

R/IP/RA7  
Form H



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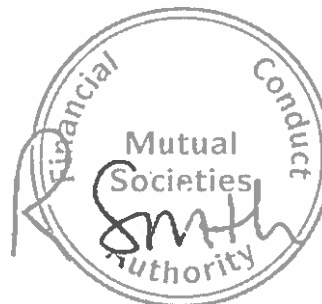
## **CO-OPERATIVE AND COMMUNITY BENEFIT SOCIETIES ACT 2014**

### *Acknowledgement of registration of a rule amendment*

The FCA today acknowledges the registration of the amendment of the attached rules under the Co-operative and Community Benefit Societies Act 2014 for:

Society name: **Edinburgh Community Solar Limited**  
Registration number: **32277 R**

**Date: 10 September 2015**



**Annex A:**

**Partial amendment of rules of  
Edinburgh Community Solar Limited**

**Register Number: 32277R**

**"The Act"** Delete "Industrial and Provident Societies Act 1965" and substitute "Co-operative and Community Benefit Societies Act 2014

**Rule 3 "the Act"**

Delete "Industrial and Provident Societies Act 1965" and substitute "Co-operative and Community Benefit Societies Act 2014

**Rule 39 "Quorum"**

In line 3 of the wording by Extraordinary Resolution delete the wording "of if less one tenth of the membership"

**Rule 60**

**(b)** First line delete "one" and substitute "three"

**(c)** Delete final sentence "This Rule cannot be changed without the consent of the Contracted Manager."

**Rule 81**

2<sup>nd</sup> line delete "3" and substitute "4"

Final sentence delete full stop after person and replace with ", providing always that Directors elected by and from the Society's Members are in the majority.

**Rule 92**

**(c)** Replace with "To make a payment pursuant to section 36 (payments in respect of persons lacking capacity), 37 (nomination by Members of entitlement to property in Society on Member's death), 40 (death of a Member: distribution of property not exceeding £5,000) of the Act;"

**Rule 94**

First line delete "s52(3)" and substitute "113"

**(e)** delete rule

**Rule 109**

Replace with "Unless the Society meets the criteria set out in section 83(2) of the Act or may disapply the audit requirement in accordance with section 84 of the Act, the Board shall in each financial year appoint an Auditor as required by section 83(1) of the Act, to audit the Society's accounts and balance sheet for the year. This provision also applies if the Society is in its first financial year."

Signatures if three members: ..... *J. Lario* .....  
..... *R. A.* .....  
..... *Stewart Hay* .....

**AND**

Signature of the secretary: ..... *A. Heslop* .....



## Mutual Societies Application Form

Amendment of rules for a society or credit union

### Full name of society or credit union:

Edinburgh Community Solar Limited

### Important information you should read before completing this form

This form should be used to register a rule amendment by societies registered under:

- Co-operative and Community Benefit Societies Act 2014 (including credit unions)
- Friendly Societies Act 1974 (unless a branch of a friendly society)

This form should not be used by building societies or societies registered under the Friendly Societies Act 1992.

Please note:

- we have an information note that may assist you in completing this application.
- any personal details you give on the form will be placed on the society's file.
- it is important you give accurate and complete information and disclose all relevant information. If you do not, it may take us longer to assess your application.

Please keep a copy of the form and the supporting documents for future reference.

### Terms in this form

'FCA' 'PRA', 'us' and 'we' refer to the Financial Conduct Authority or Prudential Regulation Authority.

'You' refers to the person signing the form on behalf of the society or credit union.

'The 2014 Act' refers to the Co-operative and Community Benefit Societies Act 2014





## Mutual Societies Application Form

### Amendment of rules for a society or credit union

#### Filling in the form

**1** If you are using your computer to complete the form:

- use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question; and
- print out the completed form and arrange for it to be signed by all relevant individuals.

**2** If you are filling in the form by hand:

- use black ink;
- write clearly; and
- arrange for it to be signed and dated by all relevant individuals.

**3** If you make a mistake, cross it out and initial the changes; do not use correction fluid.

**4** If you:

- leave a question blank;
- do not get the form signed; or
- do not attach the required supporting information

without telling us why, we will treat the application as incomplete. This will increase the time taken to assess your application.

**5** If there is not enough space on the form, you may use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number. Any separate sheets should be signed by the signatories to the form.

**6** Email a scanned copy of the signed form and supporting documents to

**[mutual.societies@fca.org.uk](mailto:mutual.societies@fca.org.uk)**

or

send it by post to:

Mutuals Team  
Financial Conduct Authority  
25 The North Colonnade  
Canary Wharf  
LONDON  
E14 5HS

# 1

## Details of rule changes

### Society details

#### 1.1 Society or credit union details

Register number	32277R
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### Proposed changes – Partial or complete?

