



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 2818 OF 13TH MARCH, 1940.
SUBSIDIARY LEGISLATION.

No. 86. THE CO-OPERATIVE SOCIETIES LAW, 1939.

RULES MADE UNDER SECTION 53.

W. D. BATTERSHILL,
Governor.

In exercise of the powers vested in him by section 53 of the Co-operative Societies Law, 1939, His Excellency the Governor, with the advice of the Executive Council, is pleased to make and hereby makes the following Rules:—

CITATION.

1. These Rules may be cited as the Co-operative Societies Rules, 1940.

INTERPRETATION.

2. In these Rules, unless the context otherwise requires,—
“bye-laws” means the bye-laws of a registered society;
“chairman”—
(a) where used in relation to a committee, means the chairman of the committee;
(b) where used in relation to a council, means the chairman of the council;
(c) where used in relation to a general meeting of a registered society, means the chairman of the committee;
(d) where used in relation to a joint meeting or sitting of the committee and the council, means the chairman of the committee;

and in any of the cases aforesaid, includes the person who owing to the absence of the chairman performs his duties for the time being;

“committee” means the committee of a registered society;

“council” means the Council of Inspection of a registered society;

“Law” means the Co-operative Societies Law, 1939;

“Registrar” means the Registrar of Co-operative Societies for the Colony appointed under the provisions of section 3 of the Law;

“rules” means these Rules;

“seal” means the common seal of a registered society;

“secretary” means the secretary of a registered society;

“sign”, with its grammatical variations and cognate expressions, with a reference to a person who is unable to write his name, includes the making of his mark;

“treasurer” means the treasurer of a registered society;

other words and expressions shall have the same meaning as is respectively assigned to them by the Law.

FORMS.

3. The Forms in these Rules referred to are the Forms contained in the Schedule to these Rules.

4. The Forms shall be used in all cases to which they are applicable, and slight deviations from the Forms, or necessary alterations thereto not affecting the substance or calculated to mislead, shall not vitiate them.

5. The Registrar may from time to time direct that additional forms shall be used in any particular case or matter.

REGISTER OF SOCIETIES.

6. The Registrar shall keep or cause to be kept at his office a Register to be called "the Register of Societies" wherein shall be entered particulars relating to the registration of societies and their bye-laws.

7. The Register of Societies shall be in the Form No. 1 and shall contain the particulars set out therein.

8. All original entries in the Register of Societies shall be made by, or under the direction, of the Registrar and shall be signed by him.

9. Every alteration, interlineation or erasure in the Register of Societies shall be initialled by the Registrar.

10. The Register of Societies shall be open to inspection by the public at all reasonable times and free of charge.

APPLICATIONS FOR REGISTRATION OF SOCIETIES.

11. An application for the registration of a society under section 7 of the Law shall be—

- (a) in the Form No. 2, where no registered society is an applicant or one of the applicants therefor ;
- (b) in the Form No. 3, where a registered society is an applicant or one of the applicants therefor and where the proposed society is not to be established for the purpose of facilitating the operations of registered societies ;
- (c) in the Form No. 4, where two or more registered societies are applicants therefor and where the proposed society is to be established for the purpose of facilitating the operations of registered societies.

12. Every application for the registration of a society in the Form No. 2 or 3 or 4 shall be—

- (a) submitted to the Registrar through the Commissioner of the District in which the place of business of the proposed society is situated ; and
- (b) accompanied by two copies of the proposed bye-laws of the society as provided by section 7 (3) of the Law.

REGISTRATION OF SOCIETIES.

13. Where the Registrar decides to register a proposed society, the society and its bye-laws shall be registered in the Register of Societies in the Form No. 1.

14. Upon the registration of a society, the Registrar shall forward to the society, free of charge,—

- (a) a Certificate of Registration in the Form No. 5 ; and
- (b) a copy of the bye-laws of the society as approved by him and certified under his hand as having been approved by him ; and
- (c) a copy of the Law and of the rules in English and in the language in which the books and accounts of the society are to be kept.

15. Where the Registrar decides to refuse registration of a proposed society, he shall forward to the applicants seeking registration a notification in writing under his hand setting out his decision and the grounds upon which it is based.

REGISTER OF MEMBERS AND BOOKS AND ACCOUNTS.

16. Every registered society shall keep a Register to be called " the Register of Members " wherein shall be entered—

- (a) the name, address and occupation of each member and a statement of the shares, if any, held by him ;
- (b) the date on which each member's name was entered in the register ;
- (c) the date on which any member ceased to be a member ; and
- (d) the nominee, if any, appointed in accordance with rule 24.

17. Every registered society shall keep such accounts and shall use such books as may from time to time be prescribed by the Registrar.

MEMBERSHIP.

18. The election and admission of members to a registered society, other than original members, shall be in such manner and on such conditions as the bye-laws shall prescribe. An entrance fee of an amount to be prescribed in the bye-laws shall be payable by every new member.

19. A member may withdraw from a registered society by giving written notice to the secretary, but such withdrawal shall be without prejudice to section 28 (1) of the Law. Every such notice of withdrawal shall be reported forthwith by the secretary to the Registrar. Any member so withdrawn shall not be re-admitted to membership except with the written approval of the Registrar previously obtained.

20. If a member acts in contravention of the rules or bye-laws or acts in any way detrimental to the interests of the registered society such member may be expelled by a vote of two-thirds of the members present at a general meeting upon a charge communicated to him in writing by the committee not less than one week before the meeting. Such expulsion shall, however, be without prejudice to section 28 (1) of the Law. Any member so expelled shall not be re-admitted to membership except with the written approval of the Registrar previously obtained.

21. Any member who loses any of the qualifications for membership prescribed by the Law or the rules or the bye-laws shall cease to be a member of the registered society and the committee shall cause his name to be struck off the Register of Members without prejudice to any liabilities of such person under section 28 (1) of the Law :

Provided that such person may be re-admitted to membership without payment of an entrance fee if at any time thereafter he acquires again the necessary qualifications and applies for re-admission.

22. In the case of any registered society of limited liability holding deposits or loans from non-members, no member withdrawing, removed or expelled therefrom shall be entitled to a repayment of any money paid by him towards the purchase of shares.

23. No registered society shall fix any limit to the number of its members,

NOMINEES.

24.—(1) Every appointment of a nominee by any member of a registered society for the purposes of section 27 (1) and (2) of the Law shall be made in writing signed by the member in the presence of two attesting witnesses.

(2) No member of a registered society with share capital shall be entitled to appoint more than one nominee unless that member holds more than one share.

(3) In every case where more than one nominee is appointed by any member, the number of shares to be transferred or the exact proportion of the amount available that is to be transferred to each of those nominees shall be specified at the time of the appointment.

(4) Every appointment of a nominee shall be recorded in the Register of Members.

(5) For the purpose of a transfer to a nominee, the value of any share or interest shall be represented by the sum actually paid for that share or interest by the member holding it, unless the bye-laws of the registered society otherwise provide.

(6) Where any money is paid to a nominee who is a minor, a receipt given either by the minor or by his guardian shall be a sufficient discharge to the registered society making the payment.

MAXIMUM HOLDING.

25. No member, other than a registered society, shall hold more than one-fifth of the share capital of a registered society whether its liability be limited or unlimited.

DIVISION OF PROFITS.

26.—(1) Without the sanction of the Registrar, no part of the funds of a registered society shall be divided as bonus or dividend or otherwise among the members until the entire expenditure incurred by the registered society during the year has been debited in the annual profit and loss account before the net profit was calculated.

(2) No registered society shall pay a dividend exceeding five per centum (5%) on share capital actually paid up.

MAXIMUM LIABILITY.

27. Every registered society shall, from time to time, fix at a general meeting the maximum liability it may incur in loans or deposits.

The maximum so fixed shall be subject to the sanction of the Registrar, who may at any time reduce it. No registered society shall receive loans or deposits which will make its liability exceed the limit sanctioned by the Registrar.

GENERAL MEETING.

28. The supreme authority in a registered society shall be vested in the general meeting of members, at which every member has a right to attend and vote on all questions. Each member shall have one vote only which, subject to the provisions of section 13 (2) and (3) of the Law, shall be exercised in person and not by proxy.

29. The first meeting of members shall have the same powers as are herein given to the annual general meeting, and shall be held immediately or not later than one month after the receipt of the Certificate of Registration of the society in the Form No. 5.

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ANNUAL GENERAL MEETING.

30. The annual general meeting of members shall be convened by the committee as soon as the report on the audit of the accounts of the registered society by the Registrar or the person authorized by him is received by the committee. At least eight (8) days' notice shall be given before any such general meeting is held :

Provided that the Registrar may at any time after the audit of the accounts has been completed convene the annual general meeting which shall proceed as if it had been convened by the committee.

