

CO-OPERATIVE SOCIETIES (AMENDMENT) ACT – COMPARATIVE TABLE

Ref to Draft Amendment Bill	Section in the Act	Existing Provision	Proposed Provision (amendments are in blue font)
2.	2	<p>(1) In this Act, unless the context otherwise requires —</p> <p>“dividend” means a portion of the net surplus of a society distributed among the members of the society in proportion to either or both of the following:</p> <p>(a) the paid-up share capital held by the members in the society;</p> <p>(b) the subscription capital held by the members in the society;</p> <p>“honorarium” means a portion of the net surplus of a society distributed among some or all of the members of the committee of management in consideration of their services which would not otherwise be remunerated;</p>	<p>(1) In this Act, unless the context otherwise requires —</p> <p>“dividend” means a portion of the net surplus or the reserves (if approved under section 72A) of a society distributed among the members of the society in proportion to either or both of the following:</p> <p>(a) the paid-up share capital held by the members in the society;</p> <p>(b) the subscription capital held by the members in the society;</p> <p>“honorarium” means a portion of the net surplus or the reserves (if approved under section 72A) of a society distributed among some or all of the members of the committee of management in consideration of their services which would not otherwise be remunerated;</p> <p>“reserves” means the assets of a society that are in excess of its liabilities, paid-up share capital, subscription capital and other deposits;</p>

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3.	3	(3) The Registrar is to have a seal of such device as may be approved by the Minister.	(3) The Registrar is to have a seal of such device as may be approved by the Minister.
4.	10	(3) A certificate of registration, or a copy thereof, signed and sealed by the Registrar is conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registration of the society has been cancelled.	(3) A certificate of registration, or a copy thereof, signed and sealed by the Registrar is conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registration of the society has been cancelled.
5.	15	(4) Every application for the registration of the amended by-laws must — (a) be signed by the chairperson and 2 members of the committee of management of the society; (b) contain such information as the Registrar may require; (c) be accompanied by a copy of the amendment and the relevant resolution, and such other documents as the Registrar may require; and (d) be accompanied by such fee as may be prescribed.	(4) Every application for the registration of the amended by-laws must — (a) be signed by the chairperson or Secretary and 2 members of the committee of management of the society; (b) contain such information as the Registrar may require; (c) be accompanied by a copy of the amendment and the relevant resolution, and such other documents as the Registrar may require; and (d) be accompanied by such fee as may be prescribed.
6.	34	(1) A society must, as soon as practicable but not later than 6 months after the close of each financial year, submit to the Registrar an annual report on its activities during the year	(1) A society must, as soon as practicable but not later than 6 months after the close of each financial year, submit to the Registrar an annual report on its activities during the year

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		<p>together with a copy of the audited financial statements of the society and the audit report for that year.</p> <p>(5) The society must, as soon as practicable but not later than 6 months after the close of the financial year, prepare and submit the financial statements in respect of that year to the auditor who must audit and report on them.</p> <p>(6) Despite subsection (5), the Registrar may, on application by a society, extend the period of 6 months referred to in that subsection, if for any special reason the Registrar thinks fit to do so.</p>	<p>together with a copy of the audited financial statements of the society and the audit report for that year.</p> <p>(5) The society must, as soon as practicable but not later than 6 months after the close of the financial year, prepare and submit the financial statements in respect of that year to the auditor who must audit and report on them.</p> <p>(6) Despite subsection (5), the The Registrar may, on application by a society, extend the period of 6 months referred to in subsection (1) that subsection, if for any special reason the Registrar thinks fit to do so.</p>
7.	53	(3) Unless the by-laws otherwise provide, a notice of every general meeting must be sent to each member, and each delegate entitled to attend the general meeting, at least 15 clear days prior to the date of the meeting.	(3) Unless the by-laws provide for a longer period otherwise provide, a notice of every general meeting must be sent to each member, and each delegate entitled to attend the general meeting, at least 15 clear days before prior to the date of the meeting.
8.	54	<p>The functions of the annual general meeting of a society are —</p> <p>(d) to consider and resolve the manner in which any available net surplus is to be distributed or invested subject to the provisions of this Act and the by-laws;</p>	<p>The functions of the annual general meeting of a society are —</p> <p>(d) to consider and resolve the manner in which any available net surplus is to be distributed or invested subject to the provisions of this Act and the by-laws;</p>

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			<p>(da) to consider and resolve the distribution or payment of any reserves for which the approval of the Registrar under section 72A has been obtained;</p> <p>(db) to consider and resolve the payment of any honorarium, allowance or other benefit to members of the committee of management;</p>
9.	61	<p>(2) Without limiting subsection (1), the functions of the committee of management are —</p> <p>(f) to prepare and present to the annual general meeting of the society a proposal for the distribution of any net surplus accrued during the preceding financial year, in accordance with this Act and the by-laws;</p>	<p>(2) Without limiting subsection (1), the functions of the committee of management are —</p> <p>(f) to prepare and present to the annual general meeting of the society a proposal for the distribution of any net surplus accrued during the preceding financial year, in accordance with this Act and the by-laws;</p> <p>(fa) to prepare and present to the annual general meeting of the society any proposal for the distribution or payment of any reserves for which the approval of the Registrar under section 72A has been obtained;</p>
10.	65	<p>(1) A member of the committee of management of a society, not being an employee of the society, may receive an honorarium or allowance (but not both) and other benefits from the society if, and only if, the payment of such honorarium or allowance and the provision of any such benefits have been authorised by a resolution to that effect passed by a general meeting of the society.</p>	<p>(1) A member of the committee of management of a society, not being an employee of the society, may receive an honorarium or allowance or both (but not both) and other benefits from the society if, and only if, the payment of such honorarium or allowance or both and the provision of any such benefits have been authorised by a resolution to that effect passed by a general meeting of the society.</p>

