committee as the instrument of delegation may specify;
  - (b) the committee shall furnish monthly to the board a report, in such form as the board may require, on the committee's decisions in respect of applications received by it.

- (3) The exercise of any power delegated under section 31(3) of the Act to an individual shall be subject to and in accordance with the following conditions —
- (a) an application shall, within 7 days of the receipt of the application by the delegate, be either —
    - (i) approved by him; or
    - (ii) refused by him and the refusal reported by him to the board or, if the rules so provide, to a committee of the board;
  - (b) the delegate shall furnish monthly to the board, or if the rules so provide, to a committee of the board a report, in such form as the board or committee may require, on the applications received and approved by him;
  - (c) no delegate shall have authority individually to disburse funds of the society in payment of a loan approved by him.

*[Regulation 7 inserted in Gazette 31 Dec 1987 p. 4580; amended in Gazette 21 Dec 2001 p. 6544.]*

**8. Publication of change of name**

*[(1) repealed]*

- (2) A change of name of a society shall be published in the *Government Gazette*.
- (3) The publication required by this regulation shall be effected not later than 14 days after the issue of the certificate of incorporation in the new name.

*[Regulation 8 amended in Gazette 21 Dec 2001 p. 6544.]*

**9. Minutes**

- (1) Every society shall cause —
  - (a) minutes of all proceedings of general meetings, whether special or ordinary, and of meetings of its directors to be entered in books kept for that purpose; and



- (b) those minutes to be signed by the chairman of the next succeeding meeting.
- (2) Minutes of any meeting shall be recorded in the books kept for that purpose within 14 days after the day on which the meeting is held.
- (3) The books containing the minutes of proceedings of any general meeting or of a meeting of the directors of a society shall be kept by the society at the registered office or principal place of business of the society.
- (4) Books containing the proceedings of general meetings shall be open to inspection by any member without charge.
- (5) Any member of a society is entitled to be furnished within 7 days after he has made a request in writing in that behalf to the society with a copy of any minutes of a general meeting at a charge not exceeding 20 cents for every 100 words thereof.
- [(6) *repealed*]
- (7) The minutes of all meetings of a society shall be made available to all directors within 14 days after the date of the meeting.  
*[Regulation 9 amended in Gazette 21 Dec 2001 p. 6544.]*

**10. Returns not available for inspection**

Any return furnished to the Registrar pursuant to section 41 of the Act shall not be available for inspection under the provisions of section 9(2) of the Act.

*[Regulation 10 amended in Gazette 21 Dec 2001 p. 6544.]*

**11. Publication of accounts**

Subject to any exemption granted pursuant to section 65(24) of the Act the documents referred to in subsection (11) of that section shall be published in a daily newspaper circulating throughout the State.

*[Regulation 11 amended in Gazette 21 Dec 2001 p. 6544.]*

**12. Security**

The security prescribed for the purposes of section 71(5) and section 80 of the Act shall be a bond —

- (a) in a form;
- (b) in the sum of money; and
- (c) from an insurance company,

approved of by the Registrar.

*[Regulation 12 amended in Gazette 21 Dec 2001 p. 6545.]*

**13. Form of receipt**

For the purpose of section 16 of the Act the prescribed form of receipt shall be as follows —

The <sup>1</sup> ..... Society hereby  
acknowledges receipt of the sum of <sup>2</sup> .....  
in full satisfaction and discharge of the moneys secured by  
the <sup>3</sup> .....  
Dated the .....day of .....20.....  
Seal of the Society

<sup>1</sup> Insert name of society.

<sup>2</sup> Insert sum received and acknowledged.

<sup>3</sup> Insert description of mortgage or further charge to which the receipt relates.

*[Regulation 13 amended in Gazette 21 Dec 2001 p. 6545.]*

**14. Winding up on Registrar's certificate**

For the purposes of section 71(7) of the Act, a winding up on the certificate of the Registrar shall be carried out in a manner that —

- (a) conforms with the rules of the society, in so far as those rules are not inconsistent with the Act or these regulations, subject to any direction given by the Registrar; and

- (b) conforms with a scheme for the winding up approved by the Registrar after having regard to the circumstances of the case.

