CHAPTER 25.

An Act to consolidate the Law relating to Friendly and other Societies. [7th August 1896.]

BE it enacted by the Queen'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, as follows:

The Registry Office.

The registry office.

1.—(1.) There shall continue to be a chief registrar of friendly societies (in this Act called "the chief registrar"), and one or more assistant registrars of friendly societies for England (in this Act called "assistant registrars for England"), and the chief registrar and assistant registrars for England shall continue to constitute the central office of the registry of friendly societies.

(2.) There shall continue to be an assistant registrar of friendly societies for Scotland (in this Act called "assistant registrar for Scotland"), and an assistant registrar of friendly societies for Ireland (in this Act called "assistant registrar for Ireland").

(3.) Every chief registrar and assistant registrar shall be appointed by and shall hold his office during the pleasure of the Treasury.

(4.) The chief registrar shall be a barrister of not less than twelve years standing, and one at least of the assistant registrars for England, and the assistant registrar for Ireland, shall be a barrister or solicitor of not less than seven years standing, and the assistant registrar for Scotland shall be an advocate, writer to the signet, or solicitor of not less than seven years standing.

(5.) The central office may, with the approval of the Treasury, have attached to it such assistants skilled in the business of an actuary and an accountant as may be required for discharging the duties imposed on the office by this Act.

Functions of the central office.

2.—(1.) The central office shall continue to exercise the functions and powers formerly vested—

(*a*) as respects trade unions, in the registrar of friendly societies in England; and

(*b*) as respects building societies, in the registrar of building societies in England; and

(*c*) as respects unincorporated benefit building societies, loan societies, and societies instituted for purposes of science literature or the fine arts, in the barristers appointed to certify the rules of savings banks or friendly societies,

and shall be entitled to receive all fees payable to those registrars and barristers; and all enactments relating to those registrars and

barristers shall, so far as respects trade unions and such societies as aforesaid, be construed as applying to the central office.

(2.) The central office shall, with the approval of the Treasury—

(*a*) prepare and cause to be circulated, for the use of societies, model forms of accounts, balance sheets, and valuations; and

(*b*) collect from the returns under this Act and from other sources, and publish and circulate, either generally or in any particular district, or otherwise make known, such information on the subject of the statistics of life and sickness, and the application thereof to the business of friendly societies, and such particulars of their returns and valuations, and such other information useful to the members of or to persons interested in societies registered or capable of being registered under this Act, as the chief registrar may think fit; and

(*c*) cause to be constructed and published tables for the payment of sums of money on death, in sickness, or old age, or on any other contingency forming the subject of an assurance authorised under this Act which may appear to be calculable: Provided that the adoption of the tables by a society shall be optional.

Functions of assistant registrars generally.

3.—(1.) The assistant registrars shall, except as in this Act provided, be subordinate to the chief registrar.

(2.) They shall, within the parts of the United Kingdom for which they are respectively appointed, exercise all functions and powers by this Act given to the registrar, and may also by the written authority of the chief registrar, exercise such of the functions and powers by this Act given to the chief registrar as he may delegate to them.

Functions of assistant registrars for Scotland and Ireland.

4.—(1.) Subject to any regulations to be made under this Act, the assistant registrars for Scotland and Ireland respectively shall continue to exercise the functions and powers formerly vested—

(*a*) as respects trade unions, in the registrars of friendly societies in Scotland and Ireland; and

(*b*) as respects building societies, in the registrars of building societies in Scotland and Ireland; and

(*c*) as respects benefit building societies and societies instituted for purposes of science literature or the fine arts, in Scotland, in the Lord Advocate or his deputes appointed to certify the rules of any such societies, and, in Ireland, in any barristers appointed for the like purpose;

and shall be entitled to receive all fees payable to those registrars, the Lord Advocate or his deputes, and those barristers respectively; and all provisions in any Acts of Parliament relating to those persons respectively shall be construed as applying to those assistant registrars.

(2.) Subject as aforesaid, the assistant registrars for Scotland and Ireland shall—

(*a*) send to the central office copies of all such documents registered or recorded by them as the chief registrar may direct: and

(*b*) record such documents and matters as may be sent to them for record from the central office, and such other documents and matters as are in this Act required to be recorded: and

(*c*) circulate and publish, or transmit to or from societies registered in Scotland or Ireland respectively, from or to the central office, such information and documents relating to the purposes of this Act as the chief registrar may, with the approval of the Treasury, direct: and

(*d*) report their proceedings to the chief registrar as he may direct.

(3.) An assistant registrar for Scotland or Ireland shall not refuse to record any rules or amendments of rules which have been registered by the central office.

Salaries and expenses.

5. The Treasury shall, out of money to be provided by Parliament, pay to the chief and assistant registrars such salaries or other remunerations, and such sums of money for defraying the expenses of office rent, salaries of assistants, clerks, and servants, remuneration for actuaries, accountants, and inspectors, computation of tables, publication of documents, diffusion of information, expenses of prosecutions, travelling expenses and other allowances of the chief or any assistant registrar, and other expenses which may be incurred for carrying out the purposes of this Act, as the Treasury may allow.

Report of the chief registrar.