#### 1.2 Are you applying for a partial or complete amendment of rules?

- Partial      ▶ Continue to question 1.3  
 Complete      ▶ Continue to question 1.5

### Partial amendment of rules

#### 1.3 You must attach the following:

- Two printed copies of the amendment of rules, set out as per Annex A (see Notes),
  - each signed by three members and the secretary of the society or credit union (four signatures in total)
  - with one set of rules marked 'X'
- A printed copy of the existing set of rules showing tracked changes.

Attached

#### 1.4 Is your society either:

- a registered society under the 2014 Act, or
- a credit union amending its membership qualification?

Yes ▶ Please confirm that you have completed the relevant appendix:

Registered society	▶ Appendix 1 Part 1	<input checked="" type="checkbox"/> Completed
Credit union	▶ Appendix 2 parts 2&3	<input type="checkbox"/> Completed

No ▶ Continue to question 1.8.

**Continue to question 1.8.**

**Complete amendment of rules****1.5 Please confirm that you have completed the relevant appendix:**

Registered society	▶ Appendix 1 Parts 1 & 2	<input type="checkbox"/> Completed
Credit union	▶ Appendix 2	<input type="checkbox"/> Completed
Friendly society	▶ Appendix 3	<input type="checkbox"/> Completed

**1.6 You must attach the following:**

- **Two** printed copies of the amendment of rules, set out as per Annex A (see Notes),
  - each signed by three members and the secretary of the society or credit union (four signatures in total)
  - with one set of rules marked 'X'

 Attached**1.7 Have you used model rules provided by a sponsoring body?** No ▶ Continue to question 1.8. Yes ▶ Enter the name of the model being used and the name of the sponsoring or trade body who provided the model.

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**Continue to question 1.8.****Signature****1.8 The secretary of the society or credit union must sign and date below**

Signature	<i>A. Heslop</i>
Contact telephone	01229 821028
Date	14/07/2015

**Continue to section 2.**

# 2 Statutory declaration

## 2.1 An Officer of the society or credit union must sign below

I,

Name	Paul Phare
Of	ECSC THORN HOUSE EDINBURGH
Postcode	EH2 2PR
Signature	<i>P. Phare</i>
Position	DIRECTOR
Date	29 <sup>th</sup> JULY 2015

do solemnly and sincerely declare that the amendment of the rules of the said society or credit union, a copy of which is attached marked 'X', has been duly made by the society or credit union in the manner provided in its rules for the making, altering or rescinding of rules.

I make this solemn declaration conscientiously believing it to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

### Declared before:

- a solicitor; or  
 a commissioner for oaths; or  
 notary public; or  
 justice of the peace.

Name	JOHN ROBIN BRYSON CORBETT
Declared at	EDINBURGH
Signature	<i>J. Corbett</i>
Date	dd/mm/yy 29/07/15

End of form



# 1

## Appendix 1 – Part 1

All societies registered under the Co-operative and Community Benefit Societies Act 2014 (2014 Act) must complete Part 1.

### 1.1 What business, industry or trade does the society carry out?

Support the development, installation, management, operation, generation, transmission and provision of the supply of energy from renewable energy and low carbon sources;

Reduce climate change emissions, alleviate fuel poverty, improve energy security and help to foster sustainable development in and around the City of Edinburgh, by working with like-minded organisations, through supporting projects and educational work and such other activities as the members shall agree by amendment to these Rules from time to time.

### 1.2 Which condition of registration is the society meeting?

bona fide co-operative society (go to question 1.3)

conducts business for the benefit of the community (go to question 1.8)

### Bona fide co-operative

### 1.3 How do members benefit from the business industry or trade of the society?

### 1.4 Is membership of the society required to obtain the benefits offered by it?

Yes

No

### 1.5 In what way do members participate in an ongoing basis in the society's primary business?

**1.6 How do members democratically control the society?****1.7 How does the society use any surplus/profit?**

If the society distributes the surplus/profit to members please explain how this is to be done.

**Benefit of the community****1.8 Who are the community the society benefits?**

The society's activities will benefit the general public and particularly those in Edinburgh and surrounding areas, who wish to become involved in energy saving and renewable energy projects, and promote their long term benefits which benefit the community now and into the future

**1.9 How does the society benefit that community?**

The community will better understand the benefits of renewable energy and will also be able to benefit through being actively involved in renewable and low carbon energy projects as well as saving money through projects to reduce the cost of energy. The activities will also build community cohesion by bringing members of the community together to design and implement projects. The society's activities will benefit the general public and particularly those in Edinburgh.

**1.10 How does the society use any surplus/profit?**

To a general reserve for the continuation and development of the Society; or  
 To making payment for social or community purposes within the community served by the Society  
 All surplus will be used in general according to our Rules, to reinvest on the Society and and in particular to reduce the energy costs of low carbon energy,

**Complete the next page if applying for a complete rule amendment**