*[Regulation 14 amended in Gazette 21 Dec 2001 p. 6545.]*

**15. Directors' fees — maximum amounts**

- (1) For the purposes of section 61(3) of the Act, the following maximum amounts are prescribed —
  - (a) in the case of a director who is the chairman of the board of a society —
    - (i) \$359 per day;
    - (ii) \$237 per part day;
  - (b) in the case of any other director —
    - (i) \$239 per day;
    - (ii) \$158 per part day.

- (2) In subregulation (1) —
  - “**day**” means a period of 4 hours or more;
  - “**part day**” means a period of less than 4 hours.

*[Regulation 15 inserted in Gazette 28 Nov 2000 p. 6627.]*

**16. Fees (Third Schedule)**

- (1) The fees set forth in the Third Schedule are payable to the Registrar in respect of the several matters set out in that Schedule.
- (2) Any fees not paid pursuant to subregulation (1) constitute a debt payable to the Crown and are recoverable in any court of competent jurisdiction.

**17. Forms (Fourth Schedule) (Fifth Schedule)**

- (1) Where a provision of the Act is specified in the first column of the Fourth Schedule, the form to be used for the purposes of that

provision in relation to the purpose specified in the second column of the Fourth Schedule is the form prescribed in the Fifth Schedule of which the number is specified in the third column of the Fourth Schedule opposite that provision.

- (2) Where a form prescribed by these regulations requires completion by the insertion of particulars or other matters referred to in the form, those particulars or other matters are prescribed as the particulars or other matters required under the provisions of the Act for the purposes for which the form is prescribed.
- (3) Where a form prescribed by these regulations contains directions as to the manner in which the form shall be completed the form shall be completed in accordance with those directions.
- (4) Except where the terms of a form otherwise provide, strict compliance with the forms contained in these regulations is not necessary and substantial compliance is sufficient.

*[17A, 17B. Repealed in Gazette 15 Mar 1985 p. 959.]*

*[17C. Repealed in Gazette 31 Dec 1987 p. 4580.]*

**18. Penalty**

A person who contravenes or fails to comply with a provision of these regulations commits an offence and is liable on conviction to a penalty not exceeding \$200.

*[First Schedule repealed in Gazette 31 Dec 1987 p. 4580.]*

## Second Schedule

[Reg. 5]

### Matters to be provided for in the rules of a society

The prescribed provisions to be contained in the rules of a society pursuant to section 17 of the Act are —

- (1) The name of the society and the location of its office.
- (2) The objects of the society.
- (3) The body in which the administration of the society is vested.
- (4) The mode and conditions of admission to membership and the share or interest to be acquired before the exercise of the rights of membership.
- (5) The circumstances under which membership shall cease.
- (6) The manner in which the funds of the society are to be raised.
- (7) The manner in which the funds of the society are to be managed, including the mode of drawing and signing cheques.
- (8) The denomination of shares.
- [(9) repealed]*
- (10) The application and investment of funds.
- (11) The conditions relating to loans and the security therefor, including the conditions upon which a borrower may redeem the amount due prior to the expiration of the period of the loan.
- (12) The manner in which any surplus arising out of the operations of the society is to be distributed.
- (13) The manner in which arrears in payments shall be treated.
- (14) The manner in which losses are to be ascertained and provided for.
- (15) The number of directors, the qualifications as to the shareholding of directors, the manner of electing, remunerating and removing directors and filling a vacancy.
- (16) The method of giving notice of any meeting of the society and the quorum for meetings.

