

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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CAP. XXXII.

An Act for the Regulation of Benefit Building Societies. [14th *July* 1836.]

WHEREAS certain Societies commonly called Building Societies have been established in different Parts of the Kingdom principally amongst the industrious Classes, for the Purpose of raising by small periodical Subscriptions a Fund to assist the Members thereof in obtaining a small Freehold or Leasehold Property, and it is expedient to afford Encouragement and Protection to such Societies and the Property obtained therewith: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Number of Persons in *Great Britain* and *Ireland* to form themselves into and establish Societies for the Purpose of raising, by the monthly or other Subscriptions of the several Members of such Societies, Shares not exceeding the Value of One hundred and fifty Pounds for each Share, such Subscriptions not to exceed in the whole Twenty Shillings *per* Month for each Share, a Stock or Fund for the Purpose of enabling each Member thereof to receive out of the Funds of such Society the Amount or Value of his or her Share or Shares therein, to erect or purchase One or more Dwelling House or Dwelling Houses, or other Real or Leasehold Estate to be secured by Way of Mortgage to such Society until the Amount or Value of his or her Shares shall have been fully repaid to such Society with the Interest thereon, and all Fines or other

Societies may be established for the Purchase or Erection of Dwelling Houses.

other Payments incurred in respect thereof, and to and for the several Members of each Society from Time to Time to assemble together, and to make, ordain, and constitute such proper and wholesome Rules and Regulations for the Government and Guidance of the same as to the major Part of the Members of such Society so assembled together shall seem meet, so as such Rules shall not be repugnant to the express Provisions of this Act and to the General Laws of the Realm, and to impose and inflict such reasonable Fines, Penalties, and Forfeitures upon the several Members of any such Society who shall offend against any such Rules, as the Members may think fit, to be respectively paid to such Uses for the Benefit of such Society as such Society by such Rules shall direct, and also from Time to Time to alter and amend such Rules as Occasion shall require, or annul or repeal the same, and to make new Rules in lieu thereof, under such Restrictions as are in this Act contained; provided that no Member shall receive or be entitled to receive from the Funds of such Society any Interest or Dividend, by way of annual or other periodical Profit upon any Shares in such Society, until the Amount or Value of his or her Share shall have been realized, except on the Withdrawal of such Member, according to the Rules of such Society then in force.

Bonus, &c. not to be usurious.

II. And be it enacted, That it shall and may be lawful to and for any such Society to have and receive from any Member or Members thereof any Sum or Sums of Money, by way of Bonus on any Share or Shares, for the Privilege of receiving the same in advance prior to the same being realized, and also any Interest for the Share or Shares so received or any Part thereof, without being subject or liable on account thereof to any of the Forfeitures or Penalties imposed by any Act or Acts of Parliament relating to Usury.

Rules may be made to provide Forms of Conveyance, &c.

III. And be it further enacted, That it shall and may be lawful to and for any such Society, in and by the Rules thereof, to describe the Form or Forms of Conveyance, Mortgage, Transfer, Agreement, Bond, or other Instrument which may be necessary for carrying the Purposes of the said Society into execution; and which shall be specified and set forth in a Schedule to be annexed to the Rules of such Society, and duly certified and deposited as herein-after provided.

Provisions of Friendly Society Acts of 10 Geo. 4. c. 56. and 4 & 5 W. 4. c. 40. extended to this Act.

IV. And be it further enacted, That all the Provisions of a certain Act made and passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*, and also the Provisions of a certain other Act made and passed in the Fourth and Fifth Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act to amend an Act of the Tenth Year of His late Majesty King* George *the Fourth, to consolidate and amend the Laws relating to Friendly Societies*, so far as the same, or any Part thereof, may be applicable to the Purpose of any Benefit Building Society, and to the framing, certifying, enrolling, and altering the Rules thereof, shall extend and apply to such Benefit Building Society and the Rules thereof, in such and the same Manner as if the Provisions of the said Acts had been herein expressly re-enacted.

V. And

V. And be it further enacted, That it shall be lawful for the Trustees named in any Mortgage made on behalf of such Societies, or the Survivor or Survivors of them, or for the Trustees for the Time being, to endorse upon any Mortgage or further Charge given by any Member of such Society to the Trustees thereof for Monies advanced by such Society to any Member thereof, a Receipt for all Monies intended to be secured by such Mortgage or further Charge, which shall be sufficient to vacate the same, and vest the Estate of and in the Property comprised in such Security, in the Person or Persons for the Time being entitled to the Equity of Redemption, without it being necessary for the Trustees of any such Society to give any Reconveyance of the Property so mortgaged, which Receipt shall be specified in a Schedule to be annexed to the Rules of such Society, duly certified and deposited as aforesaid. Receipt endorsed on Mortgage to be sufficient Discharge without Reconveyance.

VI. Provided always, and be it further enacted, That nothing herein contained shall authorize any Benefit Building Society to invest its Funds, or any Part thereof, in any Savings Bank, or with the Commissioners for the Reduction of the National Debt. Not to authorize Investment of Funds in SavingsBank.

VII. And be it further enacted, That all Building Societies established prior to the First Day of *June* One thousand eight hundred and thirty-six shall be entitled to the Protection and Benefits of this Act, on their present Rules being duly certified and deposited as directed by the said recited Acts; and no such Society shall be entitled to the Benefits of this Act until their Rules shall have been so certified and deposited; and that no such Society shall be required to alter in any Manner the Rules under which they are now respectively governed. Benefit of Act to extend to all Societies established prior to June 1836.

VIII. And be it further enacted, That no Rules of any such Society, or any Copy thereof, nor any Transfer of any Share or Shares in any such Society, shall be subject or liable to or charged with any Stamp Duty or Duties whatsoever. Exemption from Stamp Duties.

IX. And be it further enacted, That this Act shall be deemed a Public Act, and shall extend to *Great Britain*, *Ireland*, and *Berwick-upon-Tweed*, and be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without the same being specially shown or pleaded. Public Act.

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