

**[CDA MEMORANDUM CIRCULAR NO. 2013-03,
February 07, 2013]**

**PROCEDURE FOR THE ISSUANCE OF CERTIFICATE OF
REGISTRATION PURSUANT TO ARTICLE 16 AND 18 OF R.A. 9520
IN RELATION TO SECTION 16 (A) OF MEMORANDUM CIRCULAR
NO. 2011-15**

Articles 16 and 18 of R.A. 9520 provide that:

"Article 16. Registration.

*A cooperative formed or organized under this Code acquires juridical personality from the date the Authority issues a certificate of registration under its official seal. **All applications for registration shall be finally disposed of by the Authority within a period of sixty (60) days from the filing thereof, otherwise the application is deemed approved, unless the cause of the delay is attributable to the applicant**: Provided, That in case of a denial of the application for registration, an appeal shall lie with the Office of the President within ninety (90) days from receipt of notice of such denial: **Provided further, that failure of the Office of the President to act on the appeal within ninety (90) days from the filing thereof shall mean approval of said application**.*

Article 18. Amendment of Articles of Cooperation and By-Laws.

Unless otherwise prescribed by this Code and for legitimate purposes, any provision or matter stated in the articles of cooperation and by-laws may be amended by two-thirds (2/3) vote of all the members with voting rights without prejudice to the right of the dissenting members to exercise their right to withdraw their membership under Article 30.

*Both the original and amended articles and/or by-laws shall contain all provisions required by law to be set out in the articles of cooperation and by-laws. Amendments shall be indicated by underscoring or otherwise appropriately indicating the change or changes made and a copy of the amended articles or amended bylaws duly certified under oath by the cooperative secretary and a majority of the directors stating the fact that said amendment or amendments to the articles of cooperation and/or by-laws have been duly approved by the required vote of the members. All amendments to the articles of cooperation and/or by-laws shall be submitted to the Authority. **The amendments shall take effect upon its approval by the Authority or within thirty (30) days from the date of filing thereof if not acted upon by the Authority for a cause not attributable to the cooperative**.*