**Second Schedule**

---

- (17) Matters relating to voting at any meeting of the society, including the voting rights of members, the entitlement to vote by proxy and the right of the chairman to exercise a casting vote.
- (18) The powers and duties of the board of directors, the manner of calling meetings of the board of directors, the quorum for such meetings and the procedure at such meetings.
- (19) The procedure at meetings of the society and the majority necessary for carrying resolutions.
- (20) The manner of appointing proxies and their rights.
- (21) The frequency at which the accounts of the society are to be audited.
- (22) The manner of appointing, remunerating and removing auditors, the powers and duties of auditors and in particular their powers and duties with respect to the inspection of securities held by the society.
- (23) The manner of settling disputes between the society and its officers or members, or any person claiming through any member or under the rules.
- (24) The security to be given by any officer or employee of the society having the receipt of charge of any money belonging to the society.
- (25) The manner of altering, adding to or rescinding the rules.
- (26) The custody and use of the seal of the society.
- (27) The manner in which the society may be wound up, in so far as such matters are not dealt with by or under the Act.

*[Second Schedule amended in Gazette 21 Dec 2001 p. 6545.]*

**Third Schedule**

[Reg. 14]

**Fees payable to Registrar**

The following fees shall be payable to the Registrar in respect of the matters set out hereunder —

|  | \$   |
|--|------|
| <i>[(1) repealed]</i>  |      |
| (2) For an application for registration of a society .....   | 6.00 |
| (3) For an application for registration of an<br>amalgamated society .....                           | 3.00 |
| (4) For registering notice of change of address of the<br>registered office of a society .....       | 3.00 |
| (5) For an application to register change of name .....  | 3.00 |
| (6) (a) For an application to register alteration of<br>rules, being a new set of rules .....        | 3.00 |
| (b) For an application to register alteration of<br>rules, being a partial alteration of rules ..... | 2.00 |
| (7) For an inspection of any document registered by or<br>filed or lodged with the Registrar .....   | 3.00 |
| (8) For obtaining a copy of the certificate of<br>incorporation of a society .....                   | 2.00 |
| (9) For copies of documents —  |      |
| If typed — per page or part thereof .....  | 2.00 |
| If photocopies — per page .....  | 1.00 |
| If the copy of the document is certified an<br>additional amount of .....                            | 1.00 |

*[Third Schedule amended in Gazette 21 Dec 2001 p. 6545.]*

**Fourth Schedule**

**Fourth Schedule**

[Reg. 17]

| <b>First Column</b>          | <b>Second Column</b>   | <b>Third Column</b>                  |
|------------------------------|--|--------------------------------------|
| <b>Provisions of the Act</b> | <b>Purpose of Form</b>   | <b>No. of Form in Fifth Schedule</b> |
| 10(1) .....                  | Application for Approval as a Valuer .....   | 1                                    |
| 15(2) .....                  | Application for Registration of a Society .....  | 2                                    |
| 15(2)(b)(i).....             | Statutory Declaration by Chairman and Secretary of Formation Meeting of a Society .....              | 3                                    |
| 15(2)(b)(iv) ...             | List of Directors of Society .....   | 4                                    |
| 15(2)(b)(v) ....             | List of Persons who Attended the Formation Meeting and have Signed Applications for Membership ..... | 5                                    |
| 15(4) .....                  | Certificate of Incorporation on Change of Name of a Society .....                                    | 6                                    |
| 20(2) .....                  | Application to Register Alteration of Rules of a Society .....                                       | 7                                    |
| 23(2) .....                  | Application to Register Change of Name .....   | 8                                    |
| 23(3) .....                  | Certificate of Incorporation on Change of Name of a Society .....                                    | 9                                    |
| 24(3) .....                  | Notice of Change of Address of the Registered Office of a Society .....                              | 10                                   |
| 28(2) .....                  | Application for Registration of an Amalgamated Society .....   | 11                                   |
| 29B(1) .....                 | Certificate of Incorporation as an Amalgamated Society .....   | 13                                   |
| 33(2) .....                  | Notice of Particulars of Charges .....   | 14                                   |
| 59(8) .....                  | Particulars of Changes in the Board of a Society .....   | 15                                   |
| 64(4) .....                  | Application to Register Special Resolution .....   | 16                                   |
| 65 .....                     | Balance Sheet .....  | 17                                   |
| 65 .....                     | Revenue and Appropriation Account .....  | 18                                   |

[Fourth Schedule amended in Gazette 31 Dec 1987 p. 4580; 21 Dec 2001 p. 6545-6.]



