

NORTHERN TERRITORY OF AUSTRALIA

CO-OPERATIVES (NATIONAL UNIFORM LEGISLATION) REGULATIONS

Subordinate Legislation No. 29 of 2015

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Schedule Fees



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Subordinate Legislation No. 29 of 2015*

Co-operatives (National Uniform Legislation) Regulations

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Co-operatives (National Uniform Legislation) Act*.

Dated 26 November 2015

J. L. HARDY
Administrator

By His Honour's Command

P. D. STYLES
Minister for Business

* Notified in the *Northern Territory Government Gazette* on 2 December 2015.

1 Citation

These Regulations may be cited as the *Co-operatives (National Uniform Legislation) Regulations 2015*.

2 Commencement

These Regulations commence on 1 January 2017.

3 Definition

In these Regulations:

Law means the *Co-operatives National Law (NT)*.

4 Fees

The Schedule specifies the fee payable for each provision of the Law or the *Co-operatives National Regulations (NT)* in relation to the matter specified opposite the fee.

5 Registrar may exempt, waive or refund fees

The Registrar may exempt a person from payment of a fee or waive (wholly or partly) or refund (wholly or partly) payment of a fee specified in these Regulations if the Registrar considers it appropriate to do so.

6 Fees for applied provisions of Corporations Act

Fees for anything done by or in relation to the Registrar under provisions of the Corporations Act as applied under the Law that are not otherwise provided for in these Regulations are the same as the fees for chargeable matters under the *Corporations (Fees) Act 2001 (Cth)*.

Schedule Fees

regulation 4

Item	Provision	Description	Fee (revenue units)
1	section 26(1)(b)(ii)	Application for registration of proposed co-operative – draft formation disclosure statement required under section 23 of the Law	310
2	section 26(1)(b)(ii)	Application for registration of proposed co-operative – draft formation disclosure statement not required under section 23 of the Law	89
3	section 31(b)(ii)	Application for registration of existing corporation – draft formation disclosure statement required under section 23 of the Law	310
4	section 31(b)(ii)	Application for registration of existing corporation – draft formation disclosure statement not required under section 23 of the Law	89
5	section 37(b)(ii)	Issue of duplicate certificate of registration	27
6	section 60	Application for Registrar's prior approval of certain rule amendments	62
7	section 63(2)	Application for registration of rule amendment, other than where pre-approved under section 60 of the Law – per rule (maximum of 133 revenue units per lodgement) Plus fee for late lodgement:	27
		(a) within first 28 days after due date	89

Item	Provision	Description	Fee (revenue units)
		(b) after first 28 days after due date	177
8	section 63(4)	Application for issue of certificate of registration of rule amendment	27
9	section 71(1)	Application for exemption from any or all provisions of Part 2.4, Division 2 of the Law	62
10	section 82(3)(a)	Application for registration of disclosure statement for compulsory share take up	221
11	section 119(5)	Application to extend period for carrying on business with too few members	221
12	section 152(3)	Application for decision of a member's eligibility to vote on an active membership resolution	221
13	section 171	Application for exemption of co-operative from any or all provisions of Part 2.6, Division 5 of the Law (former member entitlements)	221
14	section 213(1)(d)	Application for approval of office at which register may be kept	62
15	section 220(7)	Use of "Co-operative", "Cooperative", "Co-op" or "Coop" – application for exemption by Registrar	221
16	section 221(1)	Application to approve omission of "Limited" or "Ltd" in name	133
17	section 222(e)	Application to approve abbreviation or elaboration of name	27
18	section 224	Application to approve change of name	221

Item	Provision	Description	Fee (revenue units)
19	section 225(2)	Restriction on use of "Co-operative", "Cooperative", "Co-op" or "Coop" – application for exemption by Registrar	221
20	section 226(4)	Lodgement of notice of change of address Fee for late lodgement:	nil
		(a) within first 28 days after due date	89
		(b) after first 28 days after due date	177
21	section 226(6)	Application for exemption for a small co-operative or class of small co-operatives from requirement for displaying a notice about the name of a co-operative and its registered office in section 226(3) of the Law	62
22	section 233(2)	Application by member for review of voting entitlement	221
23	section 243(2)(c)(ii)	Filing fee for registration of special resolution – per resolution (maximum of 133 revenue units per lodgement) Plus fee for late lodgement:	27
		(a) within first 28 days after due date	89
		(b) after first 28 days after due date	177
24	section 244(3)	Application for certificate of registration of special resolution	27
25	section 248(3)	Application for approval of disclosure statement for special postal ballot	221

Item	Provision	Description	Fee (revenue units)
26	section 289	Lodgement of annual financial report by large co-operative Plus fee for late lodgement: (a) within first 28 days after due date (b) after first 28 days after due date	221 89 177
27	section 290	Lodgement of half yearly report by co-operative that is a disclosing entity Fee for late lodgement: (a) within first 28 days after due date (b) after first 28 days after due date	nil 89 177
28	section 293	Lodgement of annual return by small co-operative Plus fee for late lodgement: (a) within first 28 days after due date (b) after first 28 days after due date	62 89 177
29	section 316(1)	Application for exemption of certain persons (in relation to a co-operative) from all or specified requirements of "target provisions"	221
30	section 317(1)	Application for exemption of certain persons (in respect of a class of co-operatives) from all or specified requirements of "target provisions"	221
31	section 319(1)	Application for exemption of certain persons from all or specified requirements of "target provisions"	221