31. The functions of the annual general meeting shall be—

- (a) to consider the reports of the committee and the council and the balance sheet together with the report on the audit of the accounts of the registered society for the previous year as prepared by the Registrar or the person authorized by him ;
- (b) to approve the accounts or if the accounts are not approved to cause the secretary to notify the Registrar who shall consider the matter and make his decision thereon, and such decision as to the correctness of the accounts shall be final and conclusive ;
- (c) to hear and decide upon any complaints brought by members aggrieved by a decision of the committee : Provided that notice of such complaints to be brought before the meeting has been given to the secretary at least two days prior to the meeting ; and
- (d) to transact any other general business of the registered society.

SPECIAL GENERAL MEETING.

32. A special general meeting of members may be convened at any time by the committee or the council ; and on receipt of a demand stating the object of the proposed meeting signed by not less than one-fifth of the members of the registered society, if such society is composed of less than one hundred members, or by twenty-five members if such society consists of more than one hundred members, it shall be the duty of the chairman of the committee to convene such a meeting giving eight (8) days' notice. If the chairman of the committee fails to convene a meeting within fourteen (14) days from the receipt of a demand as aforesaid the members applying for such a meeting will have the right to convene the meeting by notice which must contain the object of the proposed meeting and a statement to the effect that the meeting is convened on the failure of the chairman of the committee to convene the meeting demanded :

Provided that the Registrar or a person authorized by him may at any time summon a special general meeting of the registered society in such manner and at such time and place as he may direct. He may also direct what matters shall be discussed at the meeting. Such meeting shall have all the powers of a meeting called according to the rules.

MAJORITY OF VOTES.

33. Any question submitted to the decision of the members present at a meeting, unless otherwise dealt with in the rules, shall be decided by a majority of votes.

QUORUM.

34.—(a) When a registered society consists of not more than forty members ten members shall form a quorum for the purposes of the annual or a special general meeting, and when a registered society consists of more than forty members one-fourth of the total number of the members of such society shall form a quorum for the purposes of the annual or a special general meeting :

Provided that when any meeting is summoned by the Registrar any members present at such meeting shall be deemed to form a quorum.

(b) If within one hour after the time fixed for any meeting other than a meeting convened by the Registrar the members present are not sufficient to form a quorum such meeting shall be considered as dissolved if convened on the demand of members ; in all other cases it shall stand adjourned to the same day in the next week at the same time and place and a notice to that effect shall be posted by the secretary within twenty-four (24) hours, and if at the adjourned meeting a quorum is not present within one hour from the time appointed for the meeting the members present shall form a quorum.

CHAIRMAN OF MEETING.

35.—(a) The chairman of the committee or in his absence any other person nominated by those present shall preside at the annual or special general meeting. The Registrar or a person appointed by him shall preside at any meeting convened by himself or on his demand.

(b) The secretary or in his absence any other person nominated in writing by the chairman shall act as secretary at the meeting. The chairman, if necessary, may nominate other officers to assist at the meeting.

(c) The chairman may by the decision of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any meeting so adjourned other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for ten (10) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting, but if for less than ten (10) days, it shall not be necessary to give any notice of adjournment or of the business to be transacted at the adjourned meeting.

(d) The chairman shall have the right to order the closure of a discussion and put the matter to the vote.

VOTING.

36.—(a) At any meeting a resolution put to the vote shall be decided on a show of hands unless voting by call of names or a ballot is demanded by at least five of the members present before the declaration of the result of the show of hands, and in such case voting by call of names or a ballot shall be taken as the case may be.

(b) In case of an equality of votes the chairman shall be entitled to a second or casting vote. In the case of a meeting convened by the Registrar and presided over by him or his representative, he or his representative shall not be entitled to vote except on an equality of votes, in which case they shall have a casting vote.

(c) In respect of every resolution put to the vote the chairman shall declare whether it has been carried or lost, and whether on a show of hands or unanimously or by a particular majority, and an entry to that effect in the minute book shall be conclusive evidence of anything therein contained.

MINUTES.

37.—(1) Minutes of the meetings shall be entered in the minute book and signed by the chairman and secretary before the dissolution or adjournment of the meeting and shall contain—

(a) the number and names of the members present at the meeting and the name of the chairman or of the person who presided at the meeting ;

(b) the time fixed for the meeting and the time the meeting commenced ;

- (c) the total number of members on the date on which the meeting was held ; and
- (d) all resolutions passed or decisions made at the meeting.

(2) A true copy of the minutes of all meetings shall be sent to the Registrar.

NOTICES.

38. The notices required under rules 30, 32, 34 and 35 shall be in writing and signed by the secretary and the chairman, or the members convening the meeting, as the case may be ; each notice shall contain the place and date and the time fixed for the meeting and the subject for discussion and it shall be posted up outside the office of the registered society and in at least two conspicuous places in the town or village, or in the case of a group of villages, in each village of the group, within which such society is carrying on operations.

ELECTION OF COMMITTEE.

39.—(a) The committee shall be elected at a general meeting of the registered society to be held once in every three years convened for the purpose by the Registrar, and its members shall hold office until the election of a new committee and they shall be eligible for re-election :

Provided that a special general meeting convened for the purpose by or on the demand of the Registrar may remove the committee or any members thereof before the expiration of their period of office by majority of three-fourths of the members present, who shall proceed at the same meeting to the election of others in their stead who shall hold office until the election of a new committee by the next general meeting convened for this purpose by the Registrar. *(b) he has made*

(c) The committee shall consist of five members and three shall constitute a quorum; *found the ...*

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MEMBERS OF COMMITTEE.

40. Members of the committee must be members of the registered society. They shall not receive salary or other remuneration, but they shall be entitled to recover from the registered society such out of pocket expenses as may have been incurred by them in connection with work performed for or on behalf of the registered society to such amount as may be approved by the committee.

CHAIRMAN OF COMMITTEE.

41. The committee shall elect its own chairman, who shall have on an equality of votes a second or casting vote. In the temporary absence of the chairman, the committee shall appoint one of its members to perform his duties.

DUTIES OF COMMITTEE.

42.—(1) The committee shall represent the registered society before all competent public authorities and in all dealings and transactions with third persons, with power to institute or defend suits brought in the name of or against the society, and in general it shall carry out such duties in the management of the affairs of the registered society as have not been specially assigned by the rules or the bye-laws to general meetings or to the council or to any other officer of the society.

(2) The committee shall always keep a copy of the last annual balance sheet of the registered society for the time being, together with the report referred to in rule 30, hung in a conspicuous place at the registered office of the society.

(3) The secretary shall immediately inform the Registrar in writing when suits are instituted by or against the registered society.

MEETINGS OF COMMITTEE.

43. The committee shall meet as often as the business of the registered society may require and in any case not less frequently than once a month. Meetings of the committee shall be summoned by the secretary in writing. The notices in that behalf shall be written in a book kept for the purpose and circulated to all members of the committee who shall sign and return the book to the secretary.

PROCEDURE AT MEETINGS OF COMMITTEE.

44. At each committee meeting the secretary shall—
- (a) read the minutes of the preceding meeting ;
 - (b) detail the entries in the cash book of the receipts and payments made since the last meeting and with the treasurer produce the cash in their possession for verification by the committee with the cash book ;
 - (c) produce a statement showing the long and short-term loans due and unpaid, for determination by the committee as to the action to be taken in each case ;
 - (d) produce applications for loans, if any, for determination by the committee in accordance with the priority of receipt ; and
 - (e) submit any other business for consideration by the committee.

MINUTES OF MEETINGS OF COMMITTEE.

45. Minutes of committee meetings shall be recorded forthwith by the secretary in the minute book and shall be signed by all the members of the committee present and by the secretary and shall contain the following particulars :—

- (a) the names of the members present and the date of the meeting ;
- (b) the name of the chairman ; and
- (c) a short statement of all matters discussed and decisions made and a record as to whether each decision was made unanimously or by a majority.

EXTRAORDINARY MEETINGS OF COMMITTEE.

46. The chairman may, and, at the request in writing of any two members of the committee, shall, within a week from the time when the request is made, call an extraordinary meeting of the committee to transact any special business.

FAILURE TO ATTEND MEETINGS OF COMMITTEE.

47. Any member of the committee who, without due excuse approved by the committee, fails to attend at three consecutive meetings of the committee shall be deemed to have vacated his office which shall thereupon be filled as provided in the rules.

VACANCIES ON COMMITTEE.

48.—(1) Vacancies occurring on the committee shall be filled within eight (8) days by the election of substitutes elected by the remaining members of the committee or, if there is a council, by the remaining members of the committee and the members of the council at a joint meeting or sitting convened for the purpose at the instance of the committee :

Provided that when such election does not take place the Registrar may appoint the required substitutes.

(2) Any substitutes elected or appointed under paragraph (1) of this rule shall hold office until the expiration of office of the committee.

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BORROWING POWERS.

