

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 26 OF 1999

The Co-operative Societies Act
(Act No. 20 of 1998)

The Co-operative Societies Regulations, 1999

IN EXERCISE of the powers contained in section *eighty-three* of the Co-operative Societies Act, the following Regulations are hereby made:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. These Regulations may be cited as the Co-operative Societies Regulations, 1999. | Title |
| 2. In these Regulations, unless the context otherwise requires—
"Registrar" means the Registrar of Co-operatives appointed under section <i>six</i> ;
"co-operative" means any enterprise or organisation owned collectively by its members and managed for their joint socio-economic benefit and whose activities are not prohibited by law; and
"co-operative society" means a co-operative registered under this Act as a co-operative society. | Interpretation |
| 3. A co-operative shall apply for registration in Form 1 set out in the First Schedule upon payment of the fee prescribed in the Second Schedule. | Application for registration |
| 4. The Registrar shall, upon registration of a co-operative issue a certificate of registration in Form 2 set out in the First Schedule. | Certificate of registration |
| 5. Where the Registrar refuses to register a co-operative, notification of the refusal shall be in Form 3 set out in the First Schedule. | Notice of refusal to register |
| 6. Where the Registrar is satisfied that a co-operative society's amendments to its by-laws are in conformity with the provisions of the Act, the Registrar shall issue a certificate of amendment to the by-laws in Form 4 set out in the First Schedule. | Certificate of Amendment |
| 7. (1) Where a co-operative society changes its name the | Change of name by co-operative society |

co-operative society shall surrender its original certificate of registration to the Registrar.

(2) Where a certificate is surrendered under sub-regulation (1), the Registrar shall issue a new certificate of registration.

Notice of cancellation

8. Where the Registrar cancels the registration of a co-operative society under subsection (1) of section *eighty-one* of the Act, the Registrar shall give notice of the cancellation in writing to the co-operative society in Form 5 set out in the First Schedule.

Application for membership

9. An application for membership in a co-operative shall be in Form 6 as set out in the First Schedule.

Fees

10. The fees specified in the Second Schedule are payable in respect of the matters mentioned therein.

Repeal of Statutory Instrument No. 39 of 1972

11. The Co-operative Societies Rules, 1972 are hereby repealed.

REPUBLIC OF ZAMBIA
PRESCRIBED FORMS

FIRST SCHEDULE
(Regulations 2, 3, 4, 5, 6, 7, 8, and 9)
APPLICATION FOR REGISTRATION AS CO-OPERATIVE SOCIETY
(Regulation 3)

FORM 1

1. We, the undersigned.....
.....
.....
.....

(Insert name, address and occupation of at least ten persons or of at least two officers of each society if application is made by registered co-operative societies) desire to form a co-operative society under the Co-operative Societies Act, and hereby apply for registration.

2. The name of the proposed co-operative society is (insert proposed name)
.....

3. The registered office of the co-operative society is to be at (insert proposed address)
.....

4. Enclosed are four copies of the proposed by-laws which specify the objects of the co-operative.

5. These proposed by-laws were approved by persons willing to become members, at a general meeting held at.....
on.....

6.persons, including the undersigned, are now willing to become members and have made the payment necessary for admission to membership as prescribed in the enclosed by-laws.

- 7. The registration fee is enclosed.
- 8. We, the undersigned have consented to direct the affairs of the proposed co-operative society as required by subsection (2) of section *thirty-eight* of the Co-operative Societies Act, until our successors are elected at the first annual general meeting held after registration of the co-operative society.

9. Location of proposed co-operative society

10. Attitudes towards community projects
 Do the people work well together in voluntary projects to benefit the community or area in which they live, or the occupational, employment or associational group to which they belong?

11. Financial participation by members
 (a) Will the members provide share capital or other funds to get their co-operative society started and continue to give it financial support after operations commence?

(Members must gradually provide the basic capital required. Borrowing by a co-operative society for seasonal or other operations are possible only if members are prepared to finance the co-operative society they own and control).

(b) Value of each share K.....
 Total expected to be paid on shares subscribed when operations commence K.....

(c) Total paid-up membership fees expected when operations commence K.....
 Total entrance fees to be paid when operations commence K.....

(d) From what source of income will members provide the capital required?
 (e.g. from salaries, wages, business, seasonal sale of farm produce, etc.)

NOTE If proposed co-operative society is a credit union, at least thirty persons should be prepared to save regularly when operations commence, and number of potential savers should be at least one hundred.

12. Educational meetings:
 Have educational meetings been held to discuss the proposed co-operative society, its operations and its benefits to members if they support it?
 (a) if so, how many?.....
 (b) average number in attendance.....
 (c) speaker.....

13. Discussion groups:
 Have study and discussion groups been organised to involve and inform the people who wish to become members?
 (a) If so, how many?.....

