



**Co-operative
Federation of
NSW Ltd**

October 2002

Federation newsletter

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Trade Practices Act Review

You will all remember that the Federation approached co-operatives in June for contributions to enable a submission to be prepared, on behalf of the sector, explaining the consequences of the Trade Practices Act 1974 on co-operative activities. Many of you will have seen our original submission on the Review's website - pareview.treasury.gov.au - and the subsequent Addendum that was lodged, giving background material on co-operatives in Australia, Europe and North America.

We are pleased with the quality of the submission, which was prepared, primarily, by Addisons, Solicitors. Addisons long history of involvement in the sector places them in a position where they have intimate knowledge of the problems faced by co-operatives as well as having the expertise to present a professional paper. Comments were called for from co-operatives and several

assisted us with specific case files. We also consulted several Trade Practices experts. Background material was able to be submitted, courtesy of the Australian Centre for Co-operative Research and Development (ACCoRD). Later, in September, we were granted a hearing in Melbourne with the head of the enquiry, Sir Daryl Dawson. We had an opportunity, together with the Victorian and Queensland Federations, to explain the significance of co-operatives in Australia, how they work and how they are affected in their endeavours by the workings of the Act. We now await the release of the recommendations of the Review panel.

Having completed our task, we will be issuing the long delayed tax invoices requesting contributions promised by co-operatives. We hope to send the invoices out in October.



Making Your Co-operative Status Work for You Conference - November 14/15

Have you remembered to book for the Conference? This year we have a particularly exciting list of speakers and topics - you will have an excellent opportunity to develop your understanding of good governance. We tackle the thorny question of how to select and train good board members and then we will have a scripted board meeting, in action, to demonstrate issues that regularly arise. The next time you face them, you'll have some new ammunition.

We will of course cover current Co-operatives Act issues, but we will also be looking at some more

specialised areas. For example, do you think that a trading co-operative should have a website? Have you considered how benchmarking can be approached, for co-operatives?

Three specialised areas that you can learn more about during the two days at Homebush Bay are FBT and salary packaging for employees, Privacy Act impacts on your co-operative and where the Franchising Code of Conduct fits into all of this.

The overall question of how to make your co-operative status a positive factor in your endeavours will never

CO-OP PROFILE

CREATING CO-OPERATIVE FUTURES

A CASE STUDY IN HOW PRIVATE SECTOR FUNDING CAN AID SOCIAL ENTERPRISE SUPPORT

In this issue, instead of profiling a NSW co-operative, we are running an article on an innovation in Britain which seems to be producing results. Those of you who went to the 2000 conference in the Barossa will remember Oxford, Swindon & Gloucester Co-op. It had just recently set up a co-operative policy and support agency - read about its progress and think, if you will, about how this could be implemented in Australia.

In 1998, Oxford, Swindon & Gloucester Co-op (O, S & G) took a bold decision. If it believed that developing co-operatives and other forms of social enterprise was the answer, then it should put its money where its mouth

supporting the creation, promotion and development of co-operative enterprises, and paying a Co-op Community Dividend

was. It did. It created the 1%+ policy that a minimum of 1% of its profits would be used to support the creation, promotion and development of other co-operative enterprises, (and a further minimum of 1% of profits would be devoted to supporting community based projects).

However, having made the decision to spend the money the question was how. This proved to be a major challenge. In Swindon, the local co-operative development agency (CDA) had closed 10 years before. In Gloucestershire, its agency had just closed. In Oxfordshire, it had become a community development agency with little interest in co-operatives. O, S & G concluded that

the main problems faced were:

- CDAs, as created in the 1980s, were heavily reliant on local authority financing. This had proved the undoing of many;
- Those CDAs that had prospered had diversified their funding, but sometimes at the cost of focus;
- Many had little or no contact with mainstream business support;
- The funding regime led to a very reactive approach. There was little policy engagement with funders.

