

**NATIONAL TREASURY
NASIONALE TESOURIE**

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NATIONAL TREASURY**Co-operative Banks Act Rules for Representative Bodies and Support
Organisations**

I, Mr Peter Koch, Acting Chairperson of the Board of the Co-operative Banks Development Agency, hereby publish, in terms of sections 57(1) of the Co-operative Banks Act, 2007 (Act No 40 of 2007), the Co-operative Banks Act Rules for Representative Bodies and Support Organisations.

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Mr. P. Koch

Acting Chairperson of the Board, duly authorised

**Co-operative Banks Act Rules for Representative Bodies and Support
Organisations**

POWER TO MAKE RULES

The Co-operatives Banks Development Agency ("the Agency") may, in terms of section 57(1) of the Co-operative Banks Act, 2007 (Act No 40 of 2007), prescribe rules with regard to-

- (a) the matters referred to in section 55(1)(d) to (h);
- (b) any matter that is required or permitted to be prescribed in terms of this Act;

and

- (c) any other matter for the better execution of this Act or a function or power provided for in this Act.

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PART A: Representative Bodies

- RBF1** Application form for proposed Representative Body/Application for continued registration as Representative Body
- RBF2** Certificate of registration as a Representative Body

PART B: Support Organisations

- SOF1** Application form for proposed Support Organisation/Application for continued registration as Support Organisation
- SOF2** Certificate of registration as a Support Organisation

CHAPTER 1: GENERAL INFORMATION

1. *Definitions and Interpretation*

1.1 In these Rules, "the Act" means the Co-operative Banks Act, 2007 (Act No. 40 of 2007), and any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned to it in the Act, unless the context indicates otherwise.

"End of financial year" refers to the 28 February of each year

"International paper size A4" means paper of size approximately 298 millimetres by 207 millimetres.

"Official Website" means the official website of the Agency, as may be applicable in the context of these Rules at www.treasury.gov.za/coopbank.

"Performance report" is a copy of signed audited annual financial statements of the institution

"Rules" means the Co-operative Banks Act Draft Rules for Representative Bodies and Support Organisations issued by the Agency, which are primarily to Support Organisations and Representative Bodies.

1.2 In the event of an inconsistency between any provision of these Rules and any provision of the Act, the provision of the Act or the Regulations, as the case may be, prevails.

2. *Communication and submission of information*

2.1 All communications to the Agency, and all documents required to be sent to or lodged with the Agency, may be submitted personally, sent by post, or transmitted in an electronic format by electronic means, subject to the provisions of the operational requirements published on the Official Website, setting out the requirements, processes and procedures in respect of such electronic services.

2.2 The contact details and other essential information and forms are available on the Official Website, which information may also be published otherwise by the Agency, as deemed necessary.

2.3 The forms contained in Schedule 2 and Schedule 3 of these Rules must be used in all cases to which they apply, and must be completed and submitted in accordance with the instructions contained in these Rules and indicated on the forms and returns, as well as in accordance with any applicable guideline or directive issued by the Agency.

2.4 The forms may be modified by the Agency to meet additional needs or as circumstances may require, and the amended forms and returns may be published on the Official Website.

2.5 Hard copies of the forms are obtainable from the Agency, and may be downloaded from the Official Website. Unless specifically directed otherwise by the Agency, the use of reproductions is permissible, provided that it corresponds to the prescribed forms in all respects.

2.6 All documents lodged with the Agency must be written in legible characters with deep permanent black ink on one side only of strong white paper of international size A4.

1) 2.7 The Agency may reject any document which—

2.7.1 is not suitable for purposes of record;

2.7.2 in the opinion of the Agency, does not satisfy the operational requirements of the Agency; or

2.7.3 does not comply with any of the administrative requirements contained in these Rules.

3. Fees payable and cost relating to submission of additional information

3.1 The fees payable to the Agency are prescribed in Schedule 1.

3.2 The Agency may call for any additional information that is relevant to a specific request, application form as may be necessary, and the cost thereof shall be for the account of the applicant or entity involved.

4. Manner of payment

Any amount payable to the Agency must be made in accordance with the requirements published on the Official Website, which may also be published otherwise by the Agency, as deemed necessary.

5. Guidance notes

Guidance notes may be published on the Agency website to provide more detailed explanations on the content of information to be submitted relating to the application or re-application documentation

CHAPTER 2: REPRESENTATIVE BODIES

5. *Registration of Representative Body*

For registration as a Representative Body, the application form (FORM-RB1), containing all the documents required in terms thereof, must be lodged with the Agency.

6. *Certificate of registration as Representative Body*

(Act: Section 33 (2))

If the Agency is satisfied with the application to register as a Representative Body, a certificate of registration will be issued with a registration number in the format outlined in FORM-RBF2

7. *Requirements for continued registration*

(Act: Section 34)

In order to retain its registration, a Representative Body must annually, within three months of the end of the financial year, re-apply on FORM-RBF1 and satisfy the Agency that it continues to meet the registration requirements.

CHAPTER 3: SUPPORT ORGANISATIONS

(Act: Chapter VII)

8. *Registration of Support Organisation*

(Act: Section 36(1))

For registration as a Support Organisation, the application form (FORM-SOF1), containing all the documents required in terms thereof, must be lodged with the Agency.

9. Certificate of registration as Support Organisation

(Act: Section 38 (2))

If the Agency is satisfied with the application to register as a Support Organisation, a certificate of accreditation will be issued with a registration number, in the format outlined in FORM-SOF2.

10. Requirements for continued accreditation

(Act: Section 39)

- 1) In order to retain its accreditation, an accredited Support Organisation, must-
 - (a) Annually, within three months of the end of its financial year, re-apply on FORM-SOF1 for accreditation, and satisfy the Agency that it continues to meet the requirements for accreditation;
 - (b) Include in its submission under (a) above, the following:
 - (i) a performance report; and
 - (ii) a report on the support provided to each co-operative bank and/or co-operative financial institutions that it represents.

SCHEDULE 1 – FEES PAYABLE

DESCRIPTION	TARIFF/FEE
Non-refundable application fee to register a Support Organisation or Representative Body	R2000
Annual re-registration fee payable 30 days prior to end of financial year of current registration certificate	R1000