6. The chief registrar shall every year make a report of his proceedings and of those of the assistant registrars, and of the principal matters transacted by him and them and of the valuations returned to or caused to be made by the registrar during the year preceding, and that report shall be laid before Parliament.

Deposit of documents.

7. All documents by this Act required to be sent to the registrar shall be deposited with the rules of the societies to which the documents respectively relate, and shall be registered or recorded by the registrar, with such observations thereon, if any, as the chief registrar may direct.

Registry of Societies.

Societies which may be registered.

8. The following societies may be registered under this Act:—

(1.) Societies (in this Act called friendly societies) for the purpose of providing by voluntary subscriptions of the members thereof, with or without the aid of donations, for—

(*a*) the relief or maintenance of the members, their husbands, wives, children, fathers, mothers, brothers, or sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, in old age (which shall mean any age after fifty) or in widowhood, or for the relief or maintenance of the orphan children of members during minority; or

(*b*) insuring money to be paid on the birth of a member's child, or on the death of a member, or for the funeral expenses of the husband, wife, or child of a member, or

of the widow of a deceased member, or, as respects persons of the Jewish persuasion, for the payment of a sum of money during the period of confined mourning; or

(*c*) the relief or maintenance of the members when on travel in search of employment, or when in distressed circumstances, or in case of shipwreck, or loss or damage of or to boats or nets; or

(*d*) the endowment of members or nominees of members at any age; or

(*e*) the insurance against fire, to any amount not exceeding fifteen pounds, of the tools or implements of the trade or calling of the members.

Provided that a friendly society which contracts with any person for the assurance of an annuity exceeding fifty pounds per annum, or of a gross sum exceeding two hundred pounds, shall not be registered under this Act:

(2.) Societies (in this Act called cattle insurance societies) for the purpose of insurance to any amount against loss of neat cattle, sheep, lambs, swine, horses, and other animals by death from disease or otherwise:

(3.) Societies (in this Act called benevolent societies) for any benevolent or charitable purpose:

(4.) Societies (in this Act called working-men's clubs) for purposes of social intercourse, mutual helpfulness, mental and moral improvement, and rational recreation:

(5.) Societies (in this Act called specially authorised societies) for any purpose which the Treasury may authorise as a purpose to which the provisions of this Act, or such of them as are specified in the authority, ought to be extended.

Provided that where any provisions of this Act are so specified, those provisions only shall be so extended.

Conditions of registration.

9.—(1.) A society shall not be registered under this Act unless it consists of seven persons at least.

(2.) For the purpose of registry there shall be sent to the registrar an application to register the society, signed by seven members and the secretary, and copies of the rules, together with a list of the names of the secretary and of every trustee or other officer intended to be authorised to sue and be sued on behalf of the society.

(3.) The rules of the society so sent shall, according to the class in which the society is to be registered, contain provisions in respect of the several matters mentioned in the First Schedule to this Act.

(4.) If the list is signed by the secretary and every trustee and other officer named therein, it shall on the registry of the society be evidence that the persons so named have been duly appointed.

Name of society.

10. A society shall not be registered under a name identical with that under which any other existing society is registered, or so nearly resembling that name as to be likely, or in any name

likely, in the opinion of the registrar, to deceive the members or the public as to its nature or its identity.

Acknowledgment of registry.

11. The registrar, on being satisfied that a society has complied with the provisions of this Act as to registry, shall issue to that society an acknowledgment of registry specifying the designation of the society, according to the classification set forth in this Act, and this acknowledgment shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registry of the society has been suspended or cancelled.

Appeals from refusal to register.

12.—(1.) From a refusal to register a society an appeal shall lie as follows:—

(*a*) if the assistant registrar for Scotland or for Ireland refuses to register, the society may appeal to the chief registrar, and if he refuses, to the Court of Session in Scotland, or to the High Court in Ireland:

(*b*) if the central office refuse, the society may appeal to the High Court in England.

(2.) If the refusal to register is overruled on appeal, the registrar shall give an acknowledgment of registry to the society.

Registry of amendments of rules.

13.—(1.) An amendment of a rule made by a registered society shall not be valid until the amendment has been registered under this Act, for which purpose copies of the amendment, signed by three members and the secretary, shall be sent to the registrar.

(2.) The registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Act, issue to the society an acknowledgment of registry of the amendment, and that acknowledgment shall be conclusive evidence that the amendment is duly registered.

(3.) The provisions of this Act as to appeals from a refusal to register a society shall apply to a refusal to register an amendment of a rule.

Registry of societies carrying on business in more than one part of the United Kingdom.

14.—(1.) A society carrying or intending to carry on business in more than one part of the United Kingdom shall be registered in the part in which its registered office is situate; but the rules and registered amendments of rules of any such society shall be recorded by the registrars of the other parts, and for that purpose copies of the rules and amendments shall be sent to those registrars.

(2.) Until the rules are so recorded the society shall not be entitled to any of the privileges of this Act in the part of the United Kingdom in which the rules have not been recorded, and until the amendments of rules are recorded they shall not take effect in that part.

Registry of dividing societies.

15. A society (other than a benevolent society or working-men's club) shall not be disentitled to registry by reason of any rule for or practice of dividing any part of the funds thereof if the rules of the society contain distinct provision for meeting all claims upon the society existing at the time of division before any such division takes place.