The Society made its next bold decision, to create an entirely new agency that would:-

- ◆ Use the Society money to create a stable core to its operation
- ◆ Operate across Oxfordshire, Gloucestershire and Swindon, thus minimising the risk of loss of funding in one area
- ◆ Be owned by, and answerable to, local co-operatives and other social enterprises
- ◆ Build partnerships with a wide range of

policy formers and funders

- ◆ Think of being a policy agency as well as a delivery agent

Thus, began the work to create Co-operative Futures. The work was slow as local authorities, Business Links, Training & Enterprise Councils and many others had to be engaged and enthused. Slowly, the funding pot began

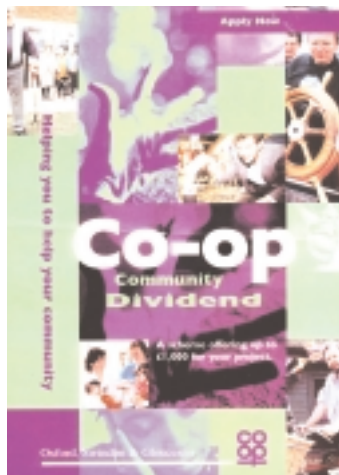
to expand as the Society's money leveraged contributions from its public sector partners.

Finally, at the beginning of January 2000, Co-operative Futures became the first co-operative organisation of the new millennium. Staff were appointed in each area and advice work began. The Society seconded two of its managers part time to oversee the running of the agency, until it had expanded enough to become fully independent. For the first time, the Society could say that its initial goal had been met, namely that everyone in its trading area now had access to free professional advice on starting and running a co-operative.

Having addressed the concerns over local authority reliance and the ability to focus on development, the next step was to address the need for the sector to access mainstream business advice resources. The work began in Oxfordshire when the Oxfordshire Economic Partnership and O, S & G agreed to fund the setting up of the Oxfordshire Mutuality Task Force. Its report, published in February 2000, contrasted the success of economies around the world in using mutual solutions to meet their needs and the poor record in the UK. It called for the sector to work in partnership with the new Small Business Service franchises to ensure that co-operatives and other social enterprises could receive the same resources as enterprises that were based on partnership or company models.

This is the objective Co-operative Futures has pursued for the past two years. Its most notable success in

this has been in Wiltshire, where the county has changed from having no social enterprise support available to a service that is



CHARITIES AND THE LAW

fully integrated with Business Link Berkshire & Wiltshire and is delivered in partnership with the county's rural community council, Community First. A separate case study of this is available.

Co-operative Futures Today and Tomorrow

The growth of the agency enabled its board to appoint its first full time director in December 2001. It now employs full time social enterprise advisors in Oxfordshire, Gloucestershire and Wiltshire and a credit union specialist. Its policy work includes projects on co-operative-to-co-operative trading, learning from Mondragon (the large Spanish co-operative), multi-stakeholding and rural social enterprises.

It has ambitious plans to strengthen its work with existing social enterprises, both to enhance their sustainability and to engage them in supporting new starts. It is also planning that all parts of its area will have complete integration with the local Small Business Service franchise and good working relationships are in place.

That original decision by Oxford, Swindon & Gloucester Co-op has led to the creation of a successful, stand-alone agency at the forefront of co-operative development. O, S & G has been so pleased with this success that its members approved that 2.25% of profit (£140,000) is devoted to this work in 2002.

For further details, please contact: Peter Couchman, Oxford, Swindon & Gloucester Co-op, peter.couchman@osg.coop
Jo White, Co-operative Futures, jo.white@co-operativefutures.coop
Your Executive Officer visited co-operative contacts last year, whilst holidaying in Europe, and has a copy of "Mutuality owning the solution. The report of the Oxfordshire Mutuality Task Force" and other interesting publications.

