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## INSTRUCTIONS FOR PREPARING AND FILING ARTICLES OF INCORPORATION FOR A HAWAII AGRICULTURAL COOPERATIVE

Section [421-4](#), Hawaii Revised Statutes (HRS)

Articles must be typed or printed in **black ink** and must be **legible**. Attachments may be used, if necessary, and must be typed or printed in **black ink** on 8.5" x 11" white bond paper, single-sided. The articles must be signed by each of the incorporators, if natural persons, and by the president and secretary of the association. All signatures must be in **black ink**. Submit articles together with the appropriate fee(s). The date of incorporation will be the date that the Articles of Incorporation are filed in compliance with the Hawaii Business Corporation Act (Chapter [414](#), HRS).

- Article 1. State the name of the association.
- Article 2. State the complete mailing address of the association's initial principal office. If the address of the association's principal address differs from its mailing address, please also state the principal address.
- Article 3. 3a. Indicate whether the association's registered agent is an entity OR an individual. If the registered agent is an entity, state the entity name and state, province, or country of formation, incorporation, or organization of the association's registered agent. If the registered agent is an individual, state the individual's first name and last name.  
3b. State the complete street address of the place of business of the registered agent in the State of Hawaii to which service of process and other notice and documents being served on or sent to the entity represented by it may be delivered to.  
The corporation cannot be its own agent. Refer to Section [425R-4](#), HRS, for more information.
- Article 4. State the purpose(s) of the association.
- Article 5. State the powers of the association.
- Article 6. Select whether the period of duration of the association is perpetual, or for a specified term. If the duration is for a specified term, state the expiration date (MM/DD/YYYY).
- Article 7. State the name and complete address of each incorporator. Incorporators shall consist of three or more adult persons, engaged in agriculture as bona fide producers of agricultural products, or two or more associations of such producers. See Section [421-3](#), HRS. If organized with stock, state the number of shares subscribed, which shall not be less than one. Refer to Section [421-4](#), HRS, for more information.
- Article 8. State the office title, name, and complete address of each officer of the association. Refer to Section [421-15](#), HRS, for more information.
- Article 9. State the office title, name, and complete address of each director of the association. The association shall be managed by a board of not less than three directors. Refer to Section [421-13](#), HRS, for more information.
- Article 10. Check the appropriate box to indicate whether the association is organized with stock or without stock. If organized without stock, also check the appropriate box to indicate whether the property rights and interest of each member is equal or unequal. If the property rights and interest is unequal, state the rule by which the rights and interest shall be determined.

*Continued on next page.*

**Filing Fees:** The fee for filing Articles of Incorporation (stock) is **\$50.00** and is not refundable. The fee for filing Articles of Incorporation (non-stock) is **\$25.00** and is not refundable. Optional: the fee for one certified copy is \$10.00. Payments made by cash, check, or credit card are accepted. Make checks payable to DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS. Dishonored Check Fee is \$25.00.

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For any questions, call (808) 586-2727 or email [breg@dcca.hawaii.gov](mailto:breg@dcca.hawaii.gov).

**NOTICE: THIS MATERIAL CAN BE MADE AVAILABLE FOR INDIVIDUALS WITH SPECIAL NEEDS. PLEASE CALL THE BUSINESS REGISTRATION DIVISION SECRETARY AT (808) 586-2744 TO SUBMIT YOUR REQUEST.**

**ALL BUSINESS REGISTRATION FILINGS ARE OPEN TO PUBLIC INSPECTION. (SECTION [92F-11](#), HRS)**