

[CDA MEMORANDUM CIRCULAR NO. 2011-20, July 11, 2011]

GUIDELINES ON THE REGISTRATION OF AMENDMENT OF ARTICLES OF COOPERATION AND BY LAWS BY SUBSTITUTION

Cooperatives that were originally registered under old laws and confirmed by the Authority are having difficulty in proposing for amendment in view of the substantial change in the governing law, rules and regulations. Hence, there is a need to prescribe these Guidelines to govern the application for registration of amendments of articles of cooperation and by-laws by ***substitution***.

SECTION 1. Scope — This Guideline shall govern the registration of amendments of Articles of Cooperation and Bylaws with the Authority to conform with the provisions of RA 9520 and its Implementing rules and regulations. This shall be applicable to all types and categories of cooperatives applying for registration of amendments by substitution except cooperatives applying for transformation from single to multipurpose.

SECTION 2. Definition of Terms — The following terms as used in these Guidelines shall mean:

- a. Authority — shall refer to the Cooperative Development Authority (CDA).
- b. Registration of Amendment — shall mean the operative act of granting validity and effectivity to the modification of Articles of Cooperation and By-Laws as evidenced by the Certificate of Registration issued by the Authority.
- c. Amendment by substitution — refers to the substantial changes for legitimate purposes in any provision stated in the Articles of Cooperation and By-laws of the cooperative to conform to the prescribed requirements under RA 9520, using the template prepared by the authority.
- d. Certificate of Registration of Amendment — an official document issued by the Authority under its official seal which shall serve as conclusive evidence of such registered amendment unless it is proved that the registration has been cancelled or further amended. ?
- e. Code — shall mean RA 9520 otherwise known as the Philippine Code of 2008.

SECTION 3. Process of Amendment — The amendment in the Articles of Cooperation and By-laws shall use the template prepared by the Authority, but proponent may incorporate the relevant, peculiar and pertinent provisions in the old registered articles of cooperation and bylaws which shall be approved and voted by the