

## **ARTICLES OF COOPERATION**

**of**

### **\_\_\_\_\_ Fishermen Cooperative**

#### **KNOW ALL MEN BY THESE PRESENTS:**

We, the undersigned Filipino citizens, of legal age and residents of the Philippines, with a firm collective intent, have come together to organize voluntarily a Fishermen Cooperative to advance what we believe is our inherent right, under the laws of the Republic of the Philippines and to ensure the preservation and conservation of aquatic and marine resources.

#### **AND WE HEREBY CERTIFY:**

##### **Article I**

##### **Name of the Cooperative**

That the name of this Cooperative shall be \_\_\_\_\_  
\_\_\_\_\_ Fishermen Cooperative.

##### **Article II**

##### **Purposes**

That the purposes for which this Cooperative is organized are to engage in:

1. Processing and marketing of Aquatic Products of the members;
2. Seaweeds harvesting, processing and marketing;
3. Assisting in the development of marine sanctuaries, parks and reservations;
4. Promoting and advancing the economic and social status of the members;
5. Coordinating and facilitating the activities of cooperatives;
6. Advocating for the cause of the cooperative movements;
7. Ensuring the viability of cooperatives through the utilization of new technologies; and
8. Encouraging and promoting self-help or self-employment as an engine for economic growth and poverty alleviation;

##### **Article III**

##### **Goals**

That the goals of this Cooperative are to help improve the quality of life of its members and thereby contribute to inclusive growth, enterprise development and employment. In furtherance thereto, it shall aim:

1. To attain increased income, savings, investments, productivity, and purchasing power, and promote among themselves equitable distribution

- of net surplus through maximum utilization of economies of scale, cost-sharing and risk-sharing;
2. To provide optimum social and economic benefits to its members;
  3. To teach members efficient ways of doing things in a Cooperative manner;
  4. To propagate Cooperative practices and innovative ideas in business undertakings and management;
  5. To empower through provision of access, ownership, control and opportunities to the poor, vulnerable, lower income and less privileged groups to increase their ownership in the wealth of the nation;
  6. To actively support the government, other Cooperatives and people oriented organizations, both local and foreign, in promoting Cooperatives as a practical means towards sustainable socio-economic development under a truly just and democratic society;
  7. To develop a dynamic savings mobilization and capital build-up schemes to sustain its developmental activities and long-term investments, thereby ensuring optimum economic benefits to the members, their families and the communities;
  8. To adopt membership expansion mechanism/scheme, thereby ensuring growth of the Cooperative movement;
  9. To implement policy guidelines that will ensure transparency, accountability and equitable access to its resources and services, and promote the interests of the members;
  10. To adopt such other plans as may help foster the welfare of the members, their families and the community;
  11. To advance the competitiveness and innovativeness of the industry;
  12. To coordinate with other Cooperatives on learning exchanges, coop trade, and information exchanges in fostering sustainable development;
  13. To advocate legal framework and enabling policies appropriate for the development of fishermen Cooperatives; and
  14. To be the voice and the institution of the poor and the excluded in resisting the growth-centered development aggression and instead promote people-centered development.

#### **Article IV Powers and Capacities**

That the powers, rights and capacities of this Cooperative are those prescribed under Article 9 of Republic Act 9520.

1. To the exclusive use of its registered name;
2. To sue and be sued;

3. Of succession;
4. To amend its Articles of Cooperation in accordance with the provisions of RA 9520;
5. To adopt by-laws not contrary to law, morals or public policy, and to amend and repeal the same in accordance with RA 9520;
6. To purchase, receive, take or grant, hold, convey, sell, lease, pledge, mortgage, and otherwise deal with such real and personal property as the transaction of the lawful affairs of the Cooperative may reasonably and necessarily require, subject to the limitations prescribed by law and the Constitution;
7. To enter into division, merger, or consolidation, as provided under RA 9520;
8. To form subsidiary Cooperatives and join federations or unions, as provided in this Code;
9. To avail of loans, be entitled to credit and to accept and receive grants, donations and assistance from foreign and domestic sources subject to the conditions of said loans, credits, grants, donations or assistance that will not undermine the autonomy of the cooperative. The Authority, upon written request, shall provide necessary assistance in the documentary requirements for the loans, credit, grants, donations and other financial support;
10. To avail preferential rights granted to Cooperatives under RA 7160, otherwise known as the Local Government Code, and other laws, particularly those in the grant of franchises to establish, construct, operate and maintain ferries, wharves, markets or slaughters houses and to lease public utilities, including access to extension and on-site research services and facilities related to agriculture and fishery activities;
11. To exercise such other powers granted under RA 9520 or necessary to carry out its purposes as stated in this Articles of Cooperation; and
12. To act as Guardian Cooperative and accept the responsibilities of supervising and monitoring the activities of the Laboratory Cooperative and act in its behalf in dealings with third parties when capacity to contract is required. *(applicable to Guardian Cooperative only)*

#### **Article V**

#### **Term of Existence**

That the term for which this Cooperative shall exist is **Fifty (50)** years from the date of its registration with the Cooperative Development Authority.