**Fifth Schedule**

**Form 1**

*Housing Societies Act 1976*, Section 10(1)

**APPLICATION FOR APPROVAL AS VALUER.**

I, .....  
(name)

of .....  
(address)

in the State of Western Australia .....  
(occupation)

hereby apply for approval as a valuer pursuant to section 10 of the *Housing Societies Act 1976*.

My qualifications and experience are as follows —

.....  
.....  
.....  
.....  
.....

Dated this .....day of.....

.....  
Signature of Applicant.

**Fifth Schedule**

---

**Form 2**

*Housing Societies Act 1976, Section 15(2)*

**APPLICATION FOR REGISTRATION OF THE .....  
SOCIETY.**

Registrar.

The ..... Society hereby  
applies to be registered under the provisions of the *Housing Societies Act 1976*.  
The formation meeting at which the first directors of the society were elected  
was held on the .....day of .....  
Accompanying this application are the documents required pursuant to  
section 15(2)(b) of the Act.

Dated this .....day of.....

.....  
Chairman.

.....  
Secretary.

Form 3

Housing Societies Act 1976, Section 15(2)(b)(i)

STATUTORY DECLARATION BY CHAIRMAN AND SECRETARY OF FORMATION MEETING OF THE ..... SOCIETY.

We ..... (full name)
of ..... (address)
..... (occupation)
and ..... (full name)
of ..... (address)
..... (occupation)

being the chairman and secretary respectively of the formation meeting of the ... Society do solemnly and sincerely declare that the requirements of Part III of the Housing Societies Act 1976 as to the formation of a society have been complied with in relation to the ..... Society.

And we make this solemn declaration by virtue of section 106 of the Evidence Act 1906.

Declared at ..... } ..... Chairman.
this .....day of ..... } ..... Secretary.
.....20.....

Before me:
(C.D., Justice of the Peace or other qualified person).

**Fifth Schedule**

---

**Form 4**

*Housing Societies Act 1976, Section 15(2)(b)(iv)*

**LIST OF DIRECTORS OF THE ..... SOCIETY.**

| Name    |             | Address | Occupation |
|---------|-------------|---------|------------|
| Surname | First Names |         |            |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |
| .....   | .....       | .....   | .....      |

Dated this .....day of ..... 20.....

.....  
Secretary,  
..... Society.

**Form 5**

*Housing Societies Act 1976, Section 15(2)(b)(v)*

Formation Meeting of the ..... Society.

**LIST OF PERSONS WHO ATTENDED THE FORMATION MEETING  
AND HAVE SIGNED APPLICATIONS FOR MEMBERSHIP.**

Nominal value of shares.....

| Name    |             | Address | Occupation | Class of shares (if more than one class) |
|---------|-------------|---------|------------|--|
| Surname | First Names |         |            |  |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |
| .....   | .....       | .....   | .....      | .....                                    |

Dated this .....day of ..... 20.....

.....

Secretary,

..... Society.

**Form 6**

*Housing Societies Act 1976, Section 15(4)*

**CERTIFICATE OF INCORPORATION OF SOCIETY.**

This is to certify that the ..... Society  
is on and from the ..... day of .....  
20....., incorporated under the *Housing Societies Act 1976*.

Given under my hand and seal at Perth this ..... day  
of .....20.....

.....

Registrar.

**Fifth Schedule**

---

**Form 7**

*Housing Societies Act 1976, Section 20(2)*

**APPLICATION TO REGISTER ALTERATION OF RULES OF  
THE ..... SOCIETY.**

Registrar:

1. Pursuant to section 20(2) of the *Housing Societies Act 1976*, application is made to register the alteration of the rules of the society in the manner set forth in the following special resolution: —

(Set out terms of resolution)

2. The special resolution referred to above was duly passed by member of the society at a meeting held at ..... on the ..... day of ..... 20.....

