

# FORM C17

## Application for Approval, Consent, Exemption, Order or Certificate

Co-operatives National Law (NSW)



1800 502 042 [fairtrading.nsw.gov.au](http://fairtrading.nsw.gov.au)

**Please read this information before completing this form.**  
**This form can be completed in Adobe Reader and saved for your records.**

### When should this form be lodged?

- An application for an Approval, Consent, Exemption or Order under the CNL or Declaration a co-operative is to be a small co-operative under Clause 1.4 of the CNL; OR
- An Application for a Certificate under the CNL, including
  - Issue of duplicate certificate of registration (s.37)
  - Certificate of registration of rule amendment (s.63)
  - Certificate of registration of special resolution (s.244)
  - Certificate of statement made by auditor (s.310)
  - Certificate of evidence (s.588)

### Do not use this form for:

- Application for extension or shortening of time (see Form C15)

### What information is required?

#### An application for an Approval, Consent, Exemption or Order under the CNL or Declaration must:

- clearly set out the Approval, Consent, Exemption, Order or Declaration sought and the relevant provision(s) of the CNL
- be accompanied by information and/or documents that support the application and which show how the requested Approval, Consent, Exemption or Order is in the interests of the Co-operative and its members.

For Example, if the application is for an exemption from the requirement to conduct a special postal ballot the Application must specify the exemption sought ( e.g. to permit the special resolution to be passed at a general meeting) and set out information relevant to whether the application should be granted including:

- the reasons the application for exemption is being made;
- the number of members of the co-operative;
- the financial involvement of the members;
- details of any information regarding the proposal previously provided to members;
- the financial position of the Co-operative and the costs associated with the special postal ballot;
- the number of members who historically attend general meetings / respond to special postal ballots;
- the proximity of the members to the place where any meeting to consider the proposal is intended to be conducted;
- details of the day/time the co-operative proposes to hold a meeting and advice why that day/time is likely to be convenient for members to attend the meeting (where relevant); and
- other factors the co-operative considers to be relevant to the making of the proposal.

### An Application for Duplicate Certificate of Registration must:

- be accompanied by a statutory declaration completed by two directors, or one director and the secretary, which details the circumstances by which the original certificate is no longer available. Each declaration made by a director or secretary must be witnessed by a Justice of the Peace, Notary Public or Solicitor. A declaration that meets these requirements is available from Registry and Accreditation if required.

### Fees

An application fee may be required. Please see Schedule 1 to the Co-operatives (New South Wales) Regulation 2020 for details of the applicable fee or contact Registry and Accreditation.

### How to pay the lodgement fee

Pay by credit card or PayPal using the following link:  
[www.fairtrading.nsw.gov.au/registrypayments](http://www.fairtrading.nsw.gov.au/registrypayments)

**Step 1** - Click on the link or type the URL into your web browser.

**Step 2** - Follow the instructions online to complete payment. (select 'Registry and Accreditation' as the agency)

**Step 3** - You will receive a receipt upon payment.

**Step 4** - Attach a copy of the receipt to the form.

Alternatively, if you intend to pay by cheque or money order this can be done in person at a Service NSW Centre accepting this form of payment. Please telephone 13 77 88 or visit [www.service.nsw.gov.au/service-centre](http://www.service.nsw.gov.au/service-centre) prior to attending, to confirm accepted payment methods.

Cheques or money orders should be made payable to NSW Fair Trading.

**Not providing all required information and a copy of the receipt may result in delays in processing your application.**

### How to lodge

- **By email** to [registrylodgements@customerservice.nsw.gov.au](mailto:registrylodgements@customerservice.nsw.gov.au) ensuring a copy of the receipt of payment is attached.
- **By post** to Registry and Accreditation, PO Box 22, Bathurst NSW 2795, ensuring a copy of the receipt of payment is included.
- **In person** at any **Service NSW Centre**. Before visiting your nearest Service NSW Centre, please telephone 13 77 88 or visit [www.service.nsw.gov.au/service-centre](http://www.service.nsw.gov.au/service-centre) to confirm accepted payment methods prior to attending.

