

## **Goa Co-Operative Societies (Amendment) Act, 2015**

**[19 October 2015]**

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## **Goa Co-Operative Societies (Amendment) Act, 2015**

**[19 October 2015]**

Goa Act 18 of 2015

AN ACT

further to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:-

### **1. Short title and commencement :-**

(1) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2015.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

### **2. Amendment of section 8 :-**

In section 8 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the "principal Act"),-

(i) in sub-section (2), the expression "In case no refusal is communicated within the said period of forty five days, the society shall be deemed to have been refused registration under this Act." shall be omitted;

(ii) in sub-section (3), the expression "or deemed refusal, as the

case may be" shall be omitted.

### **3. Amendment of section 12 :-**

In section 12 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) If the society fails to make the amendment within the time specified, the Registrar may, after giving the society an opportunity of being heard, register such amendment and issue to the society a copy thereof certifying that the bye-laws shall be deemed to have been duly amended with effect from the date of such registration and the same shall be binding on the society and its members subject to the appeal made to the Tribunal, if any."

### **4. Amendment of section 59 :-**

In section 59 of the principal Act, in sub-section (6),-

(i) in the second proviso, for the expression "such other office bearers as may be provided in the bye-laws", the expression "office bearer of a Apex Society or Federal Society" shall be substituted.

(ii) for the third proviso, the following proviso shall be substituted, namely:-

"Provided also that, should the administrator be appointed or the Chairman and other office bearers are removed by no confidence motion or resign voluntarily within twenty-four months before the date on which the consecutive period of ten years would, but for such appointment or removal or resignation have been completed, the Chairman or office bearers shall be deemed to have completed the period of ten years on appointment of administrator or removal or resignation of Chairman or office bearers, as the case may be:"

(iii) for the fourth proviso, the following proviso shall be substituted, namely:-

"Provided that no member shall hold the post of board of directors of more than one Apex Society or Federal Society or two other societies."

### **5. Amendment of section 60 :-**

In section 60 of the principal Act, in sub-section (3), for the words "two years", wherever they occur, the words "three years" shall be substituted.

### **6. Amendment of section 66 :-**

In section 66 of the principal Act, in sub-section (2), the expression "Where the Registrar fails to hold election to the board of any society", the expression "Where the Registrar or authority or body, responsible for conduct of election, fails to hold election to the board of a society where there is no Government share holding or Government loan or Government financial assistance or any guarantee given by the Government in respect of loans raised" shall be substituted.

**7. Amendment of section 74 :-**

In section 74 of the principal Act, after sub-section (4), the following proviso shall be inserted, namely:-

"Provided that if any society fails to get its account audited within the said period, the Registrar shall appoint an auditor from the panel of auditors constituted under sub-section (2).".

**8. Amendment of section 88 :-**

In section 88 of the principal Act, in sub-section (1), for the expression "section 86, or under section 95," the expression "section 82 or section 86 or section 95" shall be substituted.