49.—(1) The committee may borrow money on behalf of the registered society to an amount not exceeding such total amount as may have been fixed in accordance with rule 27.

(2) The seal of the registered society shall be affixed and attested in manner stated in rule 96 (3) to any contract or security for loans or any other documents connected therewith and such contract or security or other documents shall thereupon be binding on the registered society and valid and sufficient for all intents and purposes.

BANKING ACCOUNT.

50. The committee may, subject to the approval of the Registrar, open a banking account. All cheques shall be signed by three members of the committee and the secretary :

Provided that with the authority in writing of the Registrar previously obtained, cheques may be signed by one member of the committee and countersigned by the secretary.

EMPLOYEES.

51.—(1) The committee or, if there is a council, the committee and the council at a joint meeting or sitting, may—

- (a) appoint such clerks or employees as they consider necessary ; and
- (b) fix the salary, wages or remuneration of every such clerk or employee.

(2) Every clerk or employee appointed under this rule shall hold office during the pleasure of the committee.

(3) Every appointment of a clerk or employee, other than a daily labourer, and his salary, wages or remuneration shall be subject to the approval of the Registrar and shall not be valid and effective until the approval of the Registrar has been signified in writing to the committee.

APPLICATION FOR A LOAN.

52. Members who desire to obtain a loan shall submit an application to the committee stating the amount and the purpose for which the loan is required, the term for which it is asked, whether it is desired to repay it by instalments, and the names of the proposed sureties or any other security which is offered.

SANCTION OF LOAN.

53.—(1) The committee shall consider at a meeting every application for a loan and if the committee is satisfied with the trustworthiness of the applicant, the sufficiency of the security offered and the prospects of advantage to the borrower in the way of increased production or economy or otherwise, it may sanction the loan.

(2) No person other than members of the committee and the secretary and the Registrar and his staff shall be present at any meeting of the committee when an application for a loan is under consideration. A member of the committee who applies for a loan or who is proposed as surety for a loan must withdraw while the relevant application is being discussed. If there is a difference of opinion concerning the granting of a loan, the voting shall be taken by ballot. The proceedings with regard to loans at committee meetings shall be kept secret, and any member of the committee or officer of the registered society infringing this rule shall be liable to immediate expulsion or dismissal.

SECURITY FOR LOANS.

54.—(1) Loans, when approved by the committee, shall be granted to members who are able to obtain two sureties approved by the committee, or who can give other security to the satisfaction of the committee:

Provided that for short-term loans, that is to say, loans repayable within a period not exceeding one year, which do not exceed five pounds in amount, the committee may accept one surety.

(2) Save with the sanction of the Registrar or as otherwise in the Law or the rules provided, a registered society shall not lend money on the security of movable property.

PURPOSES OF LOANS.

55.—(1) No loan shall be made except for a purpose to be approved in each case by the committee.

(2) All loans made shall be applied by the borrowing members to such purpose as the committee has approved.

PERIOD AND LIMIT OF LOAN.

56. No loan shall be granted for a period exceeding one year unless it be made repayable by regular instalments of equal amount nor shall any loan be granted to a member which shall make the total sum owing from him to the registered society at any time to exceed such amount as may be authorized in the bye-laws.

RATE OF INTEREST ON LOANS.

57. The rate of interest to be charged on loans to members shall in no case exceed the maximum authorized in the bye-laws and shall be subject to the approval of the Registrar.

EXPENSES FOR LOANS.

58. Members who obtain a loan shall pay to the registered society such expenses incurred by the registered society in connection with such loan as may be approved by the committee. The secretary shall furnish members who obtain a loan with a detailed account of such expenses.

DOCUMENTS RELATING TO LOANS.

59. When a loan is sanctioned by the committee a notice shall be sent to the borrower to that effect, and, before the amount is advanced, the borrower and his sureties shall execute an instrument in writing setting out the terms or repayment of the loan and containing such other terms and conditions as the committee may consider necessary.

RESTRICTION ON LOANS TO DEFAULTERS.

60. Where a member—

(a) is in default in the payment of a loan or of an instalment of a loan; and

(b) does not satisfy the committee that such default is due to a good cause,

such member shall not be entitled to receive another loan from the registered society.

EXTENSIONS ON LOANS.

61. If by reason of sickness, or other sufficient cause, notified in writing to the secretary before a loan is due, a member finds that he will be unable to discharge his obligations to the registered society, the committee shall have power to extend the time fixed for payment on such conditions as it thinks fit.

MISAPPLICATION OF LOAN.

62. Where the committee is satisfied that a member of the registered society who has obtained a loan has applied the proceeds thereof to a purpose other than the purpose which is stated in the application therefor under rule 52, the committee shall have power by notice in writing to the debtor, to demand payment of the loan before the agreed date of payment, and the debtor shall comply with such notice.

RECOVERY OF LOANS.

63. Where—

- (a) a loan or an instalment of a loan has not been paid on the date on which it became due ; and
- (b) no extension for the payment thereof has been given to the debtor by the committee under rule 61,

the committee shall take steps for the recovery of the same in the manner in section 52 of the Law prescribed.

BAD DEBTS.

64. The committee or, if there is a council, the committee and the council at a joint meeting or sitting, may, with the approval of the Registrar, cause bad debts to be written off the books of the registered society in such manner and at such times as the Registrar may deem fit.

PREPARATION OF ANNUAL ACCOUNTS AND REPORT.

65. The Committee shall in every year and as soon as conveniently possible within such time as the Registrar may direct,—

- (a) cause the secretary to prepare and send to the Registrar the yearly balance sheet closed on the 31st December of the preceding year together with a detailed statement of the profit and loss account ; and
- (b) prepare a report on the year's working of the registered society to be presented to the annual general meeting.

TRANSFER OF SHARES.

66.—(1) Any share may be transferred with the approval of the committee to any other member at the option of the transferor, but if the transferee is not a member, he must be approved of as a member by the committee, or the general meeting according to the bye-laws relating to the admission of members before the transfer can be registered ; and if the rules require a member to hold more than one share, the transferee must acquire by the transfer, or by the transfer and allotment, the number so required to be held before the transfer can be registered.

(2) Special transfer forms shall be provided by the Registrar.

(3) No transfer of a share shall be valid and effective unless and until such transfer has been registered by the secretary on the direction of the committee.

(4) No transfer of a share shall be registered if made by a member indebted to the registered society without special order of the committee, and until the transfer of a share is registered no right shall be acquired against the registered society by the transferee, nor shall any claim of the registered society upon the transferor be affected thereby.

FEE ON TRANSFER OF SHARES.

67. Upon the transfer of any share there shall be paid a fee not exceeding four and half (4½) piastres as the bye-laws may prescribe.

SALES OF SHARES OF MEMBERS IN DEFAULT.

68. The committee may in default of payment by any member indebted to the registered society to an amount not less than three-fourths of the sum paid up for the time being on any transferable share held by him, sell, transfer and register in the books of the registered society such share to any person entitled to hold the same under the rules or bye-laws for the best price obtainable therefor, and apply the proceeds in or towards the discharge of the debt so due and of any expenses incurred in or about the same, paying over the balance (if any) to the member, without being responsible for any loss occasioned thereby, and the defaulting member shall cease to have any further claim in respect of such share.

SECRETARY.

69.—(1) The committee or, if there is a council, the committee and the council at a joint meeting or sitting convened for the purpose at the instance of the committee, shall appoint a secretary and, unless the person so appointed is a member of the committee or the council, shall have power to fix the remuneration for his services.

(2) The secretary, if a member of the committee or the council, shall be unpaid.

(3) No appointment made under paragraph (1) of this rule shall be valid and effective, and no remuneration fixed thereunder shall be payable or recoverable, unless approved by the Registrar. Every such approval shall be communicated in writing by the Registrar to the committee.

(4) In the event of failure on the part of the committee or the committee and the council, as the case may be, to appoint a secretary, the Registrar shall appoint a secretary and, unless the person so appointed is a member of the committee or the council, the Registrar shall fix his remuneration. Every appointment made by the Registrar under this paragraph shall be valid and effective, and every remuneration fixed by the Registrar shall be payable and recoverable, as if made or fixed by the committee or the committee and the council, as the case may be.

(5) The secretary shall occupy his office until his services are determined by one month's notice in writing given by the committee or, if there is a council, by the committee and the council at a joint meeting or sitting convened for the purpose at the instance of the committee :

Provided that no determination as aforesaid shall be valid and effective until the approval of the Registrar in writing has been obtained therefor.

(6) The secretary may resign his office by giving one month's notice to the committee in writing.

(7) On the occurrence of a vacancy in the office of the secretary, the provisions of this rule shall apply *mutatis mutandis* to the filling of such vacancy.

PAYMENT OF SECRETARY.

70. The remuneration of the secretary, if any, shall be paid from the funds of the registered society monthly in arrear.

SECURITY BY SECRETARY.