- (b) How long have they been in operation?.....
- (c) Have model by-laws been discussed?.....
- (d) Discussion group leaders.....

14 Office space:

If office space, a building or equipment are required for the purposes of the co-operative society, how will these be obtained and financed?

15. Planning and technical advice:

Has advice been obtained on whether planning for the proposed co-operative society seems adequate and whether it has reasonable prospects for success if the members give it their support?

If so, give source of such advice.....

16. Consultation with Co-operative Officer:

Has an officer of the Department of co-operatives been consulted on the need for the proposed co-operative society and the necessary preparations for organisation?

(Give details).....

Dated.....the.....day of.....1999

.....
.....
.....
.....

Certified correct

.....
Acting Chairman

.....
Acting Secretary

FOR USE OF REGISTRAR ONLY

- 1. Application for registration approved/rejected.
- 2. Approval deferred pending receipt of further information.

Dated.....the.....day of.....1999

Witness.....

.....

Certified correct

INSTRUCTIONS

This application form should be completed on behalf of a group interested in the formation of a co-operative society and forwarded to the Registrar of Co-operatives. The Registrar may require additional information or recommend further preparations for the organisation to ensure that the proposed co-operative society will be of lasting benefit to its members.

REPUBLIC OF ZAMBIA
THE CO-OPERATIVE SOCIETIES REGULATIONS
CERTIFICATE OF REGISTRATION
(Regulation 4)

FORM 2

I Certify that I have this day registered.....
Limited as a co-operative society under the Co-operative Societies Act.

The registered address of the co-operative society is.....
.....
and its postal address is.....
Date.....

Registrar of Co-operatives

REPUBLIC OF ZAMBIA
THE CO-OPERATIVE SOCIETIES REGULATIONS
NOTICE OF REFUSAL TO REGISTER A CO-OPERATIVE SOCIETY
(Regulation 5)

FORM 3

To the Chairman.....(name of co-operative society) I hereby
give notice that, in exercise of powers conferred upon me by subsection (1) of section
fifteen or subsection (4) of section *twenty* of the Co-operative Societies Act, I have this day
refused to register your society/amendments to by-laws of your co-operative society
(delete as applicable) under the said Act on the ground that.....

Dated this.....day of.....

Registrar of Co-operatives

REPUBLIC OF ZAMBIA
THE CO-OPERATIVE SOCIETIES REGULATIONS
CERTIFICATE OF AMENDMENT OF BY LAWS
(Regulation 6)

FORM 4

Under the powers vested in me by subsections (2) and (3) of section *twenty* of the
Co-operative Societies Act, I CERTIFY that I have registered the amendments to the by-
laws of.....as hereto attached.

Dated this.....day of.....1999

Registrar of Co-operatives

REPUBLIC OF ZAMBIA
THE CO-OPERATIVE SOCIETIES REGULATIONS
NOTICE OF CANCELLATION OF REGISTRATION
(Regulation 8)

FORM 5

To the Chairperson.....(name of society) I hereby give you
notice that in accordance with section 81 (1) of the Co-operative Societies Act, I intend
to cancel the registration of your co-operative society within a period of fourteen days from
the date of this notice on the ground that.....

Any appeal to the Minister against cancellation must be delivered to the Permanent Secretary within thirty days from the date of the cancellation.

Dated this day of 1999

.....
Registrar of Co-operatives

REPUBLIC OF ZAMBIA
THE CO-OPERATIVE SOCIETIES REGULATIONS
APPLICATION FOR MEMBERSHIP
(Regulation 9)

FORM 6

Dated Year

TO THE BOARD OF DIRECTORS (COMMITTEE).....

I hereby apply for membership in the
Limited. On becoming a member, I agree to conform to the by-laws and amendments
thereto of the co-operative society, use its services faithfully, and be loyal to the
members. The sum of K..... is paid with this application including
(strike out where not applicable)

(a) entrance fee of.....

(b) membership fee of.....

(c) I subscribe for..... shares with payment thereon
of.....

Application endorsed by..... (director or member in good
standing or other person known to the directors)

SECOND SCHEDULE

PRESCRIBED FEES

(Regulation 10)

Fee Units

- | | |
|--------------------------------------------------------------------------|-----|
| 1. Registration of a co-operative society comprising of individuals..... | 55 |
| 2. Registration of a co-operative union..... | 111 |
| 3. Registration of a federation..... | 278 |
| 4. Registration of amendment of by-laws..... | 28 |
| 5. Registration of change of name of a society..... | 28 |
| 6. Inspection of by-laws in office of Registrar..... | 28 |
| 7. Replacement of lost certificate of any registration..... | 28 |

LUSAKA

5th February, 1999

[FSD.64/1/1]

S. M. DESAI,

Minister of Agriculture, Food
and Fisheries