

NORTHERN TERRITORY OF AUSTRALIA

BUILDING SOCIETIES REGULATIONS

TABLE OF PROVISIONS

Regulation

1. Citation
2. Application for registration of building society
3. Statutory declaration of compliance
4. List of directions
5. List of persons attending formation meeting
6. Certificate of incorporation of building society
7. Fee for rules
8. Application to register alteration of rules
9. Certificate of incorporation or change of name
10. Publication of change of name
11. Notice of change of address of registered office
12. Application for registration of amalgamated building society
13. Certificate of incorporation as amalgamated building society
14. Notice of particulars
15. Balance sheet and revenue and appropriation account
16. Report to annual general meeting
17. Annual return
18. Notice of resignation as removal of member
19. Security

SCHEDULE

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1982, No. 28\*

Regulations under the *Building Societies Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Building Societies Act*.

Dated this 27<sup>th</sup> day of April, 1982.

E. E. JOHNSTON  
Administrator

By His Honour's Command  
M. B. PERRON

Treasurer and Minister for Lands and Housing  
acting for and on behalf of  
Attorney-General

BUILDING SOCIETIES REGULATIONS

1. CITATION

These Regulations may be cited as the Building Societies Regulations.

2. APPLICATION FOR REGISTRATION OF BUILDING SOCIETY

For the purposes of section 14(1) of the Act, an application for the registration of a building society shall be in accordance with Form 1.

3. STATUTORY DECLARATION OF COMPLIANCE

For the purposes of section 14(2)(b)(i) of the Act, a statutory declaration shall be in accordance with Form 2.

\* Notified in the *Northern Territory Government Gazette* on 7 MAY 1982, 1982.

A. B. CAUDELL, Government Printer of the Northern Territory

PRICE: \$ 1 20

*Building Societies Regulations*

4. LIST OF DIRECTORS

For the purposes of section 14(2)(b)(iv) of the Act, a list shall be in accordance with Form 3.

5. LIST OF PERSONS ATTENDING FORMATION MEETING

For the purposes of section 14(2)(b)(v) of the Act, a list shall be in accordance with Form 4.

6. CERTIFICATE OF INCORPORATION OF BUILDING SOCIETY

For the purposes of section 14(4) of the Act, a certificate of incorporation of a building society shall be in accordance with Form 5.

7. FEE FOR RULES

For the purposes of section 17 of the Act, the prescribed fee to be paid to a building society for a copy of its rules is \$5.

8. APPLICATION TO REGISTER ALTERATION OF RULES

For the purposes of section 18(2) of the Act, an application shall be in accordance with Form 6.

9. CERTIFICATE OF INCORPORATION ON CHANGE OF NAME

For the purposes of section 21(3) of the Act, a certificate of incorporation on change of name shall be in accordance with Form 7.

10. PUBLICATION OF CHANGE OF NAME

For the purposes of section 21(4) of the Act, where a building society changes its name it shall give notice of such change -

(a) by publishing in a daily newspaper circulating throughout the Territory; and

(b) by notice in the Gazette,

within 14 days after the date of the issue of the certificate of incorporation in the new name.

11. NOTICE OF CHANGE OF ADDRESS OF REGISTERED OFFICE

For the purposes of section 22(3) of the Act, a notice shall be in accordance with Form 8.

*Building Societies Regulations*

12. APPLICATION FOR REGISTRATION OF AMALGAMATED BUILDING SOCIETY

For the purposes of section 24(3) of the Act, an application for registration of an amalgamated building society shall be in accordance with Form 9.

13. CERTIFICATE OF INCORPORATION AS AMALGAMATED BUILDING SOCIETY

For the purposes of section 24(4) of the Act, a certificate of incorporation as an amalgamated building society shall be in accordance with Form 10.

14. NOTICE OF PARTICULARS

For the purposes of section 32 of the Act, a notice of particulars shall be in accordance with Form 11.

15. BALANCE SHEET AND REVENUE AND APPROPRIATION ACCOUNT

For the purposes of section 68(4) of the Act, the prescribed forms and particulars of -

(a) a balance sheet shall be in accordance with Form 12; and

(b) a revenue and appropriation account shall be in accordance with Form 13.

16. REPORT TO ANNUAL GENERAL MEETING

For the purposes of section 68(8) of the Act, a report shall be laid before the annual general meeting of the building society together with the balance sheet and revenue and appropriation account referred to in section 68(2).