Item	Provision	Description	Fee (revenue units)
32	section 320(1)	Application for exemption of certain persons (in respect of a class of audit firms or audit companies) from all or specified requirements of "target provisions"	221
33	section 322	Application for exemption from a provision of National Regulations made under Part 3.3 of the Law	221
34	section 337	Lodgement of disclosure documents for an issue of securities other than an issue of securities under section 338 of the Law	1 946
35	section 337	Application for exemption or modification of disclosure provisions under Chapter 6D of the Corporations Act (as applied)	955
36	section 338(3)	Application for approval of disclosure statement for issue of non-share securities to members or employees of co-operative	221
37	section 343(3)(a)	Application for approval of disclosure statement for compulsory loan from members to co-operative	221
38	section 343(10)	Application for exemption from all or specified provisions of section 343 of the Law (requirements for compulsory loans from members to co-operative)	221
39	section 350(1)(b) and (c)	Application for approval of the statement and terms of the issue of CCUs	221

Item	Provision	Description	Fee (revenue units)
40	section 359(3)	Application for exemption from a provision of sections 248 and 359 of the Law (requirements in relation to disposal or acquisition of significant assets)	221
41	section 363(2)	Application to permit a maximum level of share interest greater than 20% in particular co-operative	221
42	section 372(1)	Application by a person for an exemption from the operation of Part 3.5, Division 1 of the Law	221
43	section 374(1)(b)	Application for approval of share offers provided for in section 373 of the Law that may result in structural change of co-operative	1 946
44	section 376(5)	Application to extend time permitted for board to consider a share offer of the kind specified in section 373(1) of the Law	62
45	section 380(1)	Application for exemption from a provision of Part 3.5, Division 2 and section 248 of the Law (requirements for share offers under Part 3.5, Division 2 of the Law)	955
46	section 396(2)	Application for consent to merger or transfer of engagements by way of board approval	62
47	section 397(2)	Application for approval of disclosure statement for purposes of a merger or transfer of engagements	221

Item	Provision	Description	Fee (revenue units)
48	section 397(4)	Application for exemption of co-operative from complying with section 397 of the Law in relation to disclosure statement about a merger or transfer of engagements	221
49	section 398(1)	Application for approval of merger or transfer of engagements	62
50	section 404(4)	Application for exemption from a provision of sections 248 and 404 of the Law (requirements for transfer of incorporation)	221
51	section 416(1)(a)	Application for Registrar's permission to shorten notice	27
52	section 418(1)(f)	Application for direction exempting from disqualification from administering compromise or arrangement	221
53	section 424(1)(b)	Application for Registrar's statement of no objection to compromise or arrangement	221
54	section 425(4)	Lodgement of Supreme Court order with Registrar relating to compromise or arrangement Plus fee for late lodgement	27
		(a) within first 28 days after due date	89
		(b) after first 28 days after due date	177
55	section 428(1)	Application for Registrar's approval of explanatory statement for compromise or arrangement	955

Item	Provision	Description	Fee (revenue units)
56	section 445(3)	Application for exemption from a provision of section 248 or 445 of the Law (requirements for voluntary winding up)	221
57	section 453	Application to Registrar to exercise powers in relation to property of a deregistered co-operative	221
58	section 476(2)(a)	Application to local Registrar to consent to merger or transfer of engagements occurring as a result of approval by special resolution or decision by the board – merger between local and participating co-operatives	62
59	section 477(2)	Application for approval by appropriate Registrar of disclosure statement for merger or transfer of engagements – local and participating co-operatives	221
60	section 477(4)	Application to appropriate Registrar for exemption from requirements of section 477 of the Law applying to a merger or transfer of engagements – local and participating co-operatives	221
61	section 478(1)	Application for approval of merger or transfer of engagements – local and participating co-operatives	221
62	section 531(1)(a)	Application to Registrar for special meeting	221
63	section 531(1)(b)	Application to Registrar for inquiry	423
64	section 588(1)	Application to Registrar for a certificate stating that a thing had or had not been done within a specified period or by a specified date	62

Item	Provision	Description	Fee (revenue units)
65	section 588(2)	Application to Registrar for a certificate stating that a requirement of the Law had or had not been complied with or had been complied with at a specified date or within a specified period	62
66	section 588(3)	Application to Registrar for a certificate stating that on a specified date a body was not or had ceased to be registered as a co-operative under the Law	34
67	section 601(1)(a)	Fee for inspection of register of co-operatives	17
68	section 601(1)(b)	Fee for inspection of documents kept by Registrar relating to a co-operative and prescribed by the National Regulations	17
69	section 601(1)(c)	Fee for extract from register of co-operatives inspected under section 601(1)(a) of the Law:	
		(a) first page	17
		(b) each additional page	1
70	section 601(1)(d)	Fee for certified copy of document that may be inspected under section 601(1)(b) of the Law:	
		(a) first page	19
		(b) each additional page	2
71	section 601(1)(e)	Fee for copy of document that may be inspected under section 601(1)(b) of the Law:	
		(a) first page	17
		(b) each additional page	1
72	section 609(1)	Application for extension or shortening of time	62

Item	Provision	Description	Fee (revenue units)
73	section 611(2)(c)(iii)	Application for permission to give notice to members by newspaper	62
74	regulation 1.4(5)	Application by co-operative for declaration that it is a small co-operative for a particular financial year	221