The recent enquiry into the definition of charity in the tax law produced a series of recommendations for change. The Government has responded and we can expect legislative change to follow soon.

a legislative definition of charity

1. The Government will enact a legislative definition of charity, which will follow the common law definition, but will provide greater clarity.
2. There will be an exposure draft, and there will be wide consultation on it prior to its enactment.
3. The Government will establish a new category of gift deductible institutions which promote the prevention of harmful and abusive behaviour among humans. The change will take effect from 1 July 2003.
4. Public hospitals will continue to receive the same FBT treatment as other charities (ie the \$17,000 capped FBT exemption), even if they are not public benevolent institutions.
5. Commercial activities should not deny charitable status provided those activities are ancillary to the dominant charitable purpose.
6. However, the Government will require all charities, public benevolent institutions and health promotion charities to have ATO endorsement to access relevant tax concessions as from 1 July 2004.
7. Specific additions to the list of gift deductible organisations will be able to be prescribed by regulation in future.
8. Entities established in perpetuity will be able to be endorsed as gift

deductible recipients.

and a codified definition of charitable purpose

The Government also proposes that there be a codified definition of charitable purposes. Charitable purposes are to be defined as the advancement of health, education, social and community welfare, religion, culture, natural environment and "other purposes beneficial to the community".

A charity must be a not-for-profit with dominant charitable purposes and for the public benefit. This introduces a second, public benefit test. Public benefit entails an aim at achieving a universal or common good, it must have practical utility, and must be directed to the benefit of the general community or a sufficient section of the community. However, open and non-discriminatory self-help groups and closed or contemplative self-help groups do not have to meet the public benefit test.

The only entities capable of being charities are bodies corporate, corporations sole, a trust and an association or body of persons whether incorporated or not.

This extract from TaxWatch, Vol 2002, Number 16, 4/10/02, published by Television Education Network Pty Ltd for the subscribers to Sound Education in Taxation, has been reproduced with their kind permission.

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COMPUTER HEALTH

some useful hints to help lower your frustration levels



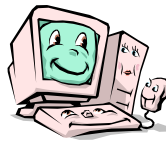
Defragmenting your hard disk

Your computer's hard disk is like a file cabinet and while you are working, it can get pretty disorganised. When you install a program on your computer, the program's files are typically broken up over multiple locations on your hard disk. This is called *fragmentation*.

Fragmentation slows the performance of programs on your computer. **Disk Defragmenter** reorganises the files on your hard disk into contiguous blocks. This improves the performance of your programs because the files are arranged closer together.

Disk Defragmenter can also create a log file to determine which programs you run most frequently. All such frequently used files are then placed in a single location on your hard disk, which further reduces the time needed to start those programs.

If you use your computer a lot, it's a good idea to run **Disk Defragmenter** on a regular basis. It also helps to run **Disk Defragmenter** if you've installed several new applications, so that they will perform at top speed.



Here's how to do it:

1. Click **Start**, point to **Programs**, point to **Accessories**, point to **System Tools**, and then click **Disk Defragmenter**.
2. Click the **Settings** button, select the options you want (to ensure fastest startup of programs, select the first check box), and then click **OK**.
3. Choose the drive you want to defragment from the drop-down menu, and then click **OK**.

Note: It is best to shut down all other programs before you run **Disk Defragmenter**, even your screen saver and virus checker! If you Defrag once a day, it will take a few minutes. Once a week, maybe 15 minutes. Once a month, perhaps an hour. So the more often you Defrag, the less time it takes and the better your computer will run.

Hoax virus warnings

Have you been tricked into taking action against a supposed virus, only to discover it was a hoax? And now you DO have a problem? Next time you get a message suggesting that you have a virus, check it out on the following Symantec site, before you take any action:
www.symantec.com/avcenter/vinfodb.html

Just search on the key word or "hoax" and see if it is listed.
With thanks to *Leading Edge Computers, Charlestown,*
info@lecc.com.au



Trading Co-operatives Seminar

A well received seminar was held at the Burwood RSL on the afternoon of September 24.

Vanessa Priest, a tax partner with Greenwood BKT, addressed the issues co-operatives must consider when determining whether to pay franked dividends/rebates or to claim deductible rebates/dividends, as foreshadowed in the Treasurer's announcement in August last year. Vanessa was handicapped by the fact that legislation has still not been tabled, although the new rules took effect on July 1, 2002. She began by emphasising Sections 117, 118 and 120 (of the Income Tax Assessment Act 1997) and pointed out that rebates/dividends can be claimed up to the amount of assessable income, not just the profit, so that a loss is possible. Another point that many may have missed is that franking accounts have to be created, up to June 30, 2002, and this will be done by going back year by year to ascertain the tax paid by the co-operative. ie. you are unlikely to start the new system with an empty franking account. It's a bit early to give definite advice, but it would appear that the decision of whether to frank or not will have to be made before year end, you will have to consider whether you have failed the 90% test, you should look at what the opposition is doing and you need to decide whether the benefits may be outweighed by member dissatisfaction at constant changes. The general effect will be to move the tax liability and hence the cash flow impact up the line to the co-operative.