Registry of societies assuring annuities.

16. A society assuring a certain annuity shall not be entitled to registry, unless the tables of contributions for the assurance, certified by the actuary to the National Debt Commissioners, or by some actuary approved by the Treasury, who has exercised the profession of actuary for at least five years, are sent to the registrar with the application for registry.

Societies with Branches.

Registry of societies with branches.

17.—(1.) Where a society has branches, the application for registry shall be accompanied with—

(*a*) a list of all the branches, and notice of the place where the registered office of each branch is situate; and

(*b*) if any branch is to have trustees or officers authorised to sue and be sued on its behalf, other than the trustees or officers authorised to sue and be sued on behalf of the society, a list of the names of all such trustees or officers, distinguishing the branches for which they are authorised to sue and be sued; and

(*c*) if the rules of all the branches (in this Act called branch rules) are or are intended to be identical, a statement to that effect, and copies of those rules; and

(*d*) if the branch rules are not or are not intended to be identical, a statement to that effect, and copies of all branch rules.

(2.) A society having a fund under the control of a central body to which every branch is bound to contribute may be registered as a single society, and where any such society has branches in more than one part of the United Kingdom the provision of this Act as to the registry of societies doing business in more than one such part shall apply to that society.

Establishment of new branches.

18.—(1.) There shall be sent under the hand of the secretary of a registered society to the registrar—

(*a*) notice of the establishment of every new branch of the society; and

(*b*) notice of the place where the registered office of the branch is situate; and

(*c*) if the branch is to have trustees or officers authorised to sue and be sued on its behalf other than the trustees or officers authorised to sue and be sued on behalf of the society, a list of the names of such trustees or officers; and

(*d*) a statement whether or not the rules of the branch are identical with those of the other branches of the society, and, if not so, a copy of the rules of the branch.

(2.) Where the rules of the new branch are not identical with those of the other branches of the society, the society shall not be entitled to any of the privileges of this Act in respect of that branch until that branch has been registered in the part of the United Kingdom in which the registered office of the branch is to be situate.

Application of previous provisions to branches.

19. The provisions of this Act as to—

(*a*) the acknowledgment of registry of societies and amendments of rules; and

(*b*) appeals from refusals to register societies and amendments of rules and the result thereof; and
(*c*) the registry of amendments of rules; and
(*d*) evidence of registry and of the appointment of trustees and officers

shall apply to branches and amendments of branch rules.

Requisites for registry of branches as societies.

20.—(1.) A body which has been registered as a branch of a society shall not be registered as a society except on production to the registrar of a certificate under the hand of the chief secretary or other principal officer of the society of which it was a branch, that the body has wholly seceded or has been expelled from the society.

(2.) An appeal shall lie from the refusal of the chief secretary or other principal officer of the society, or his omission after three months from the receipt of a request in writing made on behalf of the body to grant a certificate, to the High Court in England or Ireland or to the Court of Session in Scotland.

Name of seceding or expelled branch.

21. A body which, having been a branch of a society, has wholly seceded or been expelled from that society shall not thereafter use the name of that society or any name implying that it is a branch thereof, or the number by which it was designated as such branch.

Contributions from one society to another.

22.—(1.) A registered society or branch may contribute to the funds and take part by delegates or otherwise in the government of any other registered society or registered branch of a society, as provided in the rules of that first-named society or branch, without becoming a branch under this Act of that other society or branch.

(2.) This section shall in respect of contributing to the funds and taking part in the government of a medical society, that is to say, a society for the purpose of relief in sickness by providing medical attendance and medicine, extend to any registered trade union or branch of a registered trade union.

(3.) A registered society or trade union or branch shall not withdraw from contributing to the funds of any such medical society except on three months notice to the society and on payment of all contributions accrued or accruing due to the date of the expiration of the notice.

Consequences of Registry.

Subscription not recoverable at law.

23. Save as provided by section thirty-one of this Act, the subscription of a person being or having been a member of a registered society or branch shall not be recoverable at law.

Registered office.

24.—(1.) Every registered society and branch shall have a registered office to which all communications and notices may be addressed, and shall send to the registrar notice of the situation of that office, and of every change therein.

(2.) In the case of a branch the notice shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.

Appointment of trustees.

25.—(1.) Every registered society and branch shall have one or more trustees.

(2.) The trustees shall be appointed at a meeting of the society or branch, and by a resolution of a majority of the members present and entitled to vote thereat.

(3.) The society or branch shall send to the registrar a copy of every resolution appointing a trustee, signed by the trustee so appointed, and by the secretary of the society or branch.

(4.) The same person shall not be secretary or treasurer of a registered society or branch, and a trustee of that society or branch.

(5.) In the case of a branch the copy of the resolution shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.

Audit.

26.—(1.) Every registered society and branch shall once at least in every year submit its accounts for audit either to one of the public auditors appointed as in this Act mentioned, or to two or more persons appointed as the rules of the society or branch provide.

