

CO-OPERATION (AMENDMENT) ACT.

Act No. 45, 1948.

George VI.
No. 45, 1948. An Act to amend the Co-operation Acts, 1923-1947, in certain respects; and for purposes connected therewith. [Assented to, 24th December, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
citation.

1. (1) This Act may be cited as the "Co-operation (Amendment) Act, 1948."

(2) The Co-operation, Community Settlement, and Credit Act, 1923, as amended by subsequent Acts and by this Act, may be cited as the Co-operation Act, 1923-1948.

Amendment
of Act
No. 1, 1924.
Sec. 17A.
(Indemnity
by
Treasurer
against
loss.)

2. The Co-operation Acts, 1923-1947, is amended—

- (a) (i) by omitting from paragraph (c) of subsection one of section 17A the words "one thousand two hundred and fifty pounds" and by inserting in lieu thereof the words "one thousand five hundred and forty pounds";
- (ii) by omitting from paragraph (c) of subsection (1A) of the same section the words "one thousand five hundred and forty pounds" and by inserting in lieu thereof the words "one thousand eight hundred and fifty pounds";
- (iii) by omitting from subsection four of the same section the words "one million two hundred and fifty thousand pounds" and by inserting in lieu thereof the words "one million seven hundred and fifty thousand pounds."

(b)

- (b) by inserting next after section eighteen the following new section:—

18A. A building society shall not employ a person to value any property tendered as a security to such society unless such person has been previously approved by the registrar.

The registrar may impose such conditions and limitations on such approval as he may see fit.

No. 45, 1948.
New sec.
18A.
Valuer to
be approved
by
Registrar.

- (c) by omitting subsections five, six and seven of section 47A and by inserting in lieu thereof the following subsections:—

(5) Any such proposal shall be submitted by the board to the Advisory Council constituted under this Act, and approved by it by resolution.

(6) Where the Advisory Council constituted under this Act has signified its approval of any such proposal, the proposal shall be submitted to the members of the society, and shall not take effect unless approved by a special resolution of the society.

(7) Where the Advisory Council constituted under this Act does not give its approval under subsection five of this section it shall, as soon as practicable, notify the board of its reasons for withholding its approval, and forward a copy of such notification to the Minister.

Sec. 47A.
(Issue of
additional
shares.)

- (d) by omitting from subsection one of section fifty-four the word "trading";

- (e) by omitting subsection seven of section eighty-four and by inserting in lieu thereof the following subsection:—

(7) (a) The number of directors shall not be less than three.

(b) Unless the Advisory Council constituted under this Act upon application made to it for the purpose otherwise approves no person shall be qualified to be a director—

- (i) in the case of a society—unless he is a member of that society;

(ii)

Sec. 54 (1).
(Repayment
of shares.)
Sec. 84.
(Board of
directors.)

Co-operation (Amendment) Act.

No. 45, 1948.

(ii) in the case of an association—unless he is a member of a component society of that association;

(iii) in the case of a union—unless he is a member of a component society of an association which is a member of that union.

(c) In the absence of a director from a meeting of the board a person appointed by the board in accordance with the rules of the society, association or union concerned to act as deputy for that director may act in the place of that director. Such rules may include provisions regulating the term of office, vacation of or removal from office, and remuneration of any such deputy.

New sec.
92B.

(f) by inserting next after section 92A the following new section:—

Remunera-
tion of
liquidator.

92B. Notwithstanding anything contained in this Act or in the Companies Act, 1936, the remuneration paid to the liquidator of a society wound up voluntarily shall not exceed the amount fixed by the Advisory Council constituted under this Act.

Consequen-
tial—
Variation of
certain
agreements.

3. (1) This section shall apply to every agreement which was entered into before the commencement of this Act, between a building society duly registered under the Co-operation, Community Settlement, and Credit Act, 1923, as amended by subsequent Acts, and the Colonial Treasurer, and which is in force at such commencement, whereby in consideration of the execution by the Colonial Treasurer pursuant to the Government Guarantees Act, 1934-1948, of a guarantee in favour of the bank society or body of persons mentioned in the agreement (which bank society or body of persons is in this section referred to as "the lender") the building society undertakes to observe the covenants, stipulations and conditions specified in the agreement.

(2) Notwithstanding anything contained in any agreement to which this section applies, the agreement shall not operate to preclude the building society which
is

Wheat Industry Stabilisation Act.

443

is a party thereto from making, out of moneys borrowed by it from the lender, advances to a member of the society to the extent and in the circumstances contemplated by section 17A of the Co-operation Acts, 1923-1947, as amended by this Act or contemplated by the rules of the society.