3. The relevant provisions of the *Housing Societies Act 1976*, and regulations made thereunder were duly complied with.

4. The document annexed and marked with the letter “A” sets out in full the rule/s as altered by special resolution.

I, .....  
of .....  
Secretary of the ..... Society,  
do hereby solemnly and sincerely declare that the statements set forth in this application are true and I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*.

Declared at .....  
.....  
this ..... day of .....  
.....  
..... 20.....

} .....

Before me:  
(C.D., Justice of the Peace or other qualified person.)

**Form 8**

*Housing Societies Act 1976, Section 23(2)*

**APPLICATION TO REGISTER CHANGE OF NAME.**

The ..... Society hereby applies to change its name to the ..... Society. Attached is a copy of a special resolution passed in the manner provided for in the Act altering the rules of the Society to change its name.

.....  
Chairman.

.....  
Secretary.

---

**Form 9**

*Housing Societies Act 1976, Section 23(3)*

**CERTIFICATE OF INCORPORATION ON CHANGE OF NAME OF SOCIETY.**

This is to certify that the ..... Society which was, on the .....day of ..... 20....., incorporated under the *Housing Societies Act 1976* did, on the ..... day of .....20..... change its name to the ..... Society.

Given under my hand and seal at Perth this ..... day of .....20.....

.....  
Registrar.

**Fifth Schedule**

---

**Form 10**

*Housing Societies Act 1976, Section 24(3)*

**NOTICE OF CHANGE OF ADDRESS OF THE REGISTERED OFFICE  
OF THE ..... SOCIETY.**

Registrar:

Notice is hereby given that the registered office of the Society was changed  
from .....  
.....  
to .....  
.....  
on the .....day of .....20 .....

.....  
Secretary.



**Form 11**

*Housing Societies Act 1976 Section 28(2)*

**APPLICATION FOR REGISTRATION OF AN AMALGAMATED SOCIETY.**

1. The ..... \* Society and the ..... \* Society  
(State names of every institution making this application) hereby apply to  
be registered as an amalgamated society under the name of .....
2. This application is accompanied by the documents prescribed by or under  
section 28(2) of the Act.
3. The proposed registered office of the amalgamated society is.....

Dated this .....day of .....20.....

.....  
Chairman.

.....  
Secretary.

(For and on behalf of the .....  
\* Society)

.....  
Chairman.

.....  
Secretary.

(For and on behalf of the .....  
\* Society)

(Chairman and Secretary of every  
institution making this application).

\* Strike out those not applicable.

[Form 12 deleted.]

**Fifth Schedule**

---

**Form 13**

*Housing Societies Act 1976* Section 29B(1)

**CERTIFICATE OF INCORPORATION AS AN AMALGAMATED  
SOCIETY.**

This is to certify that the .....  
Society formed by the amalgamation of .....  
.....and .....  
is on and from the .....day of .....20.....  
incorporated under the *Housing Societies Act 1976*.

Given under my hand and seal at Perth this ..... day of .....  
20.....

.....  
Registrar.

Form 14

Housing Societies Act 1976 Section 33(2)

NOTICE OF PARTICULARS OF CHARGES.

To: .....
of .....

You are hereby notified that, subject to certain terms and conditions the society has approved an advance of money to you in the form of .....

Particulars of some of the matters relevant to the advance are set out below: —

- (1) Period for which the advance is to be provided will be .....years ..... months.
(2) Rate of interest payable of ..... % per annum will/will not be subject to variation during the term of the advance.
(3) Interest will commence to be charged on the full amount from .....
(4) Repayments are to be made by instalments of \$.....payable each calendar month and the first instalment will commence on ..... \*
(5) There will/will not also be payable to the Society, before the due date for the payment of the first monthly instalment, an additional amount or amounts in respect of interest accrued before that date.
(6) An annual book-keeping fee of \$ ..... will be charged.
(7) Particulars and amounts of all other fees, charges and expenses paid or to be paid by you are as follows: —
.....
.....
.....
.....