(2.) The auditors shall have access to all the books and accounts of the society or branch, and shall examine the annual return mentioned in this Act, and verify the annual return with the accounts and vouchers relating thereto, and shall either sign the annual return as found by them to be correct, duly vouched, and in accordance with law, or specially report to the society or branch in what respects they find it incorrect, unvouched, or not in accordance with law.

Annual returns.

27.—(1.) Every registered society and branch shall once in every year, not later than the thirty-first day of May, send to the registrar a return (in this Act called the annual return) of the receipts and expenditure, funds, and effects of the society or branch as audited.

(2.) The annual return must—

(*a*) show separately the expenditure in respect of the several objects of the society or branch; and

(*b*) be made out to the thirty-first day of December then last inclusively; and

(*c*) state whether the audit has been conducted by a public auditor appointed as by this Act provided, and by whom, and, if by persons other than a public auditor, state the name, address, and calling or profession of every such person, and the manner in which, and the authority under which, he is appointed.

(3.) The society or branch shall, together with the annual return, send a copy of any special report of the auditors.

(4.) In the case of a branch the annual return shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.

Quinquennial valuation.

28.—(1.) Every registered society and branch shall, except as in this section provided, once at least in every five years either—

(*a*) cause its assets and liabilities to be valued by a valuer to be appointed by the society or branch and send to the registrar a report on the condition of the society or branch; or

(*b*) send to the registrar a return of the benefits assured and contributions receivable from all the members of the society or branch, and of all its funds and effects, debts and credits, accompanied by such evidence in support thereof as the chief registrar prescribes.

(2.) If the society or branch sends to the registrar such report as aforesaid, the report must—

(*a*) be signed by the valuer; and

(*b*) state the address and calling or profession of the valuer; and

(*c*) contain an abstract to be made by the valuer of the results of his valuation, together with a statement containing such information with respect to the benefits assured and the contributions receivable by the society or branch, and of its funds and effects, debts and credits, as the registrar may require.

(3.) If the society or branch sends to the registrar such return as aforesaid he shall cause the assets and liabilities of the society or branch to be valued and reported on by some actuary, and shall send to the society or branch a copy of the report and an abstract of the results of the valuation.

(4.) Provided that this section shall not apply to—

(*a*) a benevolent society, working-men's club, cattle insurance society or branch thereof; or

(*b*) a specially authorised society or branch unless it is so directed in the authority for registering that society or branch.

(5.) Provided also that the chief registrar may, with the approval of the Treasury, dispense with the provisions of this section in respect of societies or branches to whose purposes or to the nature of whose operations he may deem those provisions inapplicable.

Copy of last balance sheet.

29. Every registered society and branch shall keep a copy of the last annual balance sheet, and of the last quinquennial valuation, together with any special report of the auditors, always hung up in a conspicuous place at the registered office of the society or branch.

Public auditors and valuers.

30.—(1.) For the purpose of audits and valuations to be made under this Act the Treasury may appoint public auditors and valuers and may determine the rates of remuneration to be paid by societies and branches for the services of those auditors and valuers; but the employment of those auditors and valuers shall not be compulsory.

(2.) The Treasury may out of money to be provided by Parliament pay to the public auditors and valuers such remuneration (if any) as the Treasury may allow.

Registered cattle insurance and other societies.

31.—(1.) The rules of a registered cattle insurance society or branch, and of such specially authorised societies or branches thereof as the Treasury may allow to take the benefit of this section, shall

bind the society or branch and the members thereof, and all persons claiming through them respectively, to the same extent as if each member had subscribed his name and affixed his seal thereto, and there were in the rules contained a covenant on the part of himself, his heirs, executors, and administrators, to conform to the rules subject to the provisions of this Act.

(2.) All sums of money payable by a member to such society or branch as aforesaid shall be deemed to be a debt due from the member to the society or branch, and shall be recoverable as such in the county court of the district in which the member resides.

Privileges of Registered Societies.

Exception of societies from corresponding Societies Acts, &c.
39 Geo. 3. c. 79.
57 Geo. 3. c. 19.

32.—(1.) A registered society or branch or a meeting of a registered society or branch shall not be affected by any of the provisions of the Unlawful Societies Act, 1799, or of the Seditious Meetings Act, 1817, if in the society or branch or at the meeting no business is transacted other than that which directly and immediately relates to the objects of the society or branch as declared in the rules thereof; but the society or branch, and all officers thereof shall, on request in writing by two justices of the peace, give to such justices full information of the nature, objects, proceedings, and practices of the society or branch.

(2.) If the society or branch when so required fails to give such information as aforesaid, the provisions of those Acts shall, so far as applicable, be in force in respect of the society or branch.

Exemptions from stamp duty.

33. Stamp duty shall not be chargeable upon any of the following documents:—

(*a.*) Draft or order or receipt given by or to a registered society or branch in respect of money payable by virtue of its rules or of this Act:

(*b.*) Letter or power of attorney granted by any person as trustee for the transfer of any money of a registered society or branch invested in his name in the public funds:

(*c.*) Bond given to or on account of a registered society or branch or by the treasurer or other officer thereof:

(*d.*) Policy of insurance or appointment or revocation of appointment of agent or other document required or authorised by this Act or by the rules of a registered society or branch.

Transfer of stock standing in name of trustee.