71.—(1) The secretary may be required to give security in such amount as the committee or, if there is a council, the committee and the council at a joint meeting or sitting may determine.

(2) Every such security and the amount thereof shall be subject to the approval of the Registrar to be signified in writing to the committee.

SUSPENSION OF SECRETARY.

72.—(1) The committee or, if there is a council, the committee and the council at a joint meeting or sitting, may at any time suspend the secretary for any irregularity in the performance of his duties.

(2) Such suspension shall be reported forthwith to the Registrar who shall approve or disallow the same and shall communicate his decision to the secretary and the committee in writing, and on notification of his approval of the suspension the services of the secretary shall be determined without further notice.

(3) In the event of the suspension of the secretary the committee or, if there is a council, the committee and the council at a joint meeting or sitting, shall forthwith appoint a substitute to hold office during the period of such suspension and shall report the name of such substitute to the Registrar.

TEMPORARY ABSENCE OF SECRETARY.

73.—(1) The secretary shall not absent himself from duty save with the permission of the committee previously obtained.

(2) During the absence of the secretary, the committee or, if there is a council, the committee and the council shall appoint at a joint meeting or sitting a temporary secretary and shall report the appointment to the Registrar.

(3) In case the secretary desires to be absent from duty for more than one month at any one time, the committee or, if there is a council, the committee and the council shall, before granting permission for such absence, obtain the previous approval of the Registrar therefor.

DUTIES OF SECRETARY.

74. The duties of the secretary shall be—

- (a) to attend all meetings of the registered society, of the committee, and of the council, and all joint meetings or sittings of the committee and council, and to carry out all the instructions of the committee;
- (b) to be present at the office during the hours of business as fixed from time to time by the committee;
- (c) to record the whole of the transactions of the registered society in the books provided for that purpose; to conduct correspondence on behalf of the registered society; to prepare the annual statement of accounts and balance sheet; and to have charge of the documents, books and vouchers for payments and receipts on behalf of the registered society;
- (d) to receive all applications for loans and bring the same before the committee; to prepare receipts and other documents in the form prescribed for signature by borrowers prior to their taking the loans sanctioned; and with the authority of the committee to supply information about the registered society which may be applied for by members;

- (e) to receive all moneys due or payable to the registered society and issue receipts to the payer for same from a counterfoil receipt book supplied to the registered society for the purpose by the Registrar, obtaining at the same time the signature of the person making the payment on the counterfoil :

Provided that in the case of savings deposits the secretary shall record in the book of the depositor provided for the purpose the amount paid, adding thereto his signature, and shall, in addition, prepare a statement of the total weekly takings on account of the savings deposits in a book supplied to the registered society for the purpose by the Registrar ;

- (f) to deposit with the treasurer from moneys collected by him on behalf of the registered society all sums in excess of an amount to be fixed from time to time by the committee and to obtain from him a receipt on a form to be taken from the prescribed counterfoil book ;
- (g) to keep separate all moneys belonging to the registered society and on no account to mix them with any other moneys ; and to produce at all times when called upon to the committee, the council, or the Registrar or any person authorized by him, all moneys in his hands belonging to the registered society ;
- (h) to make payments as authorized by the committee, obtaining the payee's signature on the payment book prescribed by the Registrar :

Provided that if the payment is made outside the registered society's office the secretary shall, in every instance, obtain from the payee a manuscript receipt and attach it to a separate page of the payment book ;

- (i) to issue a receipt on a form to be taken from the prescribed counterfoil book when receiving money from the treasurer ; and
- (j) to summon meetings as provided in the rules.

TREASURER.

75. The committee or, if there is a council, the committee and the council at a joint meeting or sitting shall appoint one of the members of the committee, not being the chairman of either the committee or the council, to be the treasurer.

SECURITY BY TREASURER.

76. The treasurer may be required to give security for such amount as may be determined by, and to the satisfaction of, the committee or, if there is a council, the committee and the council at a joint meeting or sitting.

DUTIES OF TREASURER.

77. The duties of the treasurer shall be—

- (a) to receive from the secretary as provided in rule 74 (f) moneys collected by the latter on behalf of the registered society, furnishing him with a receipt on a form taken from the counterfoil book supplied for the purpose by the Registrar and obtaining at the same time the signature of the secretary on the counterfoil ;
- (b) to advance money to the secretary for payments and obtain from him a receipt from the prescribed counterfoil book ;

- (c) to place to the account of the registered society in such bank as may be approved by the Registrar any amount in his hands in excess of the amount fixed from time to time by the committee ;
- (d) to keep separate all moneys belonging to the registered society and on no account to mix them with any other moneys ; and to produce at all times when called upon to the committee, the council, the Registrar or any person authorized by him, all moneys in his hands belonging to the registered society ; and
- (e) to keep a record on the prescribed form of all moneys received by him from the secretary and of all moneys paid to the secretary.

TEMPORARY ABSENCE OF TREASURER.

78. In the temporary absence of the treasurer the committee shall appoint one of its members to perform his duties. Should the treasurer resign his position, the committee or, if there is a council, the committee and the council at a joint meeting or sitting, shall elect another member of the committee to take the office.

SUSPENSION OF TREASURER.

79.—(1) The committee or, if there is a council, the committee and the council at a joint meeting or sitting may suspend the treasurer and shall in that event forthwith make a full report to the Registrar who shall, after due enquiry, approve or disallow such suspension, and on notification in writing of his approval of the suspension, the services of the treasurer shall be terminated without further notice.

(2) In the event of the suspension of the treasurer, the committee or, if there is a council, the committee and the council at a joint meeting or sitting, shall forthwith appoint a substitute to hold office during the period of such suspension, and shall report the name of such substitute to the Registrar.

(3) On the occurrence of a vacancy in the office of the treasurer the committee or, if there is a council, the committee and the council at a joint meeting or sitting, shall appoint a new treasurer as provided in rule 75.

RESIGNATION OF TREASURER.

80. The treasurer may resign his appointment by giving one month's notice to the committee in writing.

COUNCIL OF INSPECTION.

81.—(1) Where the bye-laws of a registered society provide for a Council of Inspection such council shall be elected every three years at the same general meeting convened by the Registrar for the purpose of electing the committee, and its members shall hold office until the election of a new council and they shall be eligible for re-election.

(2) The council shall consist of five members (not being members of the committee) and three shall constitute a quorum.

(3) Members of the council shall receive no remuneration.

CHAIRMAN OF COUNCIL.

82. The council shall elect its own chairman for its term of office, who shall have on an equality of votes a second or casting vote. In the temporary absence of the chairman the council shall appoint one of its members to perform his duties.

DUTIES OF COUNCIL.

83.—(1) The council shall meet at least once every three months for the purpose of reviewing all the transactions of the registered society and in every respect see that the rules and the bye-laws have been complied with and that the interests of the registered society have been safeguarded. Should it appear to the council that in any particular case the provisions laid down in the rules or the bye-laws have not been fully observed, or that any transaction engaged in involves undue risk or danger to the registered society, it shall be its duty at once to call the attention of the committee to the subject, informing at the same time the Registrar, and, at its discretion, to summon a general meeting to which to submit the matter.

(2) Meetings of the council shall be summoned by the secretary who shall attend and keep a record of the proceedings in the minute book and give such information as may be required by the council.

POWERS OF COUNCIL.

84. The council, or any member of the same appointed by it to act on its behalf, shall at all times have free access to all books, papers, documents, bonds, bills of exchange, notes of hand, undertakings, receipts, deeds, and whatever written or printed evidence of transactions there may be, and the committee and officers of the registered society shall, whenever called upon, render an account to the council, or to any of its members duly authorized for the purpose, and produce the cash in hand and other assets of the registered society for his or its inspection.

ANNUAL REPORT OF COUNCIL.

85. The council shall in every year present to the annual general meeting a separate report giving an account of what it has done, and expressing its opinion on the transactions of the registered society in the past year and upon its actual position.

JOINT MEETINGS OR SITTINGS OF COMMITTEE AND COUNCIL.

86. Joint meetings or sittings of the committee and council for the consideration of any business which under the Law, rules, or bye-laws or in the opinion of the committee may call for such common consideration shall be summoned by the secretary. At these joint meetings or sittings a sufficient number of members of the committee and of the council respectively must be present to form a quorum of each, and all decisions shall be taken by the joint majority of the members present.

CHAIRMAN OF JOINT MEETINGS OR SITTINGS.

87. At the joint meetings or sittings of the committee and the council, the chair shall be taken by the chairman of the council or in his absence by some member of the council to be elected by the majority of the members of the committee and council present. Such chairman shall have on an equality of votes a second or casting vote.

88. The provisions of rules 39, 47 and 48 as to the removal and substitution of members of the committee and the filling of vacancies thereof shall apply *mutatis mutandis* to the council.