Dated the .....day of .....20 .....

(Signed).....

\*Insert a date, or a description of the relevant circumstances by which the date is to be fixed.

**Fifth Schedule**

---

**Form 15**

*Housing Societies Act 1976, Section 59(8)*

**PARTICULARS OF CHANGES IN THE BOARD OF THE .....  
SOCIETY.**

| Name<br>Surname First Names | Address | Occupation | Full<br>Particulars of<br>Change |
|-----------------------------|---------|------------|----------------------------------|
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |
| .....                       | .....   | .....      | .....                            |

Dated this .....day of ..... 20.....

.....

Secretary.

Form 16

Housing Societies Act 1976, Section 64(3)

APPLICATION TO REGISTER SPECIAL RESOLUTION BY ..... SOCIETY.

(Other than a special resolution altering the rules of the Society.)

Registrar.

Application is hereby made pursuant to section 64(3) of the Housing Societies Act 1976 to register the following special resolution passed at a meeting held on the .....day of ..... 20.....

(Set out terms of special resolution.)

I, ..... (name)

of ..... Secretary of the ..... Society do solemnly and sincerely declare —

- 1. That the terms of the special resolution set forth in this application were passed by a meeting of the Society held on the ..... day of .....20 .....
2. That the provisions of the Housing Societies Act 1976 and the regulations made thereunder and the rules of the society relating to the calling and conduct of meetings and the passing of special resolutions were duly complied with in respect of the special resolution.

And I make this solemn declaration by virtue of section 106 of the Evidence Act 1906.

Declared at ..... this .....day of .....20..... } ..... Secretary.

Before me: (C.D., Justice of the Peace or other qualified person.)

Fifth Schedule

**Form 17**

*Housing Societies Act 1976*  
(Section 65)

**BALANCE SHEET AT ..... 20.....**  
**..... SOCIETY.**

| 20.... |   | 20.... | 20.... |  | 20.... |
|--------|---|--------|--------|--|--------|
| \$     |   | \$     | \$     |  | \$     |
| .....  | Shares and Reserves                               | .....  | .....  |  |        |
| .....  | Borrowing   | .....  | .....  | Advances on Mortgages  |        |
| .....  | Ordinary  | .....  | .....  | — <i>Less</i> provision for  |        |
| .....  | Reserves.....                                     | .....  | .....  | doubtful debts.....  | .....  |
| .....  | Unappropriated surplus/deficit.....               | .....  | .....  | Investments (basis and date of value and market value where applicable to be shown as note)..... | .....  |
| .....  | Deposits and Loans (Indicate which are secured) — | .....  | .....  | Due within — 90 days   | .....  |
| .....  | Fixed term.....                                   | .....  | .....  | Due after — 90 days...   | .....  |
| .....  | No fixed term.....                                | .....  | .....  | Fixed Assets (basis and date of valuation where applicable to be shown)                          | .....  |
| .....  | Commonwealth/State Housing Agreement..            | .....  | .....  | Land and Buildings   | .....  |
| .....  | Institutional Loans...                            | .....  | .....  | Equipment.....   | .....  |
| .....  | Other Liabilities                                 | .....  | .....  | Other Assets —   |        |
| .....  | Bank overdraft.....                               | .....  | .....  | Cash at bank and in hand   | .....  |
| .....  | Sundry creditors and accruals.....                | .....  | .....  | Sundry debtors and pre-payments.....   | .....  |
| .....  | Provision for taxation.....                       | .....  | .....  | Other (show details)   | .....  |
| .....  | Other (show details)                              | .....  | .....  |  |        |

Signature of Director ..... Signature of Manager/Secretary

Signature of Director .....