Next Linda Fuller, from the finance branch of the Registry, talked to us about how to maintain a share register. We looked closely at Sections 249 and 250 of the Co-operatives Act 1992, the Regulations relating to content, cancellation of membership, the different types of co-operatives and subsidiary matters such as conversions, share issues, forfeiture, repurchase, etc. We also looked at a real example of register entries and a typical mistake made - omission of the minutes book date of allotment of shares. Included in the handout was a sample letter informing a member that he/she is no longer an active member - make sure that all the proper steps are taken for this action, including minuting.



Robyne Lunney, from the legal branch of the Registry, covered information that you must provide to members and prospective members. Don't forget to include any special resolutions that are not in the consolidated rules. We were reminded that a new disclosure statement isn't required to be lodged with the Registry, just because new financial reports has issued. We looked at the proforma disclosure statement prepared by the Registry and were reminded that they have various proforma suggestions for changes that may be planned - ask for a copy and save on drafting time and costs.

Incidentally, apparently most co-ops have not lodged a disclosure statement. If you are issuing shares and don't fit into the exemption categories, get your omission corrected immediately.

Next we heard from John McPherson, Secretary of Legion Cabs (Trading) Co-operative Society Ltd. John talked about the practical issues from the viewpoint of a co-op secretary. He reminded us of the basic difference between share registers for corporations and co-operatives that have share capital - in one you become a member because you hold shares, in the other your membership means that you must acquire shares, as defined in the rules, to be entitled to member's rights. John also discussed the conditions under which information in the register can be used.

The panel discussion was a good way to round off the day. Members' evaluation of the seminar was very positive - the next challenge is to find funding to take our seminars to regional audiences. We have programmes for two series of seminars already planned, with professional presenters lined up, and are expecting to present them in early 2003, but have yet to acquire sufficient funding to make them possible. Stay tuned.

INDEMNITIES TO OFFICERS

Ben Johnston, Addisons,
Solicitor

The Co-operatives Act ban on indemnities extends beyond directors and secretaries - but how far?

"There's glory for you!"
"I don't know what you mean by 'glory,'" Alice said.
Humpty Dumpty smiled contemptuously.
"Of course you don't-till I tell you. I meant 'there's a nice knock-down argument for you!'"
"But 'glory' doesn't mean 'a nice knock-down argument,'" Alice objected.
"When I use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean- neither more nor less."
"The question is," said Alice, "whether you can make words mean so many different things."

"The question is," said Humpty Dumpty. "which is to be master - that's all."
- Lewis Carroll, *Through the Looking Glass*

Under Section 228(1) of the Co-operatives Act 1992 (the Act) any provision in any document which exempts an *officer* of a co-operative from, or indemnifies an *officer* against, any liability that the *officer* would otherwise bear in respect of any negligence, default, breach of duty or breach of trust of which the *officer* may be guilty in relation to the co-operative, is void.

Sub-section (2) provides that section 228(1) does not apply in relation to a contract of insurance and sub-section (3) permits indemnities by a co-operative in respect of liability incurred in successfully defending proceedings.

In other words, the general rule is that it is acceptable for a co-operative to pay a premium to have an

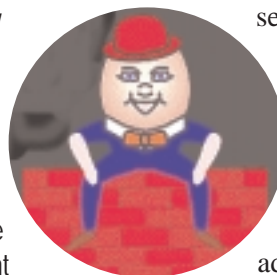
insurance company indemnify the co-operative's officers, but it is not acceptable for the co-operative to indemnify the officers directly in respect of liability for their own negligence or default (with the exception of their defense costs if they win).

Officers

So far, so good. But who are "officers"?