34.—(1.) In any of the following cases, namely:—

(i.) where a person being or having been a trustee of a registered society or branch, and whether appointed before or after the registry thereof, in whose name any stock belonging to that society or branch transferable at the Bank of England or Bank of Ireland is standing, either jointly with another or others, or solely—

(*a*) is absent from the British Islands; or

(*b*) becomes bankrupt or files any petition or executes any deed for liquidation of his affairs by assignment or arrangement, or for composition with his creditors; or

(*c*) becomes lunatic or is dead; or

(*d*) has been removed from his office of trustee; or

(ii.) if it is unknown whether such person is living or dead,

the chief registrar may, on application in writing from the secretary and three members of the society or branch, and on proof satisfactory to him, direct the transfer of the stock into the names of any other persons as trustees for the society or branch.

(2.) The transfer shall be made by the surviving or continuing trustees, or if there is no such trustee, or if the trustees refuse or are unable to make the transfer, and the chief registrar so directs, then by the Accountant General or Deputy or Assistant Accountant General of the Bank of England or Bank of Ireland, as the case may be.

(3.) The Bank of England and the Bank of Ireland are hereby indemnified for anything done by them or any of their officers in pursuance of this section against any claim or demand of any person injuriously affected thereby.

Priority on death, bankruptcy, &c. of officer.

35.—(1.) In the following cases, namely—

(*a*) upon the death or bankruptcy of any officer of a registered society or branch having in his possession by virtue of his office any money or property belonging to the society or branch; or

(*b*) if any execution, attachment, or other process is issued, or action or diligence raised against any such officer or against his property,

his heirs, executors, or administrators, or trustee in bankruptcy, or the sheriff or other person executing the process, or the party using the action or diligence respectively shall, upon demand in writing of the trustees of the society or branch, or of any two of them, or of any person authorised by the society or branch, or by the committee thereof, to make the demand, pay the money, and deliver over the property to the trustees of the society or branch in preference to any other debt or claim against the estate of the officer.

(2.) In this section the expression "bankruptcy" shall include liquidation of a debtor's affairs by arrangement in England, cessio bonorum of a debtor in Scotland, and a petition for arrangement with creditors in Ireland; and the expression "trustee in bankruptcy" shall include a judicial factor in Scotland, and an assignee in Ireland.

Membership of minors.

36.—(1.) The rules of a registered society or branch may provide for the admission of a person under twenty-one years of age but above one year of age as a member.

(2.) Any such member may, if he is over sixteen years of age by himself, and if he is under that age by his parent or guardian, execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee, or a trustee, manager, or treasurer of the society or branch.

Subscriptions to hospitals.

37. A registered society or branch may subscribe out of its funds to any hospital, infirmary, charitable or provident institution, any annual or other sum which may be necessary to secure to members

of the society or branch and their families the benefits of the hospital, infirmary, or other institution, according to its rules.

Rights of Members.

Right to supply of copies of the rules.

38. Every registered society and branch shall deliver to every person on demand, on payment of a sum not exceeding one shilling, a copy of the rules of the society or branch.

Right to supply of copies of annual return.

39. Every registered society and branch shall supply gratuitously to every member or person interested in its funds, on his application, either

(*a*) a copy of the last annual return of the society or branch; or

(*b*) a balance sheet or other document duly audited containing the same particulars as to the receipts and expenditure, funds, and effects, of the society or branch as are contained in the annual return.

Inspection of books by members.

40. A member or person having an interest in the funds of a registered society or branch may inspect the books at all reasonable hours at the registered office of the society or branch, or at any place where the books are kept, except that the member or person shall not, unless he is an officer of the society or branch, or is specially authorised by a resolution of the society or branch to do so, have the right to inspect the loan account of any other member without the written consent of that member.

Limitation of benefits.

41.—(1.) A member, or person claiming through a member, of a registered friendly society or branch, shall not be entitled to receive more than two hundred pounds by way of gross sum, together with any bonuses or additions declared upon assurances not exceeding that amount, or (except as provided by this Act) fifty pounds a year by way of annuity, from any one or more such societies or branches.

(2.) Any such society or branch may require a member, or person claiming through a member, to make and sign a statutory declaration that the total amount to which that member or person is entitled from one or more such societies or branches does not exceed the sums aforesaid.

Accumulation of surplus of contributions.

42. The rules of a registered society or branch may provide for accumulating at interest, for the use of any member, any surplus of his contributions to the funds of the society or branch which may remain after providing for any assurance in respect of which they are paid and for the withdrawal of the accumulations.

Militiamen and volunteers.

43.—(1.) A person shall not, by reason of his enrolment or service in the militia or as a naval coast volunteer, Royal Naval volunteer, naval artillery volunteer, or in any corps of yeomanry or volunteers whatsoever, lose or forfeit any interest in a friendly society or branch whether registered or unregistered which he possesses at the time of his being so enrolled or serving, or be fined for absence from or non-attendance at any meeting of the society or branch, if his absence or non-attendance is occasioned by the discharge of his military or naval duty as certified by his commanding officer, any rules of the society or branch to the contrary notwithstanding.

(2.) A dispute between any such society or branch and person by reason of that enrolment or service shall be decided by a court of summary jurisdiction.

