

Application to approve co-operative rules and formation disclosure statement

Co-operatives National Law (Tasmania) Act 2015

Things to know before starting your application

Do not complete this form if you are merging or transferring engagements of two or more co-operatives. Instead you will need to complete different forms available at cbos.tas.gov.au/topics/licensing-and-registration/co-operatives

The name of a co-operative:

- may consist of words, numbers or a combination of both;
- must include the word 'Co-operative' or 'Cooperative' or the abbreviation 'Co-op' or 'Coop';
- must have the word 'Limited' or the abbreviation 'Ltd' as the last word.

How to complete this form

- You can complete the form onscreen (save and email with attachments) or print, complete by hand and post with attachments
- If completing the form by hand, please use a blue or black pen and print clearly using block letters
- Attachments are required as part of this application - refer to the document checklist
- Post your form and attachments to Consumer, Building and Occupational Services, PO Box 56, ROSNY 7018

1. Lodgement person - who is lodging this application?

Surname

Given name/s

Address (including postcode)

Daytime telephone number

Email address

2. Type of applicant

a) Select applicant type (choose one option only)

- ☐ A new proposed co-operative with no previous incorporation; or
- ☐ An existing body proposing to be a co-operative (eg, corporation, incorporated association, indigenous corporation)

b) Will the proposed co-operative be (choose one option only)

- ☐ A co-operative group consisting of two or more co-operatives that will remain separately registered
- ☐ A stand alone co-operative with individual members

3. Co-operative name

The proposed name may not be accepted because it is deemed unsuitable or similar or identical to an existing name. Check to see if your name already exists or is similar by searching [ASIC's organisation and business name register](https://asic.gov.au) (asic.gov.au). If your first choice of co-operative name is unavailable, you have the option to list two other preferred names here. We will use this list to automatically register the first available name. Carefully consider your preferences as you will not be contacted to confirm the name that is registered. Your preferences should be substantially different to each other and existing names.

Proposed name

Second preference

Third preference

4. Type of co-operative - choose one only

- ☐ A distributing co-operative with share capital and that is not prohibited from giving returns or distributions on surplus or share capital (NB - a copy of the draft disclosure document must be attached to this application).
- ☐ A non-distributing co-operative that has share capital but is prohibited from giving returns or distributions on surplus or share capital to members, other than the nominal value of shares (if any) at winding up.
- ☐ A non-distributing co-operative that has no share capital.
- ☐ A non-distributing co-operative that has share capital proposing to be supported by a Government Guarantee Loan.

5. Proposed rules - choose one only

- ☐ Own rules (you must choose this option if your rules are different in any way from the model rules as described below)
- ☐ The model rules in full, to be adopted as in force at a particular time (recommended)
- ☐ The model rules in full, to be adopted as in force from time to time

6. Declaration and authorisation

☐ I declare that:

- I am authorised to lodge this form as a written notice of intention to apply for registration as a co-operative
- The particulars contained in this application are true and correct. I acknowledge that it is an offence under section 514 of the *Co-operatives National Law (Tasmania) Act 2015* to provide the Registrar with false and misleading documents.
- The proposed co-operative has the prescribed number of active members.

Printed name

Relationship to co-operative

Daytime telephone number

Email address

Date

7. Document checklist

Your application cannot be processed without the following documents:

- ☐ For all applicants, a draft of the proposed rules for the co-operative (including active membership provisions)
- ☐ If you are proposing to be a distributing co-operative, you must also attach a copy of the draft formation disclosure statement for the co-operative. An example of a disclosure statement is available at cbos.tas.gov.au/topics/licensing-and-registration/co-operatives

The disclosure statement for a distributing co-operative must contain the information necessary to ensure prospective members are adequately informed of the nature and extent of a person's financial involvement or liability as a member of the co-operative, including if applicable:

- the estimated costs of formation
- the active membership provisions of the proposed co-operative
- the rights and liabilities attaching to shares in the proposed co-operative
- the capital required for the co-operative at the time of formation
- the projected income and expenditure of the co-operative for its first year of operation

- information about any contracts required to be entered into by the co-operative
- any other information that the Registrar directs to be included.

Non-distributing co-operatives are not required to provide a disclosure statement unless later requested by the Registrar.

8. How to lodge

- You must be authorised to lodge this document and complete section 4 of this application
- Email the completed form and any attachments to registration.services@justice.tas.gov.au
- If lodging by email, the total email size cannot exceed 10MB
- If lodging by post send to:
Consumer, Building and Occupational Services
PO Box 56, ROSNY 7018

The [Co-operatives National Law \(Tasmania\) Act 2015](#) can be found on the www.legislation.tas.gov.au

9. What happens when you lodge your application

- If the form is completed correctly and any necessary documents are attached, you will receive notification of whether or not the proposed rule amendment/s have been approved.
- If any change occurs in the information you have provided in your application, you must notify Consumer, Building and Occupational Services as soon as possible.

10. Privacy statement

This document has been produced and published by the Consumer Building and Occupational Services Division of the Department of Justice. Although every care has been taken in the production of the work, no responsibility is accepted for the accuracy, completeness or relevance to the users purpose, of the information. Those using it for whatever purpose are advised to verify it with the relevant government department, local government body or other source and to obtain any appropriate professional advice. The Crown, it's officers, employees and agents do not accept liability however arising, including liability for negligence, for any loss resulting from the use of or reliance upon the information and/or reliance on its availability at any time.

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