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11.	66	<p>(1) The capital of a society may be raised by all or any of the following means:</p> <p>(d) In the case of credit societies —</p> <p>(i) subscription capital; and</p> <p>(ii) other deposits from members which are withdrawable subject to conditions laid down in the by-laws;</p>	<p>(1) The capital of a society may be raised by all or any of the following means:</p> <p>(d) In the case of credit societies —</p> <p>(i) subscription capital; and</p> <p>(ii) other deposits from members which are withdrawable subject to conditions laid down in the by-laws;</p> <p><i>(da) bonds or debentures issued by the society subject to such restrictions as are laid down in this Act and in the by-laws;</i></p>
11.	66	<p>(2) The issue of bonds or debentures by a society is subject to the Registrar’s approval.</p>	<p>(2) The issue of bonds or debentures by a society is subject to the Registrar’s approval.</p>
12.	71	<p>(2) Every society must contribute —</p> <p>(a) 5% (or such other rate as may be prescribed in substitution) of the first \$500,000 of the surplus resulting from the operations of the society during the preceding financial year to the Central Co-operative Fund; and</p> <p>(b) 20% (or such other rate as may be prescribed in substitution) of any surplus in excess of \$500,000 from the operations of the society during the preceding</p>	<p>(2) Every society must contribute —</p> <p>(a) 5% (or such other rate as may be prescribed in substitution) of the first \$500,000 of the surplus resulting from the operations of the society during the preceding financial year <i>(excluding any amount specified in subsection (2A) and any grant from the Government excluded under subsection (2B))</i> to the Central Co-operative Fund; and</p>

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		financial year either to the Central Co-operative Fund or to the Singapore Labour Foundation as the society may opt.	(b) 20% (or such other rate as may be prescribed in substitution) of any surplus in excess of \$500,000 from the operations of the society during the preceding financial year (excluding any amount specified in subsection (2A) and any grant from the Government excluded under subsection (2B)) either to the Central Co-operative Fund or to the Singapore Labour Foundation as the society may opt.
12.	71	Not applicable	<p>(2A) In subsection (2), gains or profits arising from the disposal of —</p> <p>(a) any property owned by the society and used by the society for its own operations; or</p> <p>(b) any shares (whether listed or unlisted) in any entity held by the society,</p> <p>are excluded from the surplus of a society.</p> <p>(2B) In subsection (2), the Minister may, by order in the <i>Gazette</i> and subject to any conditions specified in the order, exclude any grant from the Government from the surplus of a society.</p>

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13.	72	<p>(2) A society must not pay a dividend on paid-up share capital or subscription capital exceeding —</p> <p style="padding-left: 40px;">(a) in any case where that society is a credit society that does not meet any prudential requirement contained in written directions issued by the Registrar — a maximum rate specified in written directions issued by the Registrar to that society; or</p> <p style="padding-left: 40px;">(b) in any other case — a maximum rate prescribed in the Rules.</p>	<p>(2) A society must not pay a dividend (under this section and section 72A) on paid-up share capital or subscription capital exceeding —</p> <p style="padding-left: 40px;">(a) in any case where that society is a credit society that does not meet any prudential requirement contained in written directions issued by the Registrar — a maximum rate specified in written directions issued by the Registrar to that society; or</p> <p style="padding-left: 40px;">(b) in any other case — a maximum rate prescribed in the Rules.</p>
14.	72A	Not applicable	<p>Allocation, distribution and payment of reserves</p> <p>72A.—(1) Subject to this Act, any conditions prescribed in the by-laws and any written direction by the Registrar, a society may allocate its reserves (or any part thereof) to funds constituted by the society, and may change the amount of the reserves allocated to any fund from time to time.</p> <p>(2) Subject to subsection (3), the reserves (or any part thereof) may be distributed to the members by way of dividend or paid to officers of the society by way of honoraria, to such extent and under such conditions as may be prescribed under this Act or in the by-laws.</p>

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			(3) A committee of management proposing to make a distribution or payment under subsection (2) must obtain the Registrar’s approval for the distribution or payment before the annual general meeting of the society is held to consider and resolve the making of the distribution or payment.
15.	73	<p>(7) Despite subsections (3), (4) and (5), a member of a society who is a foreign worker is eligible to receive from the society the value stated on the member’s bonus certificate or bonus share if —</p> <p>(a) the member ceases employment in Singapore for any reason, including the completion of the member’s contract of service; and</p> <p>(b) the committee of management of the society is satisfied that the member —</p> <p>(i) has left or will soon leave Singapore permanently; and</p> <p>(ii) has no intention to resume employment in Singapore.</p>	<p>(7) Despite subsections (3), (4) and (5), a member of a society who is a foreign worker is eligible to receive from the society the value of stated on the member’s bonus certificate or bonus share if —</p> <p>(a) the member ceases employment in Singapore for any reason, including the completion of the member’s contract of service; and</p> <p>(b) the committee of management of the society is satisfied that the member —</p> <p>(i) has left or will soon leave Singapore permanently; and</p> <p>(ii) has no intention to resume employment in Singapore.</p>

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15.	73	Not applicable	<p>(7A) Despite subsections (3) and (5), a person who is authorised to administer the property of a member is eligible to receive from the society the value of the member’s bonus certificate or bonus share if the member is —</p> <ul style="list-style-type: none">(a) dead;(b) bankrupt;(c) a society for which a winding up order has been made under section 83(1) or (2); or(d) a trade union that has been dissolved under section 19 of the Trade Unions Act 1940.