**Application for a Multi-Community Shared Ownership Renewable Energy Project Benefit Society**

Please complete the 2 sections in this form and send to EKREG Ltd (ekregltd@gmail.com) along with proof of ID for two of the founding members (photocopy of passport or driving license).

Before you start completing this form, you should read the “Guide to Multi-Community Model Rules” and you may find it helpful to read Chapter 5 of the FCA’s latest version of “Guidance on the FCA’s registration function under the Co-operative and Community Benefits Societies Act 2014”.

Please note that the FCA is the sole arbiter of registration of rules for a new Community Benefit Society. Whilst the use of FCA approved model rules expediates this process, EKREG Ltd is not liable for the decisions of the FCA.

SECTION 1 – FCA registration questions

1. **Who should we contact about this application?**

Name:

Position:

Postal Address:

Telephone Number:

Email Address:

1. **What are you applying to do?**

Register a new community benefit society Y/N

Convert a company to a community benefit society Y/N

Convert a friendly society into a community benefit society Y/N

*Please note that if you are converting a company or friendly society then the following EXTRA information will be required by EKREG Ltd:*

*Three copies of a special resolution to convert the company, with the following information included in the resolution:*

* *Company name & registration number*
* *Registered office address, including postcode*
* *Date the resolution was passed*
* *Names of three members appointed to sign the new society’s rules and to either: accept alterations to the rules made by the FCA without further consulting the company; or lay any such alterations before a general meeting of the company for acceptance*
1. **What will be the registered name of the society?**
2. **Which Community Councils have signed up to participate in this project?**
3. **In what ways does the society intend to raise funds to set up and run its business?**

Capitalisation of Community Benefit Funds Y/N

Capital from members via community share offering Y

Loans from 3rd party lenders Y/N

Grants Y/N

Other means – please specify.

1. **Please state any significant commercial arrangements that the society has, or intends to have, with any other organisation that could create, or be perceived as creating, a conflict of interest:**

Please tell us how you will ensure that any such conflicts of interest do not prevent the society from acting for the benefit of the community.

1. **Please state any close links which any of the founding members or directors has, or intends to have, with any society, company or authority:**

‘Close links’ includes any directorships or senior positions held by directors or founding members of the society in other organisations.

1. **On what date do you want the society’s financial year to end?**

This is the date the society’s financial year will end, every year after the society is registered. If you have a preference (e.g. 5 April to fit with the tax year) please specify that here. If you do not select a date the society will be given the anniversary of the last day of the month it was registered in.

1. **Are the society’s objects intended to be charitable? Y/N**

Whilst The FCA is not responsible for regulating charities, they need to know because societies whose objects are wholly charitable are subject to a number of requirements in the Act.

 **10) If charitable, what is your charitable purpose?**

**Please provide the details of the secretary below:**

Name:

Month of Birth:

Year of Birth:

(All societies must have someone fulfilling the role of secretary).

**Please provide the details of three founding members below:**

Name:

Month of Birth:

Year of Birth:

Name:

Month of Birth:

Year of Birth:

Name:

Month of Birth:

Year of Birth:

**Societies are within the scope of the Company Directors Disqualification Act 1986 (CDDA). Please confirm that no proposed director is disqualified under that Act** **– Y/N**

SECTION 2 – Tailoring the New Society’s Rules.

***Cover page, header & Rule 1***

**Please restate the name of the registered society (as given in Section 1, question 3 above):**

***Rule 2***

**Please restate the names of the different Community Councils participating in the Renewable Energy Project (as given in Section 1, question 4 above):**

***Rule 3***

**Please state the Renewable Energy Project’s name for section 3.1 & 3.3:**

Since the project may extend beyond the boundaries of the participating Community Councils, please choose one of the two alternatives for the geographic bounds of the business for section 3.1 (delete as appropriate):

[*within the Community*] or [*operating primarily within the Community*]

***Rule 5***

**Please state the full address of the new society’s registered office for section 5:**

***Rule 24***

**Please state the minimum number of members for the society:**

**Please state what percentage of these members need to be from the Community:**

***Rule 34***

**Please state an upper rate:**

**Please state the margin above base rate:**

Please note that values that are deemed by the FCA not to meet the requirement of “the lowest rate which will generate the necessary funds from members” may not be approved by the FCA. The values of 5% and 2% shown in the rules are included as examples of prior precedent found in other CBS.

***Rule 83***

**Please state the number of members required for a quorum:**

Please note that a number of approaches can be taken – either inserting a higher or lower number *or* inserting a proportion of the total number of members *or* inserting a proportion of the total number of members in combination with a lower or upper threshold (eg. “25% of the members or 25 members, whichever is lower”). If a percentage is used, 10% is considered the minimum likely to be accepted by the FCA as it has prior precedent n other Community Benefit Societies.

***Rule 110***

**Please state the maximum number of directors:**

**Please state the maximum number of Contributor directors:**

**Please state the maximum number of Anchor directors (must be less than half the maximum number of directors):**

**Please state the maximum number of Co-opted directors:**

Co-opted Directors are usually used to allow the board to supplement the skills available at board level. However since they are not elected, it would be usual to set a relatively low figure as the maximum number of Co-opted Directors (e.g. ‘1’).

***Rule 112***

**Please state the minimum number of directors:**

This should be set at a level which is manageable at a practical level – a minimum of 3 is typical.

***Rule 127***

**Please state the number of Anchor directors to retire at each AGM:**

Any number from 1 through to total number of Anchor Directors (i.e. all Anchor Directors have to be retire at the AGM) may be chosen.

***Rule 129***

If it is intended that a key partner body should have the right to nominate an individual or individuals for appointment as a director, then **please state the name of that body or bodies here:**

If no *particular* body is identified then please state if you wish the alternative wording (“a body with which the society has close contact in the course of its activities”) to be used:

**- Y/N**

If the answer above is ‘No’ then paragraph 129.1 will be deleted & the category of Co-opted Directors may only be used for people who are able to bring specialist experience and/or skills to the board.

***Rules 153 to 155***

Rule 154 - **Please state if it is required that the chairperson of a board meeting should have the right to an additional vote if there is a tie when a vote is taken at a board meeting:**

* **Y/N**

If ‘Yes’ then the square brackets will be removed in rule 153, if ‘No’ the entirety of the square brackets in rule 153 will be removed.

**Please state whether the rule 155 is required:**

* **Y/N**

The wording of rule 155 is typical of community vehicles looking to satisfy the eligibility criteria for community right to buy, community asset transfer and community participation requests however, regardless, the Community may feel rule 155 adds a safeguard to Community interests. If not required it could be deleted.

***Rule 156***

A quorum should not be taken to be present unless a majority of the directors are in attendance. **Please state if the suggested wording in Rule 156 is acceptable:**

* **Y/N**

If the answer is ‘No’ above then please state a single number as the quorum:

***Rule 157***

If the suggested rules 156.1&2 are accepted, then rule 157.1 ensures that, regardless of how low the number of directors falls to, a minimum baseline value of directors is required, ensuring appropriate decisions are made. One possible value for rule 157.1 would be the minimum number of directors given in rule 112.

**Please state the minimum number of directors for quorum:**

**Please state any changes or modifications that are being requested to the model rules:**

If acceptable to EKREG Ltd & the FCA, incorporation of these modifications may lead to higher fees.