REMOVAL OF MEMBERS OF COMMITTEES AND COUNCILS AND OF OFFICERS
BY THE REGISTRAR.

89.—(1) Notwithstanding anything in these rules contained, the Registrar may by order under his hand remove any member of the committee or council or any officer of the registered society who in his opinion is unfit to discharge the duties of his office.

- (2) Upon an order by the Registrar under paragraph (1) of this rule—
- (a) if the order relates to a member of the committee or the council, such member shall forthwith cease to be a member of such committee or council;
 - (b) if the order relates to any officer of the registered society, such officer shall forthwith vacate his office.

RESERVE FUND.

90.—(1) The reserve fund of a registered society, created in pursuance of the provisions of section 37 (1) of the Law, may, with the sanction of the Registrar—

- (a) be utilized in the business of the registered society; or
- (b) be applied to meet occasional deficiencies incurred by the registered society.

(2) In sanctioning the utilization or application of the reserve fund under paragraph (1) of this rule, the Registrar may impose such terms and conditions as he may deem fit.

AUDIT OF ACCOUNTS.

91. In pursuance of the provisions of section 17 of the Law, the accounts of every registered society shall be audited once at least in every year by some person authorized by the Registrar. Such person shall have access to all the books and accounts of the registered society, and shall examine every balance sheet and annual return of the receipts and expenditure, funds and effects of the registered society, and shall verify the same with the accounts and vouchers relating thereto, and shall either sign the same as found by him to be correct, duly vouched and in accordance with the Law, and shall report to the Registrar accordingly, or shall specially report to the Registrar in what respects he finds the same incorrect, unvouched or not in accordance with the Law. The Registrar shall thereupon forward the report of such person to the committee.

AUDIT AND SUPERVISION FUND.

92.—(1) There shall be constituted a fund to be known as the Audit and Supervision Fund and every registered society shall, when called upon to do so by the Registrar, make annually a contribution to such fund.

(2) Until such time as a society has been established and registered for the purposes of supervision and audit, such contributions shall be held by the Registrar and administered by him on behalf of the contributing registered societies.

(3) So long as the Registrar administers the fund on behalf of the contributing registered societies, he shall report in every year to the Government in respect of the income derived from contributions, the expenditure he has sanctioned from the fund and the balance in his hands.

(4) As soon as a society for supervision and audit has been established and registered, the fund shall be credited to such society and shall be utilized by such society in accordance with its objects and bye-laws.

(5) Until a society for supervision and audit has been established and registered, the Registrar shall fix the amount of the annual contribution to the fund of every registered society called upon to contribute to the fund. The amount of every such annual contribution shall be subject to a maximum of either ~~two~~ ^{five} per centum (10%) on the net annual profits of the registered society or of one per centum (1%) of the working capital of the registered society, and shall not in any case be less than five shillings.

AGENCY OF AGRICULTURAL BANK.

93. A registered society may, with the sanction of the Registrar, enter into a contract with the Agricultural Bank of Cyprus Limited to act as its agent in the area in which such registered society is carrying on business.

BYE-LAWS.

94.—(1) The bye-laws of a proposed society shall contain provision in respect of the following matters—

- (a) the name of the society ;
- (b) the registered address of the society ;
- (c) the objects for which the society was established ;
- (d) the purposes to which the funds may be applied ;
- (e) the qualifications for membership, the terms of admission of members, and the mode of election ;
- (f) the nature and extent of the liability of members ; and
- (g) the manner of raising funds, including the maximum rate of interest on deposits.

(2) If the objects of the proposed society include the creation of funds to be lent to the members, the proposed bye-laws shall, in addition, contain provision in respect of the following matters—

- (a) the occupation or residence of the members ;
- (b) the conditions on which loans may be made to members, including—
 - (i) the rate of interest, and
 - (ii) the maximum amount which may be lent to a member ; and
- (c) the consequences, if any, of default in the payment of any sum due on account of shares.

AMENDMENT OF BYE-LAWS.

95.—(1) Where in pursuance of the provisions of section 10 (1) of the Law a registered society amends its bye-laws, such amendment shall be made by a resolution of the members of the registered society at a general meeting.

(2) Every resolution under paragraph (1) of this rule shall not be valid and effective unless it was taken by a majority of not less than three-fourths of the members present at the general meeting at which the resolution was proposed.

(3) A copy of a resolution under paragraph (1) of this rule shall be forwarded to the Registrar together with the two copies of the amendment required under the provisions of section 10 (2) of the Law.

(4) As provided in section 10 (5) of the Law, the term “ amendment ” includes the making of a new bye-law and the alteration, substitution or revocation of a bye-law.

COMMON SEAL OF REGISTERED SOCIETY.

96.—(1) The common seal, to be kept by every registered society in pursuance of section 18 of the Law, shall bear—

- (a) the name of the registered society ; and
- (b) the place of business of the registered society.

(2) The seal shall be in the custody of the secretary.

(3) The seal shall be affixed by the secretary to every contract entered into by or on behalf of the registered society, and the affixing thereof shall be attested by the signatures of the secretary and of at least three members of the committee.

(4) No contract shall be valid and binding on the registered society unless it is sealed and attested as in paragraph (3) of this rule prescribed.

CERTIFICATION OF COPIES OF ENTRIES FOR THE PURPOSES OF EVIDENCE.

97. Where, in pursuance of the provisions of section 30 of the Law, a copy of any entry in any book, register or list regularly kept in the course of business and in the possession of a registered society is to be produced as evidence, such copy shall be admissible in evidence if it complies with the following requirements, that is to say,—

- (a) it is certified as a true copy of the original entry under the hand of the secretary and of at least three members of the committee of the registered society ; and
- (b) it is sealed with the seal of the registered society.

REFERENCE OF A DISPUTE TO THE REGISTRAR FOR DECISION.

98.—(1) Reference of a dispute to the Registrar for decision under the provisions of section 52 (1) of the Law, may be made—

- (a) by the committee ; or
- (b) by the registered society in pursuance of a resolution in that behalf taken in general meeting ; or
- (c) by any party to the dispute ; or
- (d) where the dispute concerns a member of the committee and the registered society, by any member of the registered society.

(2) Every reference under this rule shall be made by a statement in writing—

- (a) dated and addressed to the Registrar ;
- (b) signed by the party making it ;
- (c) specifying the dispute ; and
- (d) setting out full particulars of the dispute.

REFERENCE TO ARBITRATION BY THE REGISTRAR.

99.—(1) Where, in pursuance of the provisions of section 52 (2) (b) of the Law, the Registrar decides to refer a dispute to arbitration, such decision shall be embodied in an order of reference under his hand.

(2) Every order of reference under this rule shall—

- (a) specify the name, surname, place of abode and occupation of the arbitrator or arbitrators ;
- (b) set out the dispute and full particulars thereof ; and
- (c) limit the time within which the award shall be forwarded by the arbitrator or arbitrators to the Registrar : Provided that, on good cause shown to his satisfaction, the Registrar may by a further order enlarge the time whether before or after the time limited by the order of reference has expired.

(3) Where the Registrar decides to refer a dispute to more than one arbitrator, such reference shall be to three arbitrators, of whom one shall be nominated by each of the parties to the dispute and the third shall be nominated by the Registrar and shall act as chairman.

(4) Where under paragraph (3) of this rule reference is made to three arbitrators, the following provisions shall have effect:—

- (a) If any party to the dispute fails to nominate an arbitrator within such time as the Registrar may specify, the Registrar may make the nomination himself;
- (b) If an arbitrator nominated by one of the parties to the dispute dies, or refuses or neglects to act, or by absence or otherwise becomes incapable of acting, the Registrar shall call upon the party concerned to nominate a new arbitrator within such time as the Registrar may specify, and if no new arbitrator is nominated accordingly, the Registrar may nominate one himself;
- (c) If the arbitrator who dies, or refuses or neglects to act, or becomes incapable of acting, was nominated by the Registrar, a new arbitrator shall be nominated in his place by the Registrar; and
- (d) The opinion of the majority of the arbitrators shall prevail.

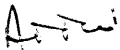
PROCEEDINGS BEFORE THE ARBITRATOR OR ARBITRATORS.

100.—(1) The proceedings before the arbitrator or arbitrators shall, as nearly as possible, be conducted in the same way as proceedings before a Court of Law, and in particular the following provisions shall have effect in respect thereof:—

- (a) Notice of the time and place at which the proceedings are to be held shall be given to the parties to the dispute, and such notice shall be a ten (10) days' notice;
 - (b) A record of the evidence adduced before the arbitrator or arbitrators shall be made, dated and signed by the arbitrator or arbitrators;
 - (c) Documents produced as exhibits before the arbitrator or arbitrators shall be marked, dated and initialled by the arbitrator or arbitrators and shall be attached to the file of the proceedings; and
 - (d) In the absence of any party duly notified to attend, the dispute may be decided by the arbitrator or arbitrators *ex parte*.
- (2) The award of the arbitrator or arbitrators shall—
- (a) be in writing;
 - (b) be dated and signed by the arbitrator or arbitrators; and
 - (c) state the amount of the costs and expenses of the arbitration, if any, and by which party or parties to the dispute the same are to be paid.
- (3) Upon the completion of the proceedings, the arbitrator or arbitrators shall forward to the Registrar—
- (a) the file of the proceedings; and
 - (b) the award.

