

[CDA MEMORANDUM CIRCULAR NO. 2009-02, July 07, 2009]

GUIDELINES IN THE ISSUANCE OF NEW CERTIFICATE OF REGISTRATION UNDER THE PHILIPPINE COOPERATIVE CODE OF 2008 (RA 9520)

Pursuant to Article 144 of Republic Act No. No. 9520, otherwise known as the "**Philippine Cooperative Code of 2008**", the Cooperative Development Authority hereby adopts and promulgates the following Guidelines as approved under Board of Administrators Resolution No. 164, s. 2009 dated July 7, 2009.

SECTION 1. Coverage - These Guidelines shall cover the issuance of new Certificate of Registration of all types and categories of registered and confirmed cooperatives that are existing prior to 22 March 2009 except for cancelled and dissolved cooperatives.

SECTION 2. Period to Register - The Registration shall start immediately upon the effectivity of these Guidelines and ends on March 22, 2010.

SECTION 3. Definition - The following definitions shall govern in the uniform interpretation of these guidelines:

a. *Registration* - is the operative act of the Authority confirming the juridical personality of registered and confirmed cooperatives with the Authority through the issuance of new certificate of registration under its seal and in compliance with Article 144 of RA 9520.

b. *Certificate of Registration* - A document issued by the Authority evidencing the due execution of registration confirming the juridical personality of an existing cooperative.

c. *Operating Cooperative* - refers to cooperative that has performed business whether operating on net surplus or net loss and cooperative operation including those that have not commenced business and cooperative operation within two (2) years from the date of registration.

d. *Non-Operating Cooperatives* - are those cooperatives which have not commenced business and operation within two (2) years after the date shown in its Certificate of Registration or have not carried on business for two (2) consecutive years.

e. *Newly Organized Cooperatives* - are those cooperatives organized and registered under RA 6938 a year before the effectivity of RA 9520 or from March 2008 to March 22, 2009.

f. *Deemed Cancelled Motu Proprio* - The legal existence and juridical personality of a cooperative is automatically terminated and all its

powers, functions, rights, privileges granted to such cooperative are extinguished for failure to secure a new certificate of registration in compliance with Article 144 of RA 9520.

SECTION 4. Requirements - All qualified registered and confirmed cooperatives shall submit the following documents to the concerned office of the Authority, to wit:

1. original copy of certificate of registration or certificate of confirmation including certificate of amendment/s, if applicable. In case of loss, the cooperative should present a Board Resolution duly notarized attesting to the circumstances on why the document(s) cannot be surrendered to the CDA;
2. photocopy of registered articles of cooperation and by-laws including registered amendment/s;
3. copy of latest audited financial statements as of December 31, 2007 and/or 2008 and/or 2009;

However, newly organized cooperative with no audited financial statement may submit their financial statement prepared by the bookkeeper and attested by the Chairman of the cooperative.

SECTION 5. Fees - The cooperative shall pay the basic registration fees in accordance with MC 2004-07 on the registration of cooperatives depending on their category.

SECTION 6. Venue for Registration - The concerned primary or secondary cooperative shall file the documents mentioned in Section 4 with the nearest CDA Extension Office (EO) having jurisdiction over them. Tertiary Cooperative Federations and Unions with national coverage and other types of cooperatives such as electric cooperatives, cooperative banks and insurance cooperatives shall file their documents with the CDA Central Office.

However, a cooperative that has officially transferred its operation and principal office to another region shall register in the EO that has jurisdiction over their present principal office address.

SECTION 7. Procedure -

1. For cooperatives with on-line access

- a. Initially, the applicant cooperative files application for registration through on-line (Internet) by accessing **Registration under Article 144 of RA 9520** at CDA Website, www.cda.gov.ph;
- b. The Cooperative Identification Number (CIN) issued to cooperative shall serve as username to access the application form. For those without CIN, cooperative shall request for the issuance of CIN in accordance with the approved guidelines.
- c. The cooperative shall fill up the necessary information required in the application form. If the CIN is invalid or the cooperative has no CIN, the cooperative shall go to the CDA Extension Office for verification of their status and may be issued one in accordance with the appropriate guidelines.