(3.) If the rules of a society or branch certified before the twenty-third day of July one thousand eight hundred and fifty-five, and in force at the time of the enrolment or service, provide that a member shall be deprived of any benefit by reason of that enrolment or service, the society or branch may require of the member a contribution exceeding the rate of contribution otherwise payable by him to an amount not exceeding one tenth of that rate during the time the member is serving out of the United Kingdom, or may suspend all claim of the member to any benefits assured by the society or branch, and all claim of the society or branch to any contributions payable by the member, during the time only he is serving out of the United Kingdom, but so that if he returns to the United Kingdom he shall forthwith be replaced on the same footing as before he went abroad on service.

Property, Funds, and Investments.

Investment of funds.

44.—(1.) The trustees of a registered society or branch may, with the consent of the committee or of a majority of the members present and entitled to vote in general meeting, invest the funds of the society or branch, or any part thereof, to any amount in any of the following ways:

(*a*) in the Post Office Savings Bank, or in any savings bank certified under the Trustee Savings Bank Act, 1863; or 26 & 27 Vict. c. 87.

(*b*) in the public funds; or

(*c*) with the National Debt Commissioners as in this Act provided; or

(*d*) in the purchase of land, or in the erection or alteration of offices or other buildings thereon; or

(*e*) upon any other security expressly directed by the rules of the society or branch, not being personal security, except as in this Act authorised with respect to loans.

(2.) The rules of a society with branches and of any branch thereof may provide for the investment of funds of the society or of that branch by the trustees of any branch, or by the trustees of the society, and the consent required for any such investment shall be the consent of the committee, or of such majority as aforesaid of the society or branch by whom the funds are invested.

Loans to assured members.

45.—(1.) A registered society and, subject to the rules of the society, a registered branch may advance to a member of at least one full year's standing any sum not exceeding one half of the amount of an assurance on his life, on the written security of himself and two satisfactory sureties for repayment.

(2.) The amount so advanced, with all interest thereon, may be deducted from the sum assured, without prejudice in the meantime to the operation of the security.

Loans out of separate loan fund.

46. A registered society may, out of any separate loan fund to be formed by contributions or deposits of its members, make loans to

members on their personal security, with or without sureties, as may be provided by the rules, subject to the following restrictions:

(*a*) a loan shall not at any time be made out of money contributed for the other purposes of the society:

(*b*) a member shall not be capable of holding any interest in the loan fund exceeding two hundred pounds:

(*c*) a society shall not make any loan to a member on personal security beyond the amount fixed by the rules, or make any loan which, together with any money owing by a member to the society, exceeds fifty pounds:

(*d*) a society shall not hold at any one time on deposit from its members any money beyond the amount fixed by the rules, and the amount so fixed shall not exceed two thirds of the total sums owing to the society by the members who have borrowed from the loan fund.

Holding of land.

47.—(1.) A registered society or branch may (if the rules thereof so provide) hold, purchase, or take on lease in the names of the trustees of the society or branch any land, and may sell, exchange, mortgage, lease, or build upon that land (with power to alter and pull down buildings and again rebuild), and a purchaser, assignee, mortgagee, or tenant shall not be bound to inquire as to the authority for any sale, exchange, mortgage, or lease by the trustees, and the receipt of the trustees shall be a discharge for all sums of money arising from or in connexion with the sale, exchange, mortgage, or lease.

(2.) A branch of a registered society need not for the purposes of this section be separately registered.

(3.) Nothing in this section shall authorise a benevolent society to hold land exceeding one acre in extent.

Copyholds.

48. Where a registered society or branch is entitled in equity to any hereditaments of copyhold or customary tenure, either absolutely or by way of mortgage or security, the lord of the manor of which the hereditaments are held shall, if the society or branch so requires, admit not more than three trustees of the society or branch as tenants in respect of such hereditaments, on payment of the usual fines, fees, and other dues payable on the admission of a single tenant.

Vesting of property.

49.—(1.) All property belonging to a registered society, whether acquired before or after the society is registered, shall vest in the trustees for the time being of the society, for the use and benefit of the society and the members thereof, and of all persons claiming through the members according to the rules of the society.

(2.) The property of a registered branch of a society shall vest wholly or partly in the trustees for the time being of that branch or of any other branch of which that branch forms part (or, if the rules of the society so provide, in the trustees for the time being of the society), for the use and benefit either of the members of any such branch and persons claiming through those members, or of the members of the society generally, and persons claiming through them, according to the rules of the society.

(3.) The trustees shall not be liable to make good any deficiency in the funds of the society or branch, but shall be liable only for sums of money actually received by them respectively on account of the society or branch.

Devolution on death.

50. Upon the death, resignation, or removal of a trustee of a registered society or branch, the property vested in that trustee shall, without conveyance or assignment, and whether the property is real or personal, vest, as personal estate subject to the same trusts, in the succeeding trustees of that society or branch either solely or together with any surviving or continuing trustees, and, until the appointment of succeeding trustees, shall so vest in the surviving or continuing trustees only, or in the executors or administrators of the last surviving or continuing trustee, except that stocks and securities in the public funds of Great Britain and Ireland shall be transferred into the names of the succeeding trustees, either solely or jointly with any surviving or continuing trustees.