PROCEEDINGS BEFORE THE REGISTRAR.

101. Where, in pursuance of the provisions of section 52 (2) (a) of the Law, the Registrar exercises the power of deciding a dispute himself, the proceedings before him in relation thereto shall, as nearly as possible, be conducted in the same way as proceedings before a Court of Law and the provisions of rule 100 shall apply *mutatis mutandis* to such proceedings.

N. 155 22.1.17 101 A. 

**PROVISIONS RELATING TO CHARGES AND TO ASSIGNMENTS AND
RE-ASSIGNMENTS OF CHARGES.**

102. Every charge under the provisions of section 20 (1) (b) of the Law shall be created by an instrument in the Form No. 6.

103. Every assignment of a charge under the provisions of section 23 (1) of the Law shall be made by an instrument in the Form No. 7.

104. Every re-assignment of a charge under the provisions of section 23 (4) of the Law shall be made by an instrument in the Form No. 8.

105.—(1) No fee shall be payable for the registration of a charge in the Form No. 6 and the fee to be paid for the registration of—

(a) an assignment of a charge in the Form No. 7 ; or

(b) a re-assignment of a charge in the Form No. 8,
shall be four and half ($4\frac{1}{2}$) piastres.

(2) The fee in this rule prescribed shall be paid in stamps by the registered society making the assignment or re-assignment. The stamps shall be affixed to the copy of the assignment or re-assignment, as the case may be, to be forwarded to the Commissioner under the provisions of section 23 (2) or 23 (4) of the Law, and the stamps shall be cancelled in such manner as the Commissioner may from time to time direct.

106. Separate files shall be kept by the Commissioner in respect of each registered society and therein shall be placed all copies—

(a) of charges in the Form No. 6 ; and

(b) of assignments of charges in the Form No. 7 ; and

(c) of re-assignments of charges in the Form No. 8,
registered and relating to such registered society.

107. The book called the Register Book of Co-operative Societies Charges to be kept by the Commissioner under the provisions of section 21 (3) of the Law shall be in the Form No. 9 and shall contain the particulars set out therein.

108.—(1) The fee to be paid for the inspection of the file of charges and of the Register Book of Co-operative Societies Charges under the provisions of section 21 (4) of the Law shall be four and half ($4\frac{1}{2}$) piastres.

(2) The fee in this rule prescribed shall be paid in cash.

REPEAL.

109. The following Rules are hereby repealed without prejudice to anything done or left undone thereunder, that is to say :—

The Co-operative Credit Societies Rules, 1933 to 1938.

Gazettes :
4.8.1933
24.1.1936
Supplement
No. 3 :
7.1.1938

The Co-operative Societies Rules, 1923 to 1933.

Gazettes :
22.6.1923
23.9.1923
5.6.1925
21.2.1936
Supplement
No. 3 :
4.2.1938

FORM No. 2.

The Co-operative Societies Rules, 1940. (Rule 11 (a).)

APPLICATION FOR THE REGISTRATION OF A SOCIETY WHERE NO REGISTERED SOCIETY IS AN APPLICANT OR ONE OF THE APPLICANTS THEREFOR.

(Section 7 of Law 25 of 1939.)

(For official use only.)

| | | |
|------------------|---------------------|-----------|
| District of..... | Application No..... | Year..... |
|------------------|---------------------|-----------|

To the Registrar of Co-operative Societies,
Nicosia.

We, the undersigned, inhabitants of..... in the District of....., hereby inform you that we propose to form a Society under the name of “.....” and we apply for the registration of the said Society under and in accordance with the provisions of the Co-operative Societies Law, 1939, and the Co-operative Societies Rules, 1940.

2. The place of business of the proposed Society will be situated at..... in the District of.....

3. The area of operations of the proposed Society will be the following :—
.....
.....
.....

4. The objects of the proposed Society will be the following :—
.....
.....
.....

5. We enclose herewith the proposed bye-laws of the Society, in duplicate, duly signed by us.

6. Particulars regarding ourselves and our qualifications are set out in the Schedule hereto.

SCHEDULE.
PARTICULARS REGARDING THE APPLICANTS AND THEIR QUALIFICATIONS.

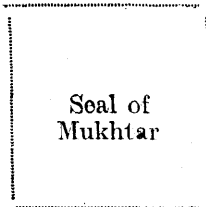
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|--|---------------------------------|------------------------------------|-------------------------------|-------------------|--|---|---|
| Serial number of applicant. | Name and sur-name of applicant. | Usual place of abode of applicant. | Occupation of applicant. | Age of applicant. | State whether applicant owns immovable property within the proposed area of operations of the society. | Town, village or quarter in which the immovable property is situated. | State whether the immovable property is registered in the books of the Land Registry Office or un-registered. |
| (9) | (10) | (11) | (12-13) | | (14) | (15) | (16) |
| Boundaries of the immovable property, if unregistered. | Koehan number and date. | Kind of immovable property. | Extent of immovable property. | No. of donuns. | Share or interest of the applicant in the immovable property. | Assessed value of the immovable property. | Value of the immovable property estimated by the applicant. |
| | | | No. of evleks. | | | | |

Dated at....., this the..... day of....., 19.....

(Signatures of applicants)

CERTIFICATION.

We, the undersigned, Mukhtar and Azas of....., in the District of....., hereby certify that the above-mentioned applicants have signed this application in our presence on this the..... day of....., 19....., and that this application was read over to them before they signed the same.



(Signature of Mukhtar).....

(Signatures of Azas).....

FORM No. 3.

The Co-operative Societies Rules, 1940. (Rule 11 (b).)

APPLICATION FOR THE REGISTRATION OF A SOCIETY WHERE A REGISTERED SOCIETY IS AN APPLICANT OR ONE OF THE APPLICANTS THEREFOR AND WHERE THE PROPOSED SOCIETY IS NOT TO BE ESTABLISHED FOR THE PURPOSE OF FACILITATING THE OPERATIONS OF REGISTERED SOCIETIES.

(Section 7 of Law 25 of 1939.)

(For official use only.)

District of..... Application No..... Year.....

To the Registrar of Co-operative Societies, Nicosia.

We, the undersigned, inhabitants of....., in the District of....., (hereinafter called "the applicant inhabitants"), and

I, the undersigned....., being the duly authorized agent of the registered society under the name of "....." and acting for and on behalf of the said registered society, hereby inform you that we propose to form a Society under the name of "....." and we apply for the registration of the said Society under and in accordance with the provisions of the Co-operative Societies Law, 1939, and the Co-operative Societies Rules, 1940.

2. The place of business of the proposed Society will be situated at....., in the District of.....

3. The area of operations of the proposed Society will be the following :—

.....

4. We enclose herewith the proposed bye-laws of the Society, in duplicate, duly signed by us.

5. Particulars regarding the applicant inhabitants and their qualifications are set out in the Schedule hereto.

SCHEDULE.
PARTICULARS REGARDING THE APPLICANT INHABITANTS AND THEIR QUALIFICATIONS.

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | | | |
|--|---|---|-------------------------------------|---|--|---|--|--|-------------------------------|--|
| Serial number of applicant inhabitant. | Name and surname of applicant inhabitant. | Usual place of abode of applicant inhabitant. | Occupation of applicant inhabitant. | Age of applicant inhabitant. | State whether applicant inhabits immovable property within the proposed area of operations of the society. | Town, village or quarter in which the immovable property is situated. | State whether the immovable property is registered in the name of the applicant inhabitant in the books of the Land Registry Office or unregistered. | | | |
| (9) | | (10) | | (11-13) | | (14) | (15) | (16) | | |
| Boundaries of the immovable property, if unregistered. | | Kochan number and date. | | Kind of immovable property. | | Share of the applicant inhabitant in the immovable property. | Assessed value of the immovable property. | Value of the immovable property estimated by the applicant inhabitant. | | |
| | | | | | | | | | Extent of immovable property. | |
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Dated at....., this the.....day of....., 19.....
 (Signature of applicant inhabitants.)

.....
 (Signature of agent of registered society.)

CERTIFICATION.

We, the undersigned, Mukhtar and Azas of....., in the District of....., hereby certify that the above-mentioned applicant inhabitants and the above-mentioned agent of the registered society under the name of "....." have signed this application in our presence on this the.....day of....., 19....., and that this application was read over to them before they signed the same.