The logical starting place to find the meaning of a word in a statute is the definitions in the interpretation section. The interpretation section of the Act is section 5.

The definition of "officer" in section 5 commences:



"officer, in relation to a co-operative, means:
(a) a director, secretary **or employee** of the co-operative..." [emphasis added]

However, section 228 appears in Division 2 of Part 9 of the Act, and section 220 gives a different definition of "officer" for Division 2 of Part 9.

The definition of "officer" in section 220 commences:

"officer", in relation to a co-operative, means:
(a) a director or secretary of the co-operative..."

Both section 5 and section 220 are otherwise the same. Does the omission of employee from section 220(a) mean that employees who are not directors or secretaries escape from the strictures of section 228?

No, because what section 220 takes away, section 228(7) adds back!

Section 228(7) states:

"In this section, **officer** includes an employee of a co-operative

and any other person empowered under the rules of the co-operative to give directions in regard to the business of the co-operative".

This, surely is the end of the trail: "officer includes an employee of the co-operative ... " What could be plainer English than that? So the position may be summarised as follows: Parliament, in its wisdom, has decided that in the Act as a whole "officer" includes employee, but in Division 2 of Part 9 it doesn't, except in section 228 where it does.

two possible interpretations

But is the meaning of section 228(7) really as plain as it seems? No, it is not. There are two possible interpretations of sub-section (7):

Version 1 (which is the meaning attributed above):

Officer includes:

- (1) an employee of a co-operative, and
- (2) any other person empowered under the rules of the co-operative to give directions in regard to the business of the co-operative.

Version 2:

Officer includes:

- (1) an employee of a co-operative empowered under the rules of the co-operative to give directions in regard to the business of the co-operative
- (2) any other person empowered under the rules of the co-operative to give directions in regard to the business of the co-operative.

Before we try to come to grips with choosing Version 1 or Version 2, let us revisit the basic definition. Section 5 and section 220 both state:

Officer, in relation to a co-operative, means:

- (b) a person who is concerned, or takes part, in the management of the co-

operative, whether or not as a director"

We are entitled to think that there must be a difference between 'being concerned, or taking part, in the management of a co-operative' and 'giving directions in regard to the business' of a co-operative. Not only must the two concepts be different, but someone who is concerned or takes part in the management must play a smaller role than someone who gives directions in regard to the business. If not, it was quite unnecessary to use these words in section 218(7).

So let's review our summary:

Parliament, in its wisdom, has decided that in the Act as a whole, "officer" includes employee, but in Division 2 of Part 9 it doesn't, except in section 228 where it either includes all employees or only includes employees who give directions in regard to the business.

Clear? Any questions? Don't ask me, ask Humpty Dumpty.



A Co-operative is an enterprise, freely established, that is owned and controlled by a group of legal persons for the purpose of equitably providing themselves with mutual benefits arising from the activities of the enterprise, and not primarily from investment in it.

Reinventing Co-operation - the challenge of the 21st century, Edgar Parnell, Plunkett Foundation, 1999

Does your co-operative have a newsletter? The Federation would love to be on your mailing list - then we can let everyone else know your news!

NEWLY INCORPORATED CO-OPERATIVES

THE FOLLOWING NEW CO-OPS ARE WELCOMED INTO THE SECTOR:

COW Co-operative Limited
Primary activity: to initiate, promote & sponsor mental health consumer involvement & interest in business, employment & training
Location: Sydney

Kendall Comboyne Community Co-operative Limited
Primary activity: the provision of information, products and services to meet the needs of the two communities
Location: Hastings

NSW Cambodian Growers' Marketing Co-operative Limited
Primary activity: marketing of fresh produce grown by the members
Location: Fairfield

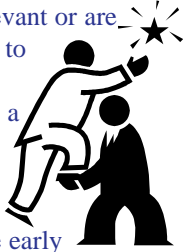
Spiral Gallery Co-operative Limited
Primary activity: exhibition and sale of artworks
Location: Bega Valley

The Renewable Energy Co-operative Limited
Primary activity: development, construction, manufacturing and retailing of renewable energy technologies & related energy products; collection of suitable organic material for conversion into renewable energy products; manufacture & sale of organic fertilisers; undertaking associated activities including provision of information services, referrals & consultancy services
Location: Hastings

The Wholesale Property Co-operative Limited
Primary activity: investigating institutional property investment opportunities
Location: Ryde

Existing members might wish to take

note of those new co-ops that have activities that are relevant or are geographically close, to offer a networking contact and to extend a warm welcome to them. New co-ops need support and encouragement in the early stages, as you may remember, and if we provide that support we will be helping to create a stronger co-operative sector.