#### **Article VI**

#### **Common Bond and Field of Membership**

That the common bond of membership of this Cooperative is \_\_\_\_\_ and the field of membership shall be open to all \_\_\_\_\_ who are natural persons, Filipino citizens, of legal age, with

the capacity to contract and possess all the qualifications and none of the disqualifications provided for in the By-laws and this Articles of Cooperation.

**Article VII  
Area of Operation**

That the membership of this Cooperative shall come from \_\_\_\_\_  
 \_\_\_\_\_Its  
 principal office shall be located at \_\_\_\_\_  
 \_\_\_\_\_

**Article VIII  
Name and Address of Cooperators**

That the name and complete postal address of the cooperators are as follows:

Name	Postal Address

**Article IX  
Board of Directors**

That the number of Directors of this Cooperative shall be \_\_\_\_\_(\_\_\_\_) *(it should be odd number, not less than 5 nor more than 15 members)* and shall serve until their successors shall have been elected and qualified within \_\_\_\_ days from the date of registration as provided in the By-laws.

Name
<u>1</u>
<u>2</u>
<u>3</u>
<u>4</u>
<u>5</u>

**Article X  
Capitalization**

That the Authorized Share Capital of this Cooperative is \_\_\_\_\_ PESOS (Php \_\_\_\_\_),  
divided into:

- a. \_\_\_\_\_ (\_\_\_\_\_) common shares with a par value of \_\_\_\_\_ (Php \_\_\_\_\_) per share; and
- b. \_\_\_\_\_ (\_\_\_\_\_) preferred shares with a par value of \_\_\_\_\_ (Php \_\_\_\_\_) per share.

**Article XI**  
**Subscribed and Paid-up Share Capital**

That of the authorized share capital, the amount of \_\_\_\_\_ (Php \_\_\_\_\_) has been subscribed, and \_\_\_\_\_ (Php \_\_\_\_\_) of the total subscription has been paid by the following members-subscribers:

**A. Common Share**

<b>Names</b>	<b>No. of Subscribed Shares</b>	<b>Amount of Subscribed Shares</b>	<b>No. of Paid-up Shares</b>	<b>Amount of Paid-up Shares</b>
<b>Sub Total</b>				

**B. Preferred Share**

<b>Names</b>	<b>No. of Subscribed Shares</b>	<b>Amount of Subscribed Shares</b>	<b>No. of Paid-up Shares</b>	<b>Amount of Paid-up Shares</b>

<b>Sub Total</b>				
<b>Grand Total</b>				

**Article XII  
Arbitral Clause**

Any dispute, controversy or claim arising out of or relating to this Articles of Cooperation, By-laws, the Cooperative laws and related rules, administrative guidelines of the Cooperative Development Authority, including inter-cooperative, inter-federation disputes and related concerns shall be exclusively referred to and finally resolved by voluntary arbitration under the institutional rules promulgated by the Cooperative Development Authority, after compliance with the conciliation or mediation mechanisms embodied in the Bylaws and in such other pertinent laws and issuances.

**BE IT KNOWN THAT:**

\_\_\_\_\_ has been elected as Treasurer of this Cooperative to act as such until her/his successor shall have been duly appointed and qualified in accordance with the By-laws. As such Treasurer, he/she is authorized to receive payments and issue receipts for membership fees, share capital subscriptions and other revenues, and to pay obligations for and in the name of this Cooperative.

IN WITNESS WHEREOF, we have hereunto affixed our signatures opposite our names this \_\_\_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_, Philippines.

<b>Name of Cooperators</b>	<b>Signature</b>
<b>1.</b>	
<b>2.</b>	
<b>3.</b>	
<b>4.</b>	
<b>5.</b>	
<b>6.</b>	
<b>7.</b>	
<b>8.</b>	
<b>9.</b>	
<b>10</b>	
<b>11.</b>	
<b>12.</b>	
<b>13.</b>	
<b>14</b>	
<b>15.</b>	

**SIGNED IN THE PRESENCE OF:**

\_\_\_\_\_  
Signature Over Printed Name

\_\_\_\_\_  
Signature Over Printed Name

**ACKNOWLEDGMENT**

**Republic of the Philippines** )  
**Prov./City/Mun. of** \_\_\_\_\_ ) **S.S.**

Before me, a Notary Public for and in the Province/City/Municipality of \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ the following persons personally appeared with their competent evidence of identification as indicated opposite their respective names

<b>Name of Cooperators</b>	<b>Proof of Identity (IN ACCORDANCE WITH NOTARIAL LAW)</b>	<b>Date issued</b>	<b>Place of Issuance</b>

All known to me to be the same persons who executed the foregoing Articles of Cooperation, and acknowledged to me that the same is their free will and voluntary deed.

This instrument known as Articles of Cooperation consists of \_\_\_\_\_ pages including this page where the acknowledgment is written signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ Philippines.

**Notary Public**

Doc. No. : \_\_\_\_\_  
Page No.: \_\_\_\_\_  
Book No.: \_\_\_\_\_  
Series of \_\_\_\_\_