(Signature of Mukhtar).....

(Signatures of Azas).....

.....

FORM No. 4.

The Co-operative Societies Rules, 1940. (Rule 11 (c).)

APPLICATION FOR THE REGISTRATION OF A SOCIETY WHERE TWO OR MORE REGISTERED SOCIETIES ARE APPLICANTS THEREFOR AND WHERE THE PROPOSED SOCIETY IS TO BE ESTABLISHED FOR THE PURPOSE OF FACILITATING THE OPERATIONS OF REGISTERED SOCIETIES.

(Section 7 of Law 25 of 1939.)

(For official use only.)

| | | |
|------------------|---------------------|-----------|
| District of..... | Application No..... | Year..... |
|------------------|---------------------|-----------|

To the Registrar of Co-operative Societies,
 Nicosia.

We, the undersigned, being the duly authorized agents of the registered societies, particulars regarding which are set out in the Schedule hereto, and acting for and on behalf of the said registered societies, hereby inform you that we propose to form a Society under the name of "....." and we apply for the registration of the said Society under and in accordance with the provisions of the Co-operative Societies Law, 1939, and the Co-operative Societies Rules, 1940.

2. The place of business of the proposed Society will be situated at....., in the District of.....

3. The area of operations of the proposed Society will be the following :—

.....

4. The object of the proposed Society will be to facilitate the operations of Registered Societies.

5. We enclose herewith the proposed bye-laws of the Society, in duplicate, duly signed by us.

Schedule.

PARTICULARS REGARDING REGISTERED SOCIETIES.

| (1) | (2) | (3) | (4) | (5) |
|--------------------------------------|-----------------------------|--|---|----------------------------|
| Serial number of registered society. | Name of registered society. | Place of business of registered society. | Number and date of Certificate of Registration. | Name and surname of agent. |
| | | | | |

Dated at _____, this the _____ day of _____, 19_____.

(Signatures of agents of registered societies)

.....

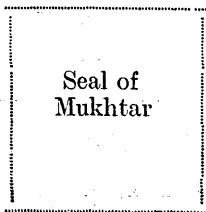
CERTIFICATION.

We, the undersigned, Mukhtar and Azas of _____, in the District of _____, hereby certify that the above-mentioned agents of the registered societies, particulars regarding which are set out in the Schedule hereto, have signed this application in our presence on this the _____ day of _____, 19_____, and that this application was read over to them before they signed the same.

(Signature of Mukhtar)

(Signatures of Azas)

.....



FORM No. 5.

The Co-operative Societies Rules, 1940. (Rule 14 (a).)

CERTIFICATE OF REGISTRATION.

(Section 8 of Law 25 of 1939.)

Certificate of Registration No.

In the matter of the application bearing number..... and year.....,
in the District of.....I hereby certify that the Society under the name of "....."
and its bye-laws have this day been duly registered by me in the Register of Societies,
in pursuance of the provisions of the Co-operative Societies Law, 1939, and the
Co-operative Societies Rules, 1940.

Given under my hand at Nicosia, this the.....day of....., 19.....

.....
Registrar of Co-operative Societies.

FORM No. 6.

The Co-operative Societies Rules, 1940. (Rule 102.)

INSTRUMENT OF CHARGE.

*(Section 20 (1) (b) of Law 25 of 1939.)**(For official use only.)*

- | |
|---|
| (1) District of..... |
| (2) Name, surname and usual place of abode of member creating the charge..... |
| (3) Name of registered society in favour of which the charge is created..... |
| (4) Registration number of charge..... |
| (5) Date of registration of charge..... |

The undersigned..... of.....,
(hereinafter called "the grantor"), being owner of the property described in the
Schedule hereto (hereinafter called "the property"), and being a member of the
registered society under the name of ".....",
in consideration of the sum of £..... lent and advanced to him
by the registered society under the name of ".....",
(hereinafter called "the grantee"), does hereby create a charge on the property in
favour of the grantee as security for the payment to the grantee by the grantor of
the said sum of £..... on the.....day of....., 19.....,
together with interest thereon at the rate of..... per centum per annum from the.....
day of....., 19......

2. The grantor hereby acknowledges that he has received from the grantee the
said sum of £.....

3. The charge hereby created is subject to the provisions of the Co-operative
Societies Law, 1939, and to the following covenants, conditions and provisions, that
is to say—

(1) That the grantor will pay to the grantee the principal money and interest
hereby secured, at the rate and at the time herein mentioned.

(2) That the grantor will not, at any time while any money remain owing
hereunder, do or allow to be done any act whereby the property hereby
charged shall or may become prejudicially affected.

- (3) That until the grantor makes default—
- (a) in the payment of any of the principal or interest moneys hereby covenanted to be paid on the day on which the same ought to be paid according to the terms hereof, or
 - (b) in the observance or performance of any covenant or condition herein expressed and on the part of the grantor to be observed or performed, the grantor may retain possession and use of the property hereby charged.
- (4) That if default is made by the grantor—
- (a) in the payment of any of the principal or interest moneys hereby covenanted to be paid on the day on which the same ought to be paid according to the terms hereof, or
 - (b) in the observance or performance of any covenant or condition herein expressed and on the part of the grantor to be observed or performed, then immediately upon any such default, or at any time thereafter, the grantee may, through an agent authorized by the grantee in that behalf,—
- (i) seize and take possession of the property hereby charged or of any part thereof, and
 - (ii) sell the property so seized and taken possession of either at auction in pursuance of the provisions of section 20 (2) (b) of the Co-operative Societies Law, 1939, or by private treaty, and in either of the said cases such property may be sold separately or together or in lots or for a lump sum payment or for payment by instalments as the grantee may deem expedient.
- (5) That upon any sale of the property hereby charged or of any part thereof made by the grantee in exercise of the powers herein expressed, the following provisions shall have effect, that is to say,—
- (a) no purchaser of such property shall be bound to inquire as to the propriety or regularity of such sale or shall be affected by any impropriety or irregularity of or at such sale ; and
 - (b) the receipt of the grantee or of the agent of the grantee shall be a sufficient discharge to any purchaser at such sale for any of the purchase money ; and
 - (c) the grantee shall not be answerable to the grantor in damages or otherwise for any loss occasioned to the grantor by such sale or for any act, neglect or default of the grantee or of the agent of the grantee ; and
 - (d) the grantee shall stand possessed of the proceeds of such sale and, after paying thereout the costs and expenses of and incidental to such sale and to the seizure and taking possession of the property sold thereat, shall apply the balance of such proceeds in satisfaction, or towards the reduction, of the moneys then owing by the grantor to the grantee hereunder.
- (6) That in case the property hereby charged consists, either wholly or in part, of crops or other agricultural produce grown or to be grown on land or trees, the following additional provisions shall have effect, that is to say,—
- (a) where default is made by the grantor—
- (i) in the payment of any of the principal or interest moneys hereby covenanted to be paid on the day on which the same ought to be paid according to the terms hereof, or
 - (ii) in the observance or performance of any covenant or condition herein expressed and on the part of the grantor to be observed or performed, the grantee may, through an agent authorized by the grantee in that behalf, gather, carry away and make marketable such crops or other agricultural produce at the cost and expense of the grantor ; and
- (b) where such crops or other agricultural produce are sold by the grantee in exercise of the powers herein expressed, the grantee shall pay out of the proceeds of such sale the cost and expenses incurred for the gathering, carrying away and making marketable such crops or other agricultural produce.

Schedule.**DESCRIPTION OF THE PROPERTY HEREBY CHARGED.**

.....

Executed in duplicate at....., this the..... day of....., 19.....

(Signature and occupation of the person creating the charge.)

Signed in our presence by.....
 of..... and sealed with the seal of the registered society under
 the name of "....." on the
 date above-mentioned.

*(Signatures of at least three members of the committee of the
 registered society in whose favour the charge is created.)*

Seal of the regis-
 tered society in
 whose favour the
 charge is created.

Members of the Committee.

*(Signature of the secretary of the registered society in whose
 favour the charge is created.)*

Secretary.

DIRECTIONS.

1. Under the provisions of section 20 (1) (b) of the Co-operative Societies Law, 1939, charges may be created on any of the following kinds of property :—

Crops or other agricultural produce, marine produce (including fish), felled timber, animals, fodder, agricultural, industrial or fishing implements, machinery, boats, tackle and nets, raw materials, stock in trade, and generally all produce of labour and things used in connection with production whether at the date when the charge is made the property comprised in the charge is or is not in existence or is or is not acquired by the person giving the charge.

2. Care must be taken by the person creating the charge and by the registered society in whose favour the charge is created in respect of the following matters, that is to say,—

(a) that the description of the property to be inserted in the Schedule to this Form should be true and accurate in every respect ; and

(b) that, where the property consists, either wholly or in part, of crops or other agricultural produce grown or to be grown on land or trees, the description of the property to be inserted in the Schedule to this Form should include full particulars of the situation and boundaries of the land or trees on which such crops or other agricultural produce are grown or are to be grown.