Description in legal proceedings.

51. In all legal proceedings whatsoever concerning any property vested in the trustees of a registered society or branch, the property may be stated to be the property of the trustees in their proper names as trustees for the society or branch without further description.

Investments with the National Debt Commissioners.

52.—(1.) A registered society or branch may pay to the account of the National Debt Commissioners at the Bank of England or the Bank of Ireland, as the case may require, any sum of money not less than fifty pounds upon a declaration of the trustees of the society or branch, or any two of them, that the money belongs exclusively to the society or branch.

(2.) The cashier of the Bank shall receive all such sums of money and place them to the account of the Commissioners in the book of the bank named "The Fund for Friendly Societies."

(3.) A sum of money paid in upon a false declaration shall be forfeited to the Commissioners, and applied by them in the manner directed by section twelve of the Savings Banks Act, 1891. 54 & 55 Vict. c. 21.

(4.) The provisions of sections twenty-one, twenty-two, twenty-four, twenty-five, twenty-six, twenty-seven, and twenty-eight of the Trustee Savings Banks Act, 1863, as to the regulation of receipts, certificates, and orders, shall apply to money paid under this section. 26 & 27 Vict. c. 87.

(5.) A society or branch so investing money with the Commissioners shall be entitled to a receipt entitling to interest at the following rates:—

To a friendly society or branch legally established before the twenty-eighth of July one thousand eight hundred and twenty-eight, which had invested funds with the Commissioners before the twenty-third of July one thousand eight hundred and fifty-five, a rate of interest in respect of any assurance made before the fifteenth of August one thousand eight hundred and fifty of -	Threepence per centum per diem.

To a friendly society or branch legally established between the twenty-eighth of July one thousand eight hundred and twenty-eight and the fifteenth of August one thousand eight hundred and fifty, which had invested funds with the Commissioners before the twenty-third of July one thousand eight hundred and fifty-five, a rate of interest in respect of any assurance made before the fifteenth of August one thousand eight hundred and fifty of - - - -	Twopence halfpenny per centum per diem.
To a friendly society or branch legally established before the twenty-eighth of June one thousand eight hundred and eighty-eight, which had invested funds with the Commissioners before the first day of January one thousand eight hundred and ninety-six, a rate of interest in respect of any assurance made on or before the said twenty-eighth day of June of - -	Twopence per centum per diem.
To a society or branch in respect of any investment with the Commissioners, other than as herein-before in this section mentioned, a rate of interest of	Two pounds fifteen shillings per centum per annum.

(6.) A society or branch withdrawing money so invested with the Commissioners shall not be entitled to make any further deposit without their consent.

(7.) A society or branch so investing money with the Commissioners shall furnish such returns as may be required by the Commissioners, in respect of the funds deposited with them, and the assurances to which those funds relate.

(8.) A society or branch having funds invested with the Commissioners at a rate higher than two pounds fifteen shillings per centum per annum shall retain at that rate so much only of its funds as arises from assurances made before the date applicable to that rate, after deducting all benefit payments and management expenses incurred on account of those assurances; and whenever the society or branch fails to satisfy the Commissioners of its title to retain at that rate any part of its funds, the Commissioners shall require the withdrawal thereof, or the transfer thereof to the rate of twopence per centum per diem, or two pounds fifteen shillings per centum per annum, as the case may require, and in default of withdrawal within thirty days, shall transfer the same in their books accordingly, and shall notify the transfer to the society or branch.

(9.) Whenever it appears to the Commissioners that all the members of a society or branch assured before the fifteenth day of August one thousand eight hundred and fifty have died or ceased to be members, the Commissioners shall forthwith transfer

in their books to the rate of twopence per centum per diem, or two pounds fifteen shillings per centum per annum, as the case may require, all funds of the society or branch remaining invested at any higher rate, and shall notify the transfer to the society or branch.

Discharge of mortgages by receipt endorsed.

53.—(1.) A receipt under the hands of the trustees of a registered society or branch, countersigned by the secretary, for all sums of money secured to the society or branch by any mortgage or other assurance, being in the form prescribed by this Act, if endorsed upon or annexed to the mortgage or other assurance, shall vacate the mortgage or assurance and vest the property therein comprised in the person entitled to the equity of redemption of that property, without reconveyance or resurrender.

(2.) If the mortgage or other assurance has been registered under any Act for the registration or record of deeds or titles, or is of copyholds or of lands of customary tenure and entered on any court rolls, the registrar under any such Act, or recording officer, or steward of the manor, or keeper of the register, shall on production of the receipt, verified by oath of any person, enter satisfaction of the mortgage or charge made by the assurance on the register or court rolls, and shall grant a certificate, either upon the mortgage or assurance, or separately to the like effect.

(3.) The certificate shall be received in evidence in all courts and proceedings without further proof.

(4.) The person making the entry shall be entitled for making the said entry and granting the said certificate to a fee of two shillings and sixpence, which in Ireland shall be paid by stamps and applied in accordance with the Public Offices Fees Act, 1879. 42 & 43 Vict. c. 58.

(5.) This section shall not extend to Scotland or the Island of Jersey.

