



Republic of the Philippines
OFFICE OF THE PRESIDENT
COOPERATIVE DEVELOPMENT AUTHORITY

24 March 1993

MEMORANDUM CIRCULAR
NO. 93:003
SERIES OF 1993

T O : ALL AREA COOPERATIVE DIRECTORS, DEPARTMENT DIRECTORS,
DIVISION CHIEFS, FEDERATIONS, UNIONS, PRIMARY
COOPERATIVES AND ALL CONCERNED

SUBJECT : ADDITIONAL GUIDELINES FOR THE REGISTRATION OF
AMENDMENTS TO THE ARTICLES OF COOPERATION AND BY-LAWS
OF COOPERATIVES

Pursuant to Section 3(m) of Republic Act No. 6939 and in order to serve best public interest, the following guidelines in addition to the guidelines approved by the Board of Administrators dated May 21, 1992 are hereby promulgated:

All cooperatives registered under P.D. 175 and 775 and E.O. 898 (previous laws) and whose registration were confirmed by CDA pursuant to Article 128 of R.A. 6938 and Section 17 of R.A. 6939 shall amend their Articles of Cooperation and By-Laws to conform with the provisions of R.A. 6938 and the rules and regulations issued by CDA.

For the purpose of uniformity in the structure and operation of cooperatives and in order to assure proper organization, development and supervision, the model articles of cooperation and by-laws prepared by CDA for each type of cooperative may be used as a pattern. The model articles of cooperation and by-laws may be modified or altered to suit the needs of the cooperative, provided, however, the provisions required in Article 14 (2) and Article 15 (2) are provided in the Articles of Cooperation and By-Laws in all types of cooperatives. Provided furthermore, that provisions on the following shall not be modified or altered:

1. Names of the original incorporators/cooperators;
2. Names of the incorporating directors;
3. Adoption of the Articles of Cooperation and By-Laws; and
4. Capitalization unless there is an increase or decrease thereto.

Provided, further that in the case of credit cooperatives, provisions for authorized, subscribed and paid-up share capital shall be included therewith.

Provided finally, that the statutory provisions incorporated in the Articles of Cooperation and By-Laws shall not be altered.

Process of Amendment

The amendments of Articles of Cooperation and By-Laws may be adopted in a special general assembly called for the purpose or during annual general assembly through the process of :

1. Amendment by substitution - wherein the whole old articles of incorporation and by-laws are amended and new articles of cooperation and by-laws are adopted.
2. Amendment by specific provisions - only pertinent provision/s of the articles of cooperation and/or by-laws are amended.

For information and guidance, attached are model forms of the Certificate of Registration of the amendments of Articles of Cooperation and By-Laws.

For compliance.


EDNA E. ABERILLA
Chairperson

IEB/JME/NIH

CERTIFICATE OF REGISTRATION
OF THE
AMENDMENTS TO THE
ARTICLES OF COOPERATION AND BY-LAWS

KNOW ALL MEN BY THESE PRESENTS, GREETINGS:

THIS IS TO CERTIFY that on _____, the proposed amendments to the Articles of Cooperation and By-Laws of _____ with office address at _____ adopted in its _____ Assembly Meeting held on _____ at _____ were submitted with the Cooperative Development Authority (CDA), Quezon City for registration pursuant to the provisions of Republic Act Numbered Sixty Nine Thirty Eight (RA 6938).

The amendments being not contrary to the provisions of RA 6938 and the rules and regulations issued by the Cooperative Development Authority is hereby registered to read as follows:

ARTICLES OF COOPERATION

BY-LAWS

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Authority to be affixed this _____ of _____, 19__ at _____, Philippines.

EDNA E. ABERILLA
Chairperson

CERTIFICATE OF REGISTRATION
OF THE
AMENDMENT BY SUBSTITUTION
TO THE
ARTICLES OF COOPERATION AND BY-LAWS

KNOW ALL MEN BY THESE PRESENTS, GREETINGS:

THIS IS TO CERTIFY that on _____, the proposed amendments by substitution to the Articles of Cooperation and By-Laws of:

_____ adopted in its _____ Assembly Meeting held on _____ at _____ are filed with the Cooperative Development Authority (CDA), Quezon City for registration pursuant to the provisions of Republic Act Numbered Sixty Nine Thirty Eight (RA 6938).

The amendments by substitution copy of which are hereto attached being not contrary to the provisions of RA 6938 and the rules and regulations issued by the Cooperative Development Authority are hereby approved and registered with the name:

_____ IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Authority to be affixed this _____ day of _____, 19____ at _____, Philippines.

EDNA E. ABERILLA
Chairperson