FORM No. 7.

The Co-operative Societies Rules, 1940. (Rule 103.)

INSTRUMENT OF ASSIGNMENT OF A CHARGE.

*(Section 23 (1) of Law 25 of 1939.)**(For official use only.)*

- | |
|---|
| (1) District of |
| (2) Registration number of charge..... |
| (3) Date of registration of charge..... |
| (4) Registration number of assignment of charge..... |
| (5) Date of registration of assignment of charge..... |

The undersigned, representing and acting for and on behalf of the registered society under the name of "....." (1) (hereinafter called "the assignor"), in consideration of the sum of £..... lent and advanced to the assignor by....., (2) (hereinafter called "the assignee"), do hereby assign to the assignee the charge created in favour of the assignor by the Instrument of Charge in the Form No. 6, duly registered in the Register Book of Co-operative Societies Charges and particulars of which are set out in the Schedule hereto (hereinafter called "the Instrument of Charge"), as security for the payment to the assignee by the assignor of the said sums of £..... together with interest thereon at the rate of..... per centum per annum from the..... day of....., 19.....

2. The assignor hereby acknowledges that the assignor has received from the assignee the said sum of £.....

3. The assignment hereby made is subject—

- (a) to the provisions of the Co-operative Societies Law, 1939 ; and
- (b) to the covenants, conditions and provisions contained in the Instrument of Charge ; and
- (c) to the covenants—
 - (i) that the assignor will pay to the assignee the principal money and interest hereby secured, at the rate and at the time herein mentioned; and
 - (ii) that all the principal and interest moneys payable to the assignor under the Instrument of Charge shall be paid to the assignee, and that upon payment thereof the assignee shall apply the same in satisfaction, or towards the reduction, of the moneys then owing by the assignor to the assignee hereunder.

(1) Insert the name of the registered society in whose favour the charge, which is assigned, has been created under the Instrument of Charge in the Form No. 6.

(2) Insert the name either—

- (a) of the registered society established with the object of facilitating the operations of registered societies, or
- (b) of a Bank approved by the Registrar of Co-operative Societies, to which the charge is assigned.

Schedule.

PARTICULARS RESPECTING THE CHARGE CREATED BY THE INSTRUMENT OF CHARGE.

| (1) | (2) | (3) | (4) | (5) |
|------------------------------------|-------------------------------------|--|---|---|
| Registration number of the charge. | Date of registration of the charge. | Name, surname and usual place of abode of person who created the charge. | Name of registered society in whose favour the charge has been created. | Description of the property on which the charge has been created. |
| | | | | |

Executed in duplicate at....., this the.....day of....., 19.....

For the.....⁽¹⁾

(Signatures of at least three members of the committee of the registered society in whose favour the charge, which is assigned, has been created.)

.....

Members of the Committee.

(Signature of the secretary of the registered society in whose favour the charge, which is assigned, has been created.)

.....

Secretary.

Seal of the registered society in whose favour the charge, which is assigned, has been created.

⁽¹⁾ Insert the name of the registered society in whose favour the charge, which is assigned, has been created under the Instrument of Charge in the Form No. 6.

FORM No. 8.

The Co-operative Societies Rules, 1940. (Rule 104.)

INSTRUMENT OF RE-ASSIGNMENT OF CHARGE.

*(Section 23 (4) of Law 25 of 1939.)**(For official use only.)*

| |
|--|
| (1) District of..... |
| (2) Registration number of charge..... |
| (3) Date of registration of charge..... |
| (4) Registration number of assignment of charge..... |
| (5) Date of registration of assignment of charge..... |
| (6) Registration number of re-assignment of charge..... |
| (7) Date of registration of re-assignment of charge..... |

The undersigned, representing and acting for and on behalf of the registered society under the name of ".....",⁽¹⁾ established with the object of facilitating the operations of registered societies, (hereinafter called "the re-assignor"), in consideration of the sum of £..... lent and advanced to the re-assignor by.....,⁽²⁾ (hereinafter called "the re-assignee"), do hereby re-assign to the re-assignee the charge—

- (a) created in favour of the registered society under the name of "....."⁽³⁾ by the Instrument of Charge in the Form No. 6, duly registered in the Register Book of Co-operative Societies Charges and particulars of which are set out in the First Schedule hereto, (hereinafter called "the Instrument of Charge"), and
- (b) assigned to the re-assignor by the Instrument of Assignment of Charge in the Form No. 7, duly registered in the Register Book of Co-operative Societies Charges and particulars of which are set out in the Second Schedule hereto (hereinafter called "the Instrument of Assignment of Charge"), as security for the payment to the re-assignee by the re-assignor of the said sum of £....., together with interest thereon at the rate of..... per centum per annum from the..... day of....., 19.....

2. The re-assignor hereby acknowledges that the re-assignor has received from the re-assignee the said sum of £.....

3. The re-assignment hereby made is subject—

- (a) to the provisions of the Co-operative Societies Law, 1939; and
 (b) to the covenants and conditions contained in the Instrument of Assignment of Charge; and

(c) to the covenants—

- (i) that the re-assignor will pay to the re-assignee the principal money and interest hereby secured, at the rate and at the time herein mentioned, and
 (ii) that all the principal and interest moneys payable to the re-assignor under the Instrument of Assignment of Charge shall be paid to the re-assignee, and that upon payment thereof the re-assignee shall apply the same in satisfaction, or towards the reduction, of the moneys then owing by the re-assignor to the re-assignee hereunder.

⁽¹⁾ Insert the name of the registered society to which the charge, which is re-assigned, has been assigned under the Instrument of Assignment of Charge in the Form No. 7.

⁽²⁾ Insert the name of the Bank approved by the Registrar to which the charge is re-assigned.

⁽³⁾ Insert the name of the registered society in whose favour the charge, which is re-assigned, has been created under the Instrument of Charge in the Form No. 6.

First Schedule.

PARTICULARS RESPECTING THE CHARGE CREATED BY THE INSTRUMENT OF CHARGE.

| (1) | (2) | (3) | (4) | (5) |
|------------------------------------|-------------------------------------|--|---|---|
| Registration number of the charge. | Date of registration of the charge. | Name, surname and usual place of abode of person who created the charge. | Name of registered society in whose favour the charge has been created. | Description of the property on which the charge has been created. |
| | | | | |

Second Schedule.

PARTICULARS RESPECTING THE ASSIGNMENT BY THE INSTRUMENT OF ASSIGNMENT OF CHARGE.

| (1) | (2) | (3) |
|--|---|--|
| Registration number of the assignment. | Date of registration of the assignment. | Name of the registered society established with the object of facilitating the operations of registered societies to which the charge has been assigned. |
| | | |

Executed in duplicate at....., this the..... day of....., 19.....

For the..... (1)

(Signatures of at least three members of the committee of the registered society to which the charge, which is re-assigned, has been assigned.)

.....

Members of the Committee.

Seal of the registered society to which the charge, which is re-assigned, has been assigned.

(Signature of the secretary of the registered society to which the charge, which is re-assigned, has been assigned.)

.....
Secretary.

(1) Insert the name of the registered society to which the charge, which is re-assigned, has been assigned under the Instrument of Assignment of Charge in the Form No. 7,

FORM No. 9.
The Co-operative Societies Rules, 1940. (Rule 107.)
REGISTER BOOK OF CO-OPERATIVE SOCIETIES CHARGES.

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
|-----------------------|----------------|---|---|--|---|----------------------------------|-------------------------------|------------------------------------|-------------------------------------|
| Name of the District. | Serial number. | Date of Instrument of Charge in the Form No. 6. | Name, surname and usual place of abode of person creating the charge. | Name of registered society in favour of which the charge is created. | Description of the property on which the charge is created. | Amount payable under the charge. | Period of duration of charge. | Registration number of the charge. | Date of registration of the charge. |

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| (11-15) Assignment of Charge | | | | (16-20) Re-assignment of Charge | | | | (21-22) Satisfaction of Charge | | (23) | | |
|---|-------------------|--------------------------------------|--|---|--|----------------------|---|---|--|--|--------------------------------------|----------------------------|
| Date of Instrument of Assignment of Charge in the Form No. 7. | Name of assignee. | Amount payable under the assignment. | Registration number of the assignment. | Date of registration of the assignment. | Date of Instrument of re-assignment of charge in the Form No. 8. | Name of re-assignee. | Amount payable under the re-assignment. | Registration number of the re-assignment. | Date of registration of the re-assignment. | Date of notification that the charge has been satisfied. | Date of receipt of the notification. | Signature of Commissioner. |

Made in Council, this 13th day of March, 1940.

(M.P. 784/39.)

N. D. WATSON,
Clerk of the Executive Council.