The Conference

Continued from page 1

be far from our minds. We'll hear some ideas from our cousins across the Tasman. We'll also hear from a couple of local co-operatives.

You may want to attend because of the quality of our speakers - we have a good mix of co-operative advisors, regulators and practitioners. People attend the conference for several reasons - one of them is the opportunity to network with people who face the same issues you do. If you're a Chairperson, you've got the chance to attend the Chairpersons' breakfast. Don't miss this opportunity to throw some problems and ideas around with a small group of your peers.

If you're planning to attend for the social atmosphere, don't miss relaxing on Thursday evening at the BBQ. The guest speaker will be concentrating on community capacity building, courtesy of co-operatives. And you'll be concentrating on making contacts in the networking sector.

Come along and help create a "buzz" that will carry over into the next twelve months. If you can't find your brochure, ask Helen for one - for snail mail version, ring (02) 4938 5308. Or get a .pdf file by emailing hmccall@onaustralia.com.au.

But whatever you do, don't miss the conference. Did I mention the welcoming drinks on Wednesday evening?

The Fifth Annual Agribusiness Co-operative Leaders' Forum will be held at Shearwater Resort, Cape Schanck, on November 2 & 3. Nominations have been called for the Sir John Monash Gold Medal Award for Agribusiness Co-operative Directors and for the Australasian Agribusiness Co-operatives Hall of Honour. To lodge a nomination or register for the Forum contact Lawrie Dooley on (03) 99032757 or email lawrence.dooley@buseco.monash.edu.au

One of the key recommendations of the government taskforce into the Australian Sugar Industry is that the industry be rationalised into larger units of farms or farm co-operatives within mill areas and that the Government be fully supportive of industry's efforts. The report asserts that co-operative farms would save transport costs and time, and spread farm risk. For more see www.affa.gov.au/sugar

The US Federal Department of Agriculture's Rural Co-operative Development Grants provide critical support to co-operative development centres that offer technical assistance and help farmers in rural American communities to start new co-operative businesses. In 2001, the program funded 18 centres that offer business-planning services. Since 1993 the program has provided more than \$28 million to assist with development.

ACCORD News Number 7

The first meeting of the Co-operatives

Council Legislative Review Committee is to be held this month, as noted in our recent letter to members. If you have any issues relating to the current Act please phone or email the Federation. The Committee wants to address those aspects of the Act that can be changed to create real improvements for co-operatives in their day-to-day operations.

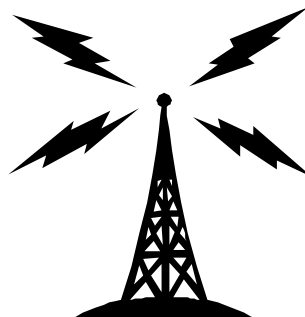
When Wesfarmers went public in 1984 it had 21 farmers on its board. CEO Michael Chaney says that their common sense and long-term view was invaluable, particularly when the company went through a couple of difficult periods. "I used to think that a board's main role was to appoint the chief executive, monitor performance and dismiss if necessary," Chaney says. "But I subsequently developed the view that the board's important role is to make sure the right questions are asked so that management understands there will be a full evaluation before they do something. In the absence of a proper review process, any CEO is bound to relax and may take things for granted and suffer from a bit of hubris - especially if things are going well." Chaney, considered one of the best executives in the country, insists that a good board is crucial to any company's success.