17. ANNUAL RETURN

For the purposes of section 68(20) of the Act, an annual return shall be in accordance with Form 14.

18. NOTICE OF RESIGNATION OR REMOVAL OF AUDITOR

For the purposes of section 71(23) of the Act, a notice of resignation or removal of auditor shall be in accordance with Form 16.

19. SECURITY

For the purposes of section 73(4) of the Act, the prescribed security is a bond in the sum of \$20,000.

*Building Societies Regulations*

SCHEDULE

FORM 1

Regulation 2

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 14(1)

APPLICATION FOR REGISTRATION OF THE  
..... BUILDING SOCIETY

To the Registrar of Building Societies

The ..... Building Society  
hereby applies to be registered under the *Building  
Societies Act*.

The formation meeting at which the first directors of  
the building society were elected was held on the  
..... day of ....., 19....

Accompanying this application are the documents  
required by section 14(2)(b)(ii) to (vi) of the Act.

Dated this ..... day of ....., 19....

.....  
Chairperson

.....  
Secretary

*Building Societies Regulations*

FORM 2

Regulation 3

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 14(2)(b)(i)

STATUTORY DECLARATION BY CHAIRPERSON AND  
SECRETARY OF FORMATION MEETING OF THE  
..... BUILDING SOCIETY

We .....  
(full name)

of .....  
(address)

.....  
(occupation)

and .....  
(full name)

of .....  
(address)

.....  
(occupation)

being the chairperson and secretary respectively of the formation meeting of the ..... Building Society solemnly and sincerely declare that the requirements of Part III of the *Building Societies Act*, as to the formation of a building society, have been complied with in relation to the ..... Building Society.

And we make this solemn declaration by virtue of the *Oaths Act* conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at                    the                    day of                    , 19   .

.....  
Chairperson

.....  
Secretary

Before me: J.P. or Commissioner for Oaths

*Building Societies Regulations*

FORM 3

Regulation 4

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 14(2)(b)(iv)

LIST OF DIRECTORS

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Name				
Surname	First	names	Address	Occupation

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Dated this ..... day of ....., 19.....

.....  
Secretary

..... Building Society

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*Building Societies Regulations*

FORM 4

Regulation 5

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 14(2)(b)(v)

LIST OF PERSONS ATTENDING THE FORMATION  
MEETING HAVING SIGNED APPLICATIONS  
FOR MEMBERSHIP AND SHARES

(Nominal value of each share .....)

APPLICANT  
No.

1. Surname: .....  
First name: .....  
Address: .....  
Occupation: .....  
No. of shares applied for: .....
2. Surname: .....  
First name: .....  
Address: .....  
Occupation: .....  
No. of shares applied for: .....
3. Surname: .....  
First name: .....  
Address: .....  
Occupation: .....  
No. of shares applied for: .....

Dated this ..... day of ....., 19....

.....  
Secretary

..... Building Society



*Building Societies Regulations*

FORM 5

Regulation 6

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 14(4)

CERTIFICATE OF INCORPORATION OF BUILDING SOCIETY

This is to certify that the ..... Building Society is on and after the ..... day of ..... 19...., incorporated under the *Building Societies Act*.

Given under my hand and seal at Darwin this ..... day of ....., 19....

.....  
Registrar of Building Societies

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*Building Societies Regulations*

FORM 6

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 18(2)

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

To the Registrar of Building Societies

1. In pursuance of section 18(2) of the *Building Societies Act*, 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 members of the society at a meeting held at ..... on the ..... day of ....., 19.....

3. The *Building Societies Act* was duly complied with.

4. The document annexed hereto and marked with the letter "A" sets out in full the rule or the rules as altered by the said special resolution.

Dated this ..... day of ....., 19 .. .

.....  
Secretary

*Building Societies Regulations*

FORM 7

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 21(3)

CERTIFICATE OF INCORPORATION ON CHANGE OF NAME  
OF BUILDING SOCIETY

This is to certify that the ..... Building  
Society, which was, on the ..... day of .....,  
19.., incorporated under the *Building Societies Act*, did,  
on the ..... day of ....., 19.... change its  
name to the ..... Building Society.

Given under my hand and seal at Darwin this ..... day  
of ....., 19.....