Officers in Receipt or Charge of Money.

Security by officers.

54. Every officer of a registered society or branch having receipt or charge of money shall, if the rules of the society or branch so require, before taking upon himself the execution of his office, become bound with one sufficient surety at the least in a bond or give the security of a guarantee society, in such sum as the society or branch directs, conditioned for his rendering a just and true account of all sums of money received and paid by him on account of the society or branch at such times as its rules appoint, or as the society or branch or the trustees or committee thereof require him to do, and for the payment by him of all sums due from him to the society or branch.

Accounts of officers.

55.—(1.) Every officer of a registered society or branch having receipt or charge of money shall, at such times as by the rules of the society or branch he should render account, or upon demand made, or notice in writing given or left at his last or usual place of residence, give in his account as may be required by the society or branch, or by the trustees or committee thereof, to be examined and allowed or disallowed by them, and shall, on the like demand

or notice, pay over all sums of money and deliver all property in his hands or custody to such person as the society or branch, or the committee or the trustees, appoint.

(2.) In case of any neglect or refusal to deliver the account, or to pay over the sums of money or to deliver the property in manner aforesaid, the trustees or authorised officers of the society or branch may sue upon the bond or security before mentioned, or may apply to the county court or to a court of summary jurisdiction, and the order of either such court shall be final and conclusive.

Payments on Death generally.

Power of member to dispose of sums payable on his death by nomination.

56.—(1.) A member of a registered society (other than a benevolent society or working-men's club) or branch thereof, not being under the age of sixteen years, may, by writing under his hand delivered at or sent to the registered office of the society or branch, or made in a book kept at that office, nominate a person to whom any sum of money payable by the society or branch on the death of that member, not exceeding one hundred pounds, shall be paid at his decease.

(2.) The sum of money payable by the society or branch on the death of a member, shall include sums of money contributed to or deposited in the separate loan account and the sums of money accumulated for the use of the member under the provisions of this Act with interest thereon.

(3.) The person so nominated must not be an officer or servant of the society or branch, unless that officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator.

(4.) A nomination so made may be revoked and varied by any similar document under the hand of the nominator, delivered, sent, or made as aforesaid.

(5.) The marriage of a member of a society or branch shall operate as a revocation of any nomination theretofore made by that member under this section.

Proceedings on death of a nominator.

57.—(1.) On receiving satisfactory proof of the death of a nominator, the society or branch shall pay to the nominee the amount due to the deceased member, not exceeding the said sum of one hundred pounds.

(2.) The receipt of a nominee over sixteen years of age for any amount so paid shall be valid.

(3.) If the total sum in respect to which a nomination may be made under this Act by a member, after deducting any sums of money payable under the rules of the society or branch, or otherwise, for the purpose of defraying funeral expenses, exceeds at the time of the death of that member eighty pounds, the society or branch shall before making any payment require the production of a duly stamped receipt for the succession or legacy duty payable thereon, or a letter or certificate from the Commissioners of Inland Revenue stating that no such duty is payable.

(4.) The Commissioners shall give such receipt, letter, or certificate on the payment of the duty or satisfactory proof of no duty being payable, as the case may be.

Intestacy.

58.—(1.) If any member of a registered society or branch, entitled from the funds thereof to a sum not exceeding one hundred pounds, dies intestate and without having made any nomination thereof then subsisting, the society or branch may, without letters of administration, distribute the sum among such persons as appear to a majority of the trustees, upon such evidence as they may deem satisfactory, to be entitled by law to receive that sum, subject, if that sum, after making such deductions as aforesaid, exceeds eighty pounds, to the obtaining from the Commissioners of Inland Revenue a receipt for the succession or legacy duty payable thereon, or a letter or certificate stating that no such duty is payable.

(2.) If any such member is illegitimate, the trustees may pay the sum of money which that member might have nominated to or among the persons who, in the opinion of a majority of them, would have been entitled thereto if that member had been legitimate, or if there are no such persons, the society or branch shall deal with the money as the Treasury may direct.

Estate duty to be paid when the whole estate exceeds one hundred pounds.

59. When the principal value of the estate in respect of which estate duty is payable of any person entitled to make a nomination under this Act exceeds one hundred pounds, any sum paid under this Act without probate or letters of administration shall, notwithstanding such nomination or payment, be liable to estate duty as part of the amount on which that duty is charged, and the trustees of the society or branch may before making any such payment require a statutory declaration by the claimant, or by one of the claimants, that the principal value of that estate, including the sum in question, does not after deduction of debts and funeral expenses exceed the value of one hundred pounds.

Validity of payments.

60.—(1.) A payment made by a registered society or branch, under the foregoing provisions of this Act with respect to payments on death generally to the person who at the time appears to a majority of the trustees to be entitled thereunder, shall be valid and effectual against any demand made upon the trustees or the society or branch by any other person, but the next of kin or lawful representative of the deceased member shall have remedy for recovery of the money, so paid as aforesaid, against the person who has received that money.

(2.) Where the society or branch has paid money to a nominee in ignorance of a marriage subsequent to the nomination, the receipt of the nominee shall be a valid discharge to the society or branch.

Certificates of death.

61.—(1