

Co-Operative Presentation

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Companies and Intellectual
Property Commission

a member of **the dti** group

What is a Co-Operative?

In terms of the Co-Operatives Act 14 of 2005:

A Co-operative is and autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise. Among them, worker and social cooperatives are owned and controlled by the enterprise staff

Principles of Co-Operatives

1. Voluntary and open membership
2. Democratic member control
3. Member economic participation
4. Autonomy and independence
5. Education, training and information
6. Co-operation amongst Co-operatives
7. Concern for community

Forms of Co-Operatives

Primary

Formed by a minimum of 5 Natural persons

No limit on the maximum number of members

Main purpose: Provide services and/or products or employment to its members

Forms of Co-Operatives

Secondary

All members are Juristic persons

-Formed by a minimum of 2 registered Primary co-operatives.

After registration other typed of juristic persons (Companies and CCs)

No limit on the maximum number of members

Main purpose: Provide sector services to the members (e.g. bulk buying of input products)

Forms of Co-Operatives

Tertiary

All members are registered Secondary Co-operatives

Formed by a minimum of 2 registered Secondary co-operatives

Purpose: Advocate and engage organs of state, and other stakeholders on behalf of its members

Registration of a new Co-Operative

Step 1: Obtain the required documents (CIPC website www.cipc.co.za or CIPC Call Centre or Phone: 086100 2472)

Step 2: Have Founding Meeting and complete required application documents

Step 3: Create a Customer Code & pay fees to CIPC (Name Reservation Fee & Registration Fee). Complete customer code on CoR 9.1 and CR1 at top of page

Step 4: Submit Name Reservation (CoR 9.1). Post to: P. O. Box 84, Pretoria, 0001 or do it electronically on CIPC website

Step 5: After receiving name approval submit Application to CIPC: Post to Co-operatives Division, Private Bag X237, Pretoria, 0001 or email to Cooperativesonline@cipc.co.za

Registration of a new Co-Operative (cont.)

Step 6: Receive proof of registration by post (Turnaround time depends on number of applications received by CIPC)

The following documents will be posted to the Co-Operative:

Certificate of Registration.

Certificate of Confirmation/Disclosure

Registered Constitution.

Documents to be completed

CoR 9.1: Name Reservation (add the words “Co-operative Limited” to the chosen names). Fee is R50-00

CR1: Application form

CR4: Appointment of Auditor OR

CR8: Appointment of Accounting Officer [option 2(a)] or another person who can do the audit [option 2(c)]

Constitution

N.B Send only pages where clauses are completed by hand

Last page of constitution must be signed and submitted by all founder members

Change of Directors

For changes to the Board of Directors form CR2 must be completed.

A Co-operative must within 30 days after an Annual General Meeting submit to this Office the full names, surnames and addresses of all Directors of the Co-operative, as well as, any Directors that have vacated their positions. This must be done annually, irrespective of changes to the Board or not.

The number of Directors must at all times be within the minimum and maximum number of Directors as specified in the Constitution of the Co-operative.

Directors are appointed for a term of office in terms of the Constitution of the Co-operative.

Special Resolution & Compliance

CR6 (Special Resolution)

Any resolution taken by the board of directors to change any status of the cooperative together with 75% majority of members

CR.7 (Lodgment of Financial Statements)

Summary of statement of financial statement and statistical information of members. In order cases the form might not be used where full audited financial statement has been submitted to the Registrar

Disclosures

The registrar to receive a duly completed CR 13 form indicating the information disclosed.

Information will be disclosed within 10 working days

Fees for disclosure are Government Gazetted and is calculated as follows R21.50 for the inspection plus R1.00 for each copy made

Matters which hampers efficient CIPC service delivery to Customers

Application forms that are not clearly completed

ID copies that are not certified

Unreliable dispatch address (Customers claim not receive registered documents)

CR2's submitted without resolutions

Objectives that are not clear

Insufficient funds on CIPC virtual accounts

Co-Operatives Service Delivery Standards

New registrations - 3 days (sds 15 working)

Change of directors - 10 working days

Special resolution (CR6) - 15 working days

Disclosures (CR13) - 10 working days

Thank You

Q & A