Sydney Morning Herald July 20/21, 2002

We recommend that boards should expect to spend at least a quarter of their total governing time in education mode. *Good Governance May/June 2002*

The Federation's Annual General Meeting is to be held on November 14, 2002 at 5.15 pm at Sydney International Hockey Stadium, Shirley Strickland Avenue, Sydney Olympic Park. This is at the conclusion of the first day of the conference. Please note that members have been sent notice of special resolutions to be put to members on the day. We look forward to seeing you there.

Reverse Garbage is a community based co-operative dedicated to helping the environment through reusing resources rather than throwing them away. They collect all sorts of unusual, useful,



..... NEWS

inspiring and safe items from industry. These items would otherwise have been thrown away, filling up our landfill sites. They make the amazing range of items collected available at incredibly cheap prices for people to use. The products are great for artists, schools, childcare centres, home renovators, community organisations, people who like to DIY, (lots of items for sewing, craft, electronics, and more) people in the media - (film, TV, stage, event management - lots of great materials for props, displays, costumes etc). Anyone who is after a bargain, or who wants an inspirational shopping experience or who needs to find some unusual items should go on down to see them. A large garbage bag full of materials costs \$17.50. There are some extra good items that are individually priced - a list of some of their newest stock can be obtained from Reverse Garbage at marrickville@reversegarbage.org.au or 9569 3132.

“Co-operatives traditionally paid everything back to their shareholders,” says Barry Kelly, Golden Circle’s managing director. “My predecessor convinced the board a long time back that for their company to be successful, they had to retain profits. So there was a very strong balance sheet built up where profits are retained in the business every year.” Golden Circle has been able to build the equity on its balance sheet to \$151 million, compared with debt of \$63.2 million at December 31. It used cash flow to finance \$70 million of investment to bring its processing equipment up to the latest standards, with enough automation to compete with low wage rivals overseas. Kelly has worked hard to make the co-ops accounts more approachable by the financial community, which understands dollars, not pineapples. Growers no longer receive a price per tonne which is higher than the market, with the difference paid as dividend. This difference amounted to \$4.5 million a year, which goes straight to

the bottom line. The factory is the biggest fruit and vegetable processing plant in the southern hemisphere. In March Golden Circle launched tinned baby food, completing against Heinz which had about 90% of the market. “At the moment we’re 35% of the canned market, and we thought in the first 12 months that we may have got to 15%, so it’s been a marvellous launch.”

Extract from Australian Financial Review 14/9/02

Following the changes introduced in NSW in March in response to calls for public liability reform, the latest announcement includes waivers and voluntary assumption of risk, establishing a realistic duty of care, protection for volunteers under “Good Samaritan” legislation, structured settlements, provision ensuring that saying “sorry” doesn’t represent an admission of guilt, limits to claims for nervous shock, drugs and alcohol to be taken into account in assessing negligence, and prohibition of damages recovery if an injured person engaged in criminal activity. The content of legal advertising has been restricted and the stamp duty on insurance premiums has been halved to 5%. Government funding has also been provided to establish a group buying and risk management facility for not-for-profit bodies. An Act to provide immunity for self defence has been introduced into Parliament.

CCH Email alert 4/10/02

NEXT ISSUE

- a report on recent changes to UK co-op legislation
- more on Government grants
- other topics, as they come to hand

THE CO-OPERATIVE FEDERATION OF N.S.W. LTD AIMS TO

- * represent and assist NSW co-operatives in their relations with government
- * facilitate or provide advice and services for NSW co-operatives
- * improve the awareness and understanding of the extent and significance of co-operatives
- * promote the exchange of information among co-operatives, and
- * maintain links with co-operative organisations, both interstate and internationally.

If you’re thinking about starting a co-op, whether for economic, social or environmental reasons, maybe we can help?

If you are involved with an existing co-op, we’ll help with little difficulties or big problems - if we can’t help, we’ll advise you on who is the best to help in your situation.

We work constantly to ensure good working relations with government and the Registry of Co-operatives. We are always on the outlook for ways to make the bureaucratic road easier for you - whether that be in regard to legislation or paperwork. If you have any particular issues that need attention, please let us know.



Phone or fax the Executive Officer, Helen McCall on (02) 4938 5308. Or email her on hmccall@onaustralia.com.au

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