

TASMANIA

**CO-OPERATIVES NATIONAL LAW (TASMANIA)
LOCAL REGULATIONS 2025
STATUTORY RULES 2025, No. 38**

CONTENTS

1. Short title
 2. Commencement
 3. Interpretation
 4. Unsuitable names for co-operatives
 5. Exemptions from prohibition on registering or trading under name including *co-operative* or similar words
 6. Applications for transfer of incorporation
 7. Procedures regarding giving of exemptions
 8. Fees
 9. Co-operatives may continue to operate under existing rules
- Schedule 1 – Fees

**CO-OPERATIVES NATIONAL LAW (TASMANIA)
LOCAL REGULATIONS 2025**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Co-operatives National Law (Tasmania) Act 2015*.

Dated 18 July 2025.

B. BAKER
Governor

By Her Excellency's Command,

FELIX ELLIS
Minister for Housing, Planning and Consumer Affairs

1. Short title

These regulations may be cited as the *Co-operatives National Law (Tasmania) Local Regulations 2025*.

2. Commencement

These regulations take effect on 12 August 2025.

3. Interpretation

- (1) In these regulations –

Act means the *Co-operatives National Law (Tasmania) Act 2015*.

- (2) A term used in these regulations and the *Co-operatives National Law (Tasmania)* has the same meaning as in the *Co-operatives National Law (Tasmania)*.

4. Unsuitable names for co-operatives

For the purposes of section 220(5) of the *Co-operatives National Law (Tasmania)* and regulation 3.7 of the *Co-operatives National Regulations (Tasmania)*, a name is otherwise unsuitable if the Registrar is satisfied it is likely to mislead.

5. Exemptions from prohibition on registering or trading under name including *co-operative* or similar words

- (1) For the purposes of sections 220(7) and 225(2) of the *Co-operatives National Law (Tasmania)*, an entity is exempt if it is –
- (a) permitted to assume or use the expression *building society*, *credit union* or *credit society* under section 66 of the *Banking Act 1959* of the Commonwealth; or

- (b) a friendly society within the meaning of the *Life Insurance Act 1995* of the Commonwealth.
- (2) The Registrar may, by written notice given to an entity, grant the entity an exemption from section 220(4) or 225(1) of the *Co-operatives National Law (Tasmania)*.
- (3) The notice –
 - (a) must specify whether the exemption is provided under section 220(7) or 225(2) of the *Co-operatives National Law (Tasmania)*, or both provisions; and
 - (b) may specify conditions to which the exemption is subject.
- (4) The Registrar may, by further written notice given to the entity –
 - (a) vary the conditions of the exemption; or
 - (b) revoke the exemption.
- (5) For the purposes of this regulation, notice is given to an entity if it is given to a member of the controlling body of the entity.

6. Applications for transfer of incorporation

For the purposes of section 403(b) of the *Co-operatives National Law (Tasmania)*, the following legislation is prescribed:

- (a) the *Associations Incorporation Act 1964*;

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- (b) the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth;
- (c) any legislation of the Commonwealth that provides for the incorporation of a building society, credit union or friendly society.

7. Procedures regarding giving of exemptions

For the purposes of section 621 of the *Co-operatives National Law (Tasmania)*, an application for an exemption must be –

- (a) made in writing, and
- (b) accompanied by the relevant prescribed fee, if any.

8. Fees

For the purposes of the *Co-operatives National Law (Tasmania)*, the fees specified in Schedule 1 are prescribed.

9. Co-operatives may continue to operate under existing rules

- (1) In this regulation –

relevant law means any of the following:

- (a) the Act;

- (b) the *Co-operatives National Law (Tasmania)*;
 - (c) the *Co-operatives National Regulations (Tasmania)*;
 - (d) these regulations.
- (2) For the purposes of clause 1 of Part 1 of Schedule 1 to the *Co-operatives National Law (Tasmania) Act 2015*, a co-operative may continue to operate under the rules of the co-operative that were in force immediately before the Act commenced.
- (3) However –
 - (a) a provision of a relevant law prevails over a provision of the rules to the extent of an inconsistency; and
 - (b) a reference in the rules to a requirement under the *Cooperatives Act 1999 (Repealed)* or the *Cooperatives Regulations 2010 (Rescinded)* is taken to be a reference to a requirement under a relevant law that substantially corresponds to that requirement; and
 - (c) a reference in the rules to a co-operative being a trading co-operative or non-trading co-operative is taken to be a reference to the co-operative being a distributing co-operative or non-distributing co-operative, respectively.

Co-operatives National Law (Tasmania) Local Regulations 2025
Statutory Rules 2025, No. 38

sch. 1

SCHEDULE 1 – FEES

			Regulation 8
Column 1	Column 2	Column 3	Column 4
Item	Provision of <i>Co-operatives National Law (Tasmania)</i>	Matter	Fee (in fee units)
1.	Section 26(1)(b)(ii)	Application for registration of proposed co-operative	18
2.	Section 31(b)(ii)	Application for registration of existing corporation	18
3.	Section 37(b)(ii)	Application for duplicate certificate of registration	18
4.	Section 243(2)(c)(ii)	Filing of copies of special resolution for registration	46
5.	Section 289(1)	Lodgment of annual report by large co-operative	165
6.	Section 293(1)	Lodgment of annual return by small co-operative	46
7.	Section 316(4)	Application for exemption from provisions relating to financial reports and audits – co-operative	165
8.	Section 319(4)	Application for exemption from provisions relating to financial reports and audits – non-auditor or former member of audit firm or company	165

Co-operatives National Law (Tasmania) Local Regulations 2025
Statutory Rules 2025, No. 38

sch. 1

Column 1	Column 2	Column 3	Column 4
Item	Provision of Co-operatives National Law (Tasmania)	Matter	Fee (in fee units)
9.	Section 337(1)	Lodgment of disclosure document for offer to issue debentures	1 300
10.	Section 359(3)	Application for exemption from provisions relating to acquisition and disposal of assets	165
11.	Section 425(4)	Filing of office copy of order facilitating reconstruction or merger	18
12.	Section 601(1)(a)	Inspection of register of co-operatives	18
13.	Section 601(1)(b)	Inspection of prescribed document kept by Registrar	18
14.	Section 601(1)(c)	Obtaining extract from register of co-operatives	18
15.	Section 601(1)(d)	Obtaining certified copy of prescribed document kept by Registrar	18
16.	Section 601(1)(e)	Obtaining copy of prescribed document kept by Registrar	18

Co-operatives National Law (Tasmania) Local Regulations 2025
Statutory Rules 2025, No. 38

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 30 July 2025.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe certain matters for the purposes of the *Co-operatives National Law (Tasmania)* and the *Co-operatives National Regulations (Tasmania)* relating to the names of co-operatives and applications for exemptions or the transfer of the incorporation of co-operatives; and
- (b) prescribe fees payable for various matters under the *Co-operatives National Law (Tasmania)*; and
- (c) enable existing co-operatives to continue to operate under the rules of the co-operative that were in force immediately before the commencement of the *Co-operatives National Law (Tasmania) Act 2015*; and

Co-operatives National Law (Tasmania) Local Regulations 2025
Statutory Rules 2025, No. 38

- (d) are made consequent on the repeal of the *Co-operatives National Law (Tasmania) Local Regulations 2015* under section 11 of the *Subordinate Legislation Act 1992*.