.....  
Registrar of Building Societies

*Building Societies Regulations*

FORM 8

Regulation 11

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 22(3)

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

To the Registrar of Building Societies

Notice is hereby given that the registered office of  
the society was changed from .....  
.....  
to .....  
.....  
on the ..... day of ....., 19...

.....

Secretary

---

*Building Societies Regulations*

FORM 9

Regulation 12

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 24(3)

APPLICATION FOR REGISTRATION OF AN  
AMALGAMATED BUILDING SOCIETY

1. The \*.....  
.....  
.....  
hereby apply to be registered as an amalgamated building  
society under the name of .....
2. This application is accompanied by the documents  
prescribed by section 24 of the Building Society Act.
3. The proposed registered office of the amalgamated  
building society is .....

Dated this ..... day of ....., 19....

.....  
Chairperson of the  
joint meeting

.....  
(Chairperson and Secretary  
of every society making this  
application)

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\* State names of every society making this application.

*Building Societies Regulations*

FORM 10

Regulation 13

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 24(4)

CERTIFICATE OF INCORPORATION ON REGISTRATION OF  
AN AMALGAMATED BUILDING SOCIETY

This is to certify that the .....  
Building Society formed by the amalgamation of the .....  
..... Building Society and  
the ..... Building Society  
is, on and after the ..... day of ....., 19...,  
registered under the *Building Societies Act*.

Given under my hand and seal at Darwin this ..... day  
of ....., 19.....

.....  
Registrar of Building Societies

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*Building Societies Regulations*

FORM 11

Regulation 14

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 32

ADVICE OF RATES AND CHARGES

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

Subject to certain terms and conditions, the .....  
Building Society has approved of the making of an advance  
to you of the sum of \$....., and the particulars of some  
of the matters relevant to the advance appear in the list  
below.

Dated this ..... day of ....., 19...

(Signed) .....

LIST OF PARTICULARS

1. The period over which the advance, together with interest, is to be repaid will be approximately ..... years ..... months.
2. The rate of interest payable on the advance of .... % annum may be subject to variation during the term of the advance.
3. The interest will commence to be charged on the full advance from the date of the advance.
4. The advance is to be repaid by instalments of \$..... (subject to variation) payable each calendar month, and the first instalment shall commence on .....\*
5. An annual book-keeping fee of \$..... (subject to variation) will be charged.
6. Further particulars and amounts of other fees, charges and expenses paid or to be paid by you are as follows:  
.....  
.....

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

*Building Societies Regulations*

FORM 12

Regulation 15(a)

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 68(4)

BALANCE SHEET AT ....., 19....  
..... BUILDING SOCIETY

19....	19... 19....	19....
\$	\$ \$	\$
Shares and Reserves		
..... Fully paid fixed term shares	.....	Advances on mortgages
..... Contribution fixed term shares	.....	- Less provision for doubtful debts
..... No fixed term shares	.....	Investments (basis date of value and market value where applicable to be shown as note)
..... Other shares	.....	Due within - 90 days
..... Statutory reserve	.....	Due after - 90 days
..... Other reserves	.....	Fixed assets (basis and date of valuation where applicable to be shown)
..... Unappropriated surplus/deficit	.....	Land and buildings
Deposits and loans (indicate which are secured)-		Equipment
..... Fixed term	.....	Other assets -
..... No fixed term	.....	Cash at bank and in hand
..... Commonwealth/State housing agreement	.....	Sundry debtors and pre-payments
..... Institutional loans	.....	Other (show details)
Other liabilities		
..... Bank overdraft	.....	
..... Sundry creditors and accruals	.....	
..... Provision for taxation	.....	
..... Other (show details)	.....	

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

Signature of Director .....



*Building Societies Regulations*

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) Where not otherwise shown the following particulars shall be stated by way of note:
    - (i) the amount owing by the society in respect of deposits, loans and overdrafts 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.
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*Building Societies Regulations*

FORM 13

Regulation 15(b)

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 68(4)

REVENUE AND APPROPRIATION ACCOUNT FOR THE  
YEAR ENDED ....., 19....

..... BUILDING SOCIETY

19....

19....

