
CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Co-operative and Provident Societies Act 1903

Co-operative and Provident Societies Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Co-operative and Provident Societies Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the regulations made under the *Co-operative and Provident Societies Act 1903**.

[* *Published in Gazette 19 January 1904, p. 161-87.*
For amendments to 15 December 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 62.*]

3. Regulation 1 replaced

Regulation 1 is repealed and the following regulation is inserted instead —

“

1. Citation

These regulations are the *Co-operative and Provident Societies Regulations 1904*.

”.

4. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) by inserting before “Application” the subregulation designation “(1)”;
- (b) after “certificate” in the first place it occurs, by p.m. inserting —
“ in Form 1A annexed hereto, ”;
- (c) by deleting all of the subregulation from and including “The certificate” to “Secretary.”;
- (d) by inserting before “Accompanying” the subregulation designation “(2)”.

5. Regulation 39 amended

Regulation 39 is amended as follows:

- (a) by deleting “Royal arms” and inserting instead —
“ armorial bearings of the State ”;
- (b) by deleting “Friendly Societies” and inserting instead —
“ Co-operative and Financial Institutions ”.

6. Regulation 40 amended

Regulation 40 is amended by deleting “Friendly Societies Office” and inserting instead —

“ Registrar’s office ”.

7. Regulations 41 and 42 replaced

Regulations 41 and 42 are repealed and the following regulations are inserted instead —

“

41. Fees

The fees set out in the Table to this regulation are payable under the Act.

Table of Fees

	Fee (\$)
(a) On lodgment of application for registry of a society	4.00
(b) On lodgment of a partial amendment of rules for registry ...	1.00
(c) For registry of change of name	0.50
(d) For registry of amalgamation	1.00
(e) For registry of transfer of engagements	1.00
(f) For registry of conversion into a company, or amalgamation with or transfer of engagements to a company	1.00
(g) For a certificate of the names of the committee and secretary of a society	0.25
(h) For every appointment of inspectors, or calling of special meeting by the Registrar	2.00
(i) For the determination of the Registrar on a dispute or for his award for dissolution or distribution of funds	10.00
(j) If more than one hearing or adjournment be necessary in case of any dispute or application for award of dissolution, for every hearing after the first, and for every adjournment, an additional fee of	10.00
(k) For an order for discovery by the Registrar under s. 35(6) of Act	0.25
(l) For registry of notice of dissolution	2.00
(m) For every document required to be authenticated by the Registrar not chargeable with any other fee	0.25
(n) For every inspection on the same day of documents (whether one or more), in the custody of the Registrar, relating to one and the same society	0.25

	Fee (\$)
(o) For every copy or extract of any document in the custody of the Registrar (in addition to the fee for authentication) —	
(i) up to 216 words	0.25
plus	
(ii) per folio of 72 words in excess of 216 words	0.01

42. Matters for which no fee is payable

- (1) No fee is payable for the registry or recording of —
- (a) the appointment and removal of the committee or secretary;
 - (b) the cancelling or suspension of registry;
 - (c) a notice of change of registered office;
 - (d) an application for conversion of a company into a registered society other than the fee under regulation 41 item (a);
 - (e) any document or copy of document supplied to a public department; or
 - (f) any document in respect of which a fee is already chargeable under the Act or any other Statute.
- (2) The Registrar may dispense with the fee for inspection of documents if he considers it to be in the public interest.

”.

8. Regulation 45 amended

Regulation 45 is amended as follows:

- (a) by inserting before “When” the subregulation designation “(1)”;
- (b) at the end of the regulation by inserting the following subregulation —

“

- (2) In these regulations a reference to a form annexed hereto is a reference to a form set out in Schedule 1.

”.

9. Forms amended

- (1) After regulation 45 the heading “FORMS” is deleted and the following heading is inserted instead —

“ **Schedule 1 — Forms** ”.

- (2) The heading to each form is amended by deleting “*The Co-operative and Provident Societies Act, 1903 (3 Edw. VII., No. 2).*” and inserting instead —

“ *Co-operative and Provident Societies Act 1903* ”.

- (3) The forms are amended by deleting “Registrar of Friendly Societies” in each place where it occurs and inserting instead —
“ Registrar ”.
- (4) Form 1 clause 2 and Form 5 clause 3 are amended by deleting all of the clause from and including “, which reads” to the end of the clause and inserting a full stop instead.
- (5) Forms 6 and 12 are amended by deleting “Friendly Societies’ Office, Perth.” in each place where it occurs.
- (6) Forms 6, 18 and 41 are amended by deleting “ “The Co-operative and Provident Societies Act, 1903.” ” in each place where it occurs and inserting instead —
“ *Co-operative and Provident Societies Act 1903.* ”.
- (7) Form 17 is amended by deleting “Section 13(1)(2)” and inserting instead —
“ section 13(1) and (2) ”.
- (8) Form 18 is amended by deleting “(2)” and “(3)”.
- (9) Forms 41 and 42 are amended by deleting “Friendly Societies Office, Perth.”.
- (10) After Form 1 the following form is inserted —

“

FORM 1A (Reg. 3)
Co-operative and Provident Societies Act 1903
CERTIFICATE OF MEMBERS

We hereby certify that the foregoing rules of the
..... Society, Limited,
were duly passed at a meeting thereof, held at
on the day of, 20..... .

1		Member
2		Member
3		Member
4		Member
5		Member
6		Member
7		Member
8		Secretary

”.

10. Headings deleted

The following headings are deleted —

- (a) each italicised heading referring to a provision or provisions of the Act before a regulation;

- (b) each capitalised heading immediately before a heading referred to in paragraph (a).

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.