**DIRECTIONS**

- (a) Where the entry in respect of any item would be “NIL” that item may be omitted.
- (b) Where an amount to be contained is not material it may be included under some other appropriate heading.
- (c) The corresponding amounts at the end of the immediately preceding financial year for all items shall be shown.
- (d) If not otherwise shown the following particulars shall be stated by way of note: —
  - (i) the amount owing by the society in respect of loans which are secured on the assets of the society;
  - (ii) the aggregate amount of advances approved but not paid;
  - (iii) where practicable, the aggregate amount or estimated amount, of contracts for capital expenditure of a material nature, not provided for;
  - (iv) where the amounts of the separate reserves or provisions as compared with the amounts at the end of the immediately preceding financial year show any material increases or decreases, the sources from which the increases have been derived and how the amounts of any decreases have been applied;
  - (v) the general nature of any contingent liability not provided for, and, where practicable, the amount or estimated amount, if material, of that contingent liability, and whether it is likely to become enforceable within the period of 12 months after the end of the financial year;
  - (vi) whether there exists at the date of the report any charge on the assets since the end of the financial year and any contingent liability which has arisen since the end of the financial year.

Fifth Schedule

**Form 18**

*Housing Societies Act 1976*  
(Section 65)

**REVENUE AND APPROPRIATION ACCOUNT FOR THE YEAR  
ENDED ..... 20  
..... SOCIETY**

| 20..... |   | 20..... |    |
|---------|---|---------|----|
| \$      |   | \$      | \$ |
|         | INCOME —  |         |    |
| .....   | Interest on Mortgages .....                                     | .....   |    |
| .....   | Interest and dividends on investments .....                     | .....   |    |
| .....   | Rent received .....   | .....   |    |
| .....   | Commission and application fees .....                           | .....   |    |
| .....   | Other income .....  | .....   |    |
|         | DEDUCT, EXPENSES —  |         |    |
|         | Management Expenses —   |         |    |
| .....   | Administration .....  | .....   |    |
| .....   | Audit fees .....  | .....   |    |
| .....   | Directors' fees .....   | .....   |    |
| .....   | Depreciation .....  | .....   |    |
|         | Interest —  |         |    |
| .....   | Loans .....   | .....   |    |
| .....   | Shareholders .....  | .....   |    |
| .....   | Other Expenses .....  | .....   |    |
| .....   | Surplus before extra ordinary items .....                       | .....   |    |
| .....   | Extra ordinary Items (see note 1) .....                         | .....   |    |
| .....   | Surplus for the year .....                                      | .....   |    |
| .....   | Unappropriated surplus brought forward from previous year ..... | .....   |    |
| .....   | Dividends on shares .....                                       | .....   |    |
| .....   | Bonus on shares .....   | .....   |    |
| .....   | Income Tax .....  | .....   |    |
| .....   | Transfer to or from reserves .....                              | .....   |    |
| .....   | Unappropriated surplus .....                                    | .....   |    |
| .....   | Carried forward .....   | .....   |    |

**DIRECTIONS**

- (a) Where the entry in respect of any item would be “NIL” that item may be omitted.



**Fifth Schedule**

---

- (b) Where an amount to be contained is not material it may be included under some other appropriate heading.
- (c) The corresponding amounts for the immediately preceding financial year for all items shall be shown.
- (d) If not otherwise shown the following particulars shall be stated by way of a note: —
  - (i) The amount, if material, of any transaction of an exceptional or non-recurrent nature;
  - (ii) the effect, if material, of any change in the basis of accounting.