---

\$		\$	\$
	INCOME -		
.....	Interest on mortgages	.....	
.....	Interest and dividends on investments	.....	
.....	Rents received	.....	
.....	Commission and application fees	.....	
.....	Other income	.....	
		.....	.....
	DEDUCT, EXPENSES -		
	Management expenses -		
.....	Administration	.....	
.....	Audit fees	.....	
.....	Directors' fees	.....	
.....	Depreciation	.....	
	Interest -		
.....	Deposits and loans	.....	
.....	Shareholders	.....	
.....	Other expenses	.....	
		.....	.....
.....	Surplus before extraordinary items	.....	

*Building Societies Regulations*

19....		19....	
\$		\$	\$
.....	Extraordinary items (including operating deficit)	.....	.....
.....	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.
- (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.

*Building Societies Regulations*

FORM 14

Regulation 17

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 68(20)

ANNUAL RETURN FOR FINANCIAL YEAR  
ENDED ....., 19....

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

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	Name	Other occupations	Age	Address
DIRECTORS	(	.....		
	(	.....		
	(	.....		
	(	.....		
	(	.....		
	(	.....		
MANAGER/ SECRETARY		.....		

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- 4. INVESTING 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 -  
NEW CONSTRUCTION .....  
PREVIOUSLY OCCUPIED .....
  - (b) PURCHASER - INVESTMENT .....
  - (c) BRIDGING FINANCE .....

*Building Societies Regulations*

(d) SECOND MORTGAGE .....

(e) OTHERS .....

8. DETAILS OF SHARES, DEPOSITS AND BORROWINGS BY SOCIETIES

COLUMN No. 1	2	3	4	5	6
	Received during year	Paid during year	Interest, dividends and bonuses credited	Balance	
				End last year	End this year
	\$	\$	\$	\$	\$
<b>A. SHARES</b>					
1. Savings .....	.....	.....	x	.....	.....
2. ....	.....	.....	x	.....	.....
3. ....	.....	.....	x	.....	.....
4. ....	.....	.....	x	.....	.....
5. ....	.....	.....	x	.....	.....
6. ....	.....	.....	x	.....	.....
7. ....	.....	.....	x	.....	.....
8. ....	.....	.....	x	.....	.....
<b>B. DEPOSITS</b>					
1. Savings .....	.....	.....	x	.....	.....
2. Due for repayment within 12 months of receipt... ..	.....	.....	x	.....	.....
3. Other .....	.....	.....	x	.....	.....
Total .....					
<b>C. BORROWINGS</b>					
1. Due for repayment within 12 months of receipt .. ..	.....	.....	x	.....	.....

*Building Societies Regulations*

2. Other ..... x .....  
 Total .....

D. INDIVIDUAL INVESTMENTS \$50,000 - \$100,000 No..... \$.....  
 EXCEEDING \$100,000 No..... \$.....

NOTE: (a) Class of shares and interest dividend rate  
 in force at end of the year to be shown in  
 section A. SHARES in column 1.  
 (b) "x" denotes information not required.

9. SPECIAL ADVANCES MADE DURING THE FINANCIAL YEAR  
 (Section 33 of the Building Society Act)

	Number of advances	Amount
(i) Advances referred to in paragraph (a) of sub-section (1) .....		
(ii) Advances referred to in paragraph (b) of sub-section (1) .....		
(iii) Advances referred to in paragraph (c) of sub-section (1) .....		
(iv) Advances referred to in paragraph (d) of sub-section (1) .....		
(v) Advances referred to in paragraph (e) of sub-section (1) .....		
(vi) Advances referred to in sub- section (2) .....		
Total Special Advances		

*Building Societies Regulations*

10. TOTAL AMOUNT OF SPECIAL ADVANCES OUTSTANDING AT END OF FINANCIAL YEAR

(Section 33 of the Act)

Special advances outstanding .. .. . \$.....

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Signature of Director

Signature of Manager/Secretary

.....

.....

Signature of Director

.....

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*Building Societies Regulations*

FORM 16

Regulation 18

NORTHERN TERRITORY OF AUSTRALIA

*Building Societies Act*

Section 71(23)

NOTICE OF RESIGNATION/REMOVAL\* OF AUDITOR

To the Registrar of Building Societies

The ..... Building Society hereby gives notice that on the ..... day of ....., 19... the auditor/auditors\* of the Society resigned/was removed/were removed\* from office.

\* The special resolution of the society at the general meeting/annual general meeting\* at which the auditor was removed/auditors were removed\* was held on the above date.

.....  
Secretary\*

.....  
Director\*

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\* Delete where inapplicable.

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