



**THE CO-OPERATIVE COMPANIES (FORMS) REGULATIONS 1996**

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MICHAEL HARDIE BOYS, Governor-General

**ORDER IN COUNCIL**

At Wellington this 29th day of July 1996

Present:

THE HON. DOUG KIDD PRESIDING IN COUNCIL

PURSUANT to section 48 of the Co-operative Companies Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Co-operative Companies (Forms) Regulations 1996.

(2) These regulations shall come into force on the 1st day of September 1996.

**2. Forms**—(1) Where a provision of the Co-operative Companies Act 1996 requires a document to be in a prescribed form, the document must—

- (a) Be in the appropriate form set out in the Schedule to these regulations; and
- (b) Include such information as is specified in the form; and
- (c) Have attached or be accompanied by such documents as are specified in the form.

(2) Where a document in Form 1 or Form 2 or Form 3 or Form 4 of the Schedule to these regulations continues on 2 or more pages, the following heading must appear at the top of those pages:

Name of Company\*/  
Proposed Company\*

Company No.\*/  
Name Reservation No.\*

\*Delete if not applicable

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SCHEDULE

FORMS

Reg. 2

Form 1

The Co-operative Companies Act 1996

APPLICATION FOR REGISTRATION OF A COMPANY AS A CO-OPERATIVE COMPANY/ CO-OPERATIVE DAIRY COMPANY UNDER THE CO-OPERATIVE COMPANIES ACT 1996

(Sections 6 and 35)

Document No.

[Empty box for Document No.]

(for office use only)

Please note that the information in this form must be either typewritten or printed. It must not be handwritten.

Name of Applicant Company

[Empty box for Name of Applicant Company]

Company No.

[Empty box for Company No.]

This is an application for registration of the above-named company as a co-operative company\*/co-operative dairy company\* under the Co-operative Companies Act 1996.

\*Delete if not applicable.

This application is accompanied by:

- 1. A statutory declaration made by each director of the company stating, that in the opinion of the director, the company is a co-operative company within the meaning of the Co-operative Companies Act 1996, and setting out the grounds for that opinion. (Note: A statutory declaration in these terms is required by sections 6 (1) (c) and 35 of the Co-operative Companies Act 1996.)
- 2. A copy of the special resolution of the shareholders of the company authorising this application. (Note: This application must be authorised either by the constitution of the company or by a special resolution of the shareholders of the company. If the application is authorised by a special resolution of the shareholders of the company, the application must be accompanied by a copy of that special resolution. See sections 6 (2) and 35 of the Co-operative Companies Act 1996.)

Signature of Authorised Person .....

Name of Authorised Person .....

Date .....

Presented by  
Postal Address

[Empty box for Presented by/Postal Address]

Account No.

[Empty box for Account No.]

Telephone

[Empty box for Telephone]

Facsimile

[Empty box for Facsimile]

## SCHEDULE—continued

## FORMS—continued

Form 2

*The Co-operative Companies Act 1996*

APPLICATION FOR SIMULTANEOUS  
REGISTRATION AS A CO-OPERATIVE  
COMPANY/CO-OPERATIVE DAIRY COMPANY  
UNDER THE CO-OPERATIVE COMPANIES ACT  
1996 AND AS A COMPANY UNDER THE  
COMPANIES ACT 1993  
(Sections 7 and 36)

Document No.

(for office use only)

Please note that the information in this form must be either typewritten or printed.  
It must not be handwritten.

Name of  
Proposed Company

Name Reservation No.

This is an application for registration of the above-named proposed company as a co-operative company\*/co-operative dairy company\* under the Co-operative Companies Act 1996.

\*Delete if not applicable.

This application is made together with an application for registration of the proposed company as a company under the Companies Act 1993.

This application is accompanied by:

1. An application for registration of the company under section 12 of the Companies Act 1993.

*(Note: The application for registration of the company under section 12 of the Companies Act 1993 must be in Form 1 of the First Schedule to the Companies Act 1993 Regulations 1994.)*

2. A statutory declaration made by each person named as a director in the application for registration of the company under the Companies Act 1993, stating that in the opinion of that person, the company will, upon registration, be a co-operative company within the meaning of the Co-operative Companies Act 1996, and setting out the grounds for that opinion.

*(Note: A statutory declaration in these terms is required by sections 7 (2) (c) and 36 of the Co-operative Companies Act 1996.)*

3. A copy of the resolution of such number of persons who consent to become shareholders of the company and who will hold, in aggregate, not less than 75 per cent of the shares to be issued by the company, authorising this application.

SCHEDULE—continued

FORMS—continued

Form 2—continued

(Note: This application must be authorised either by the proposed constitution of the company or by a resolution of such number of persons who consent to become shareholders of the company and who will hold, in aggregate, not less than 75 percent of the shares to be issued by the company. If the application is authorised by such a resolution, the application must be accompanied by a copy of that resolution. See sections 7 (3) and 36 of the Co-operative Companies Act 1996.)

Signature of Authorised Person .....

Name of Authorised Person .....

Date .....

Presented by  
Postal Address

Account No.