## What happens when you lodge your form

- The application and attachments will be reviewed. You will be notified in writing regarding the application or if further information is required.
- If any change occurs in the information you have provided in your application, you must notify NSW Fair Trading as soon as possible.

The *Co-operatives National Law (NSW)* can be found at the Appendix to the *NSW Co-operatives (Adoption of National Law) Act 2012*.

## Contacting Registry and Accreditation

Telephone 1800 502 042

Mail Registry and Accreditation, PO Box 22  
Bathurst NSW 2795

Website [www.fairtrading.nsw.gov.au/  
associations-and-co-operatives/co-operatives](http://www.fairtrading.nsw.gov.au/associations-and-co-operatives/co-operatives)

## Assistance

Telephone - 13 14 50

Ask for an interpreter in your language.

TTY - 133 677

Telephone service for the hearing impaired.

**The above information is intended as a guide only and is included to assist you in completing and lodging this form. This page is not part of the form. If required, professional advice should be obtained regarding the matters dealt with in this form.**



## 5. Declaration

I declare that:

- I am authorised to lodge this application for this co-operative.
- The particulars contained in this application and other documents are true and correct. I acknowledge that it is an offence under section 514 of the *Co-operatives National Law (NSW)* to provide the Registrar with false or misleading documents.

Signature

Date signed (DD/MM/YYYY)

This form is designed to be completed in Adobe Reader. A cross appearing in the digital signature field above may indicate a compatibility issue. If a cross appears please sign here

Printed name

Position (office) held

## 6. Privacy statement

NSW Fair Trading, Department of Customer Service gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIP Act). Service NSW acts as a shopfront for us and performs transactions for you, on our behalf.

The personal information contained in your application is collected and held by NSW Fair Trading and Service NSW will collect and hold personal information on our behalf as part of the application process.

We are collecting your personal information for the following purposes:

1. For determining an application for an Approval Consent, Exemption or Order under the CNL or Declaration in accordance with *Co-operatives (Adoption of National Law) Act 2012 No 29* (CNL Act) and clause 8.1 of *Co-operatives National Regulations (2013 SI 601)*.
2. Internal administrative purposes, including liaising with you in relation to your application.
3. We may use the information to support more informed policy making, program management, evaluation, research and service planning as it can facilitate more efficient service delivery for co-operatives in NSW.
4. As required by legislation to record information on a public register, parts of which will be published online.

The consequence of not providing it is that your application may not be able to be determined. We may use the personal information contained in your application to confirm your details if you make any subsequent applications. We may also use it to administer/update our public register, including to send you information that we consider important such as information and updates regarding Co-operative's obligations under the CNL Act.

We will store and manage your personal information in accordance with provisions under the PPIP Act.

If required, we may make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes. We may disclose your personal information for these purposes.

We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or permitted to do so by law. Our [Privacy Statement](#) describes when this may occur. You can find this information and our [Privacy Management Plan](#) on the Department of Customer Service website.

Please see the [Fair Trading Privacy Code of Practice](#) for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint, or email [brdprivacy@customerservice.nsw.gov.au](mailto:brdprivacy@customerservice.nsw.gov.au).

For more information about how Service NSW handles personal information please visit [www.service.nsw.gov.au/privacy](http://www.service.nsw.gov.au/privacy).

### Who should NSW Fair Trading contact if there is a query about this form?

Title	Given name(s)	Family/Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
Contact number	Mobile number	
<input type="text"/>	<input type="text"/>	
Address		
<input type="text"/>		
Suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>
Email address		
<input type="text"/>		

### Payment details

An application fee may be required. Please see Schedule 1 to the Co-operatives (New South Wales) Regulation 2020 for details of the applicable fee or contact Registry and Accreditation.

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Receipt number