NSW GOVERNMENT Fair Trading

ABN 81 913 830 179

Form C17

July 2021

Application for Approval, Consent, Exemption, Order or Certificate

Co-operatives National Law (NSW)

Fee must accompany form
See information under fees

Web: www.fairtrading.nsw.gov.au/associations-and-co-operatives/co-operatives

Registry and Accreditation, PO Box 22, Bathurst, NSW 2795

Telephone: 1800 502 042

THINGS TO KNOW BEFORE STARTING YOUR APPLICATION

This form is to be used for:

- 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 CNR; 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)

Supporting information:

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. The declarations each need to be witnessed by a Justice of the Peace. Registry and Accreditation has a declaration that meets our requirements. Please contact us if this is required.

Supporting information is not required for an Application for a Certificate.

How to complete this form

- Please use a blue or black pen and print clearly using block letters.
- **Complete all parts of the form and the contact details in all cases.**

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 lodge

- **By email** to 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**. For the address of your nearest Service NSW Centre please telephone 13 77 88 or visit www.service.nsw.gov.au/service-centre

How to pay

Pay by credit card or PayPal using the following link: 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.

Not providing this information may result in delays in processing your form.

Alternatively, if you intend to pay by cheque or money order this can be done in person at any Service NSW Centre.

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

What happens when you lodge your application

- 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*.

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.

Form C17
Application for Approval, Consent, Exemption, Order or Certificate

Co-operatives National Law (NSW)

Details of co-operative

1. Provide details of the co-operative

Co-operative registration number	NSWC
Name of co-operative	Limited

Purpose of the application

2. This application is for:

☐ Approval
☐ Consent
☐ Exemption
☐ Order
☐ Certificate

3. Details of the application

Set out the details of the purpose of this application

Nature of Application/Exemption sought	Section(s) of the CNL

4. Information in support of the application for Approval, Consent, Exemption, Order or Declaration is set out below, or is attached (Not required for an application for a certificate)

Declaration and signature

5. 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	
Printed name	
Date of signing (dd/mm/yyyy)	/ /
Position (office) held	

Privacy - NSW Fair Trading is committed to responsible and fair handling of your personal information, consistent with the laws we administer and the *Privacy and Personal Information Protection Act 1998*. Some information on this form will be placed on a public register in accordance with the *Co-operatives National Law (NSW)*. We may be unable to process this form if you do not provide the required information. You can contact us at any time to request access to the personal information we hold about you. In exceptional circumstances, you may apply to have public access to your personal information restricted. Our privacy statement and other privacy information are available at the **NSW Fair Trading website** or on request.

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THIS PAGE DOES NOT CONSTITUTE PART OF THE FORM AND WILL NOT BE PLACED ON THE REGISTER OF CO-OPERATIVES.

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

Surname		Given name(s)	
Title		Daytime telephone	
Address			
Town/suburb		State	Postcode
Email			