Telephone

Facsimile

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## SCHEDULE—continued

## FORMS—continued

Form 3

*The Co-operative Companies Act 1996*

APPLICATION BY EXISTING CO-OPERATIVE  
COMPANY FOR SIMULTANEOUS REGISTRATION  
AS A CO-OPERATIVE COMPANY/  
CO-OPERATIVE DAIRY COMPANY UNDER THE  
CO-OPERATIVE COMPANIES ACT 1996 AND  
REREGISTRATION UNDER THE COMPANIES  
ACT 1993  
(Sections 8 and 37)

Document No.

(for office use only)

*Please note that the information in this form must be either typewritten or printed.  
It must not be handwritten.*

*This form is to be used where the company is—*

- (a) *A co-operative dairy company registered under the Co-operative Dairy Companies Act 1949; or*
- (b) *A co-operative company registered under the Co-operative Companies Act 1956; or*
- (c) *A co-operative freezing company registered under the Co-operative Freezing Companies Act 1960; or*
- (d) *A co-operative forestry company registered under the Co-operative Forestry Companies Act 1978—*

*and applies to be registered as a co-operative company or as a co-operative dairy company under the Co-operative Companies Act 1996 at the same time as it applies to be reregistered as a company under the Companies Act 1993.*

Name of Existing  
Co-operative Company

Company No.

This is an application for registration of the above-named company as a co-operative company\*/co-operative dairy company\* under the Co-operative Companies Act 1996.

\*Delete if not applicable.

This application is made together with an application under the Companies Reregistration Act 1993 for the reregistration of the company as a company under the Companies Act 1993.

This application is accompanied by:

1. An application for reregistration of the company under the Companies Act 1993.  
(*Note: The application for reregistration of the company under the Companies Act 1993 must be in Form 1 of the Schedule to the Companies Reregistration Regulations 1994.*)

SCHEDULE—continued

FORMS—continued

Form 3—continued

- 2. A statutory declaration made by each director of the company stating that, in the opinion of the director, the company is a co-operative company within the meaning of the Co-operative Companies Act 1996, and setting out the grounds for that opinion. *(Note: A statutory declaration in these terms is required by sections 8 (2) (c) and 37 of the Co-operative Companies Act 1996.)*
- 3. A copy of the special resolution of the company authorising the application. *(Note: A copy of a special resolution of the company authorising the application is required by sections 8 (3) and 37 of the Co-operative Companies Act 1996.)*

Signature of Authorised Person .....

Name of Authorised Person .....

Date .....

Presented by  
Postal Address

Account No.

Telephone

Facsimile

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SCHEDULE—*continued*FORMS—*continued*

Form 4

*The Co-operative Companies Act 1996*  
**APPLICATION BY COMPANY FOR  
 SIMULTANEOUS REGISTRATION AS A  
 CO-OPERATIVE COMPANY/CO-OPERATIVE  
 DAIRY COMPANY UNDER THE  
 CO-OPERATIVE COMPANIES ACT 1996 AND  
 REREGISTRATION AS A COMPANY UNDER THE  
 COMPANIES ACT 1993**  
*(Sections 9 and 38)*

Document No.

(for office use only)

*Please note that the information in this form must be either typewritten or printed.  
 It must not be handwritten.*

*This form must be used where the company, not being—*

- (a) *A co-operative dairy company registered under the Co-operative Dairy Companies Act 1949; or*
- (b) *A co-operative company registered under the Co-operative Companies Act 1956; or*
- (c) *A co-operative freezing company registered under the Co-operative Freezing Companies Act 1960; or*
- (d) *A co-operative forestry company registered under the Co-operative Forestry Companies Act 1978,—*

*applies to be registered as a co-operative company or a co-operative dairy company under the Co-operative Companies Act 1996 at the same time as it applies to be reregistered as a company under the Companies Act 1993.*

Name of  
Company

Company No.

This is an application for registration of the above-named company as a co-operative company\*/co-operative dairy company\* under the Co-operative Companies Act 1996.

\*Delete if not applicable.

This application is made together with an application under the Companies Reregistration Act 1993 for the reregistration of the company as a company under the Companies Act 1993.

This application is accompanied by:

1. An application for reregistration of the company under the Companies Act 1993.

*(Note: The application for reregistration of the company under the Companies Act 1993 must be in Form 1 of the Schedule to the Companies Reregistration Regulations 1994.)*



SCHEDULE—continued

FORMS—continued

Form 4—continued

- 2. A statutory declaration made by each director of the company stating that, in the opinion of the director, the company is a co-operative company within the meaning of the Co-operative Companies Act 1996, and setting out the grounds for that opinion. *(Note: A statutory declaration in these terms is required by sections 9 (2) (c) and 38 of the Co-operative Companies Act 1996.)*
- 3. A copy of the special resolution of the company authorising the application. *(Note: A copy of a special resolution of the company authorising the application is required by sections 9 (3) and 38 of the Co-operative Companies Act 1996.)*

Signature of Authorised Person .....

Name of Authorised Person .....

Date .....

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Presented by		Account No.	
Postal Address		Telephone	
		Facsimile	

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DIANE WILDERSPIN,  
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 September 1996, prescribe forms of application for the registration of co-operative companies and co-operative dairy companies under the Co-operative Companies Act 1996.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 1 August 1996.  
These regulations are administered in the Ministry of Commerce.