**Fifth Schedule**

**Form 19**

*Housing Societies Act 1976, (Section 65(21))*

**ANNUAL RETURN FOR FINANCIAL YEAR ENDED .....20.....**

(Required to be forwarded to Registrar within 3 months after the close of Society's Financial Year)

1. .... SOCIETY
2. REGISTERED OFFICE: .....
3. NAMES AND PARTICULARS OF DIRECTORS, MANAGER/  
SECRETARY.

|                       | Name  | Other Occupations | Age   | Address |
|-----------------------|-------|-------------------|-------|---------|
| DIRECTORS             | ..... | .....             | ..... | .....   |
|                       | ..... | .....             | ..... | .....   |
|                       | ..... | .....             | ..... | .....   |
|                       | ..... | .....             | ..... | .....   |
|                       | ..... | .....             | ..... | .....   |
|                       | ..... | .....             | ..... | .....   |
| MANAGER/<br>SECRETARY | ..... | .....             | ..... | .....   |

4. SHAREHOLDERS  
No. .... PAID UP SHARES \$ .....
5. BORROWERS  
No. .... ADVANCES OUTSTANDING \$ .....
6. ADVANCES APPROVED BUT NOT PAID  
No. .... AMOUNT \$ .....
7. USUAL RATE OF INTEREST CHARGED ON ADVANCES
  - (a) PURCHASER OCCUPIER
  - (b) OTHERS

Fifth Schedule

8. DETAILS OF BORROWINGS BY THE SOCIETY

| COLUMN No. 1 | 2                          | 3                      | 4                | 5                |
|--------------|----------------------------|------------------------|------------------|------------------|
|              | Received<br>During<br>Year | Paid<br>During<br>Year | Balance          |                  |
|              |                            |                        | End Last<br>Year | End This<br>Year |
| BORROWINGS   | \$                         | \$                     | \$               | \$               |

Signature of Director

.....

Signature of Manager/Secretary.

.....

Signature of Director

.....

*[Fifth Schedule amended in Gazette 15 Mar 1985 p. 959; 31 Dec 1987 p. 4581; 21 Dec 2001 p. 6546-7.]*



---

**Notes**

- <sup>1</sup> This reprint is a compilation as at 8 February 2002 of the *Housing Societies Regulations 1977* and includes the amendments referred to in the following table.

**Compilation table**

| <b>Citation</b>   | <b>Gazettal</b>                                   | <b>Commencement</b>  |
|---|---|--|
| <i>Building Societies Regulations 1977</i> <sup>2</sup>           | 4 Mar 1977<br>p. 667-84<br>17 Nov 1978<br>p. 4287 | 4 Mar 1977 (see <i>Gazette</i> 4 Mar 1977 p. 651)<br>17 Nov 1978 |
| <i>Building Societies Amendment Regulations 1981</i>              | 24 Jul 1981<br>p. 3075                            | 24 Jul 1981  |
| <i>Building Societies Amendment Regulations 1982</i>              | 30 Jul 1982<br>p. 2958                            | 30 Jul 1982  |
| <i>Building Societies Amendment Regulations 1983</i>              | 21 Oct 1983<br>p. 4275                            | 21 Oct 1983  |
| <i>Building Societies Amendment Regulations 1985</i>              | 15 Mar 1985<br>p. 959-60                          | 15 Mar 1985 (see r. 3 and <i>Gazette</i> 15 Mar 1985 p. 931)     |
| <i>Building Societies Amendment Regulations 1987</i>              | 31 Dec 1987<br>p. 4580-2                          | 1 Jan 1988 (see r. 2)  |
| <i>Building Societies Amendment Regulations 2000</i>              | 28 Nov 2000<br>p. 6626-7                          | 28 Nov 2000  |
| <i>Building Societies Amendment Regulations 2001</i> <sup>4</sup> | 21 Dec 2001<br>p. 6543-7                          | 21 Dec 2001  |

- <sup>2</sup> Now known as the *Housing Societies Regulations 1977*; citation amended (see note under r. 1).

- <sup>3</sup> Formerly known as the *Building Societies Act 1976*, the short title of which was amended by the *Building Societies Amendment Act 2001* to the *Housing Societies Act 1976*.

- <sup>4</sup> The *Building Societies Amendment Regulations 2001* r. 3(2) reads as follows:

“

- (2) Unless the contrary intention appears, a reference in subsidiary legislation or any other document to the “*Building Societies Regulations 1977*” is taken to be a reference to the “*Housing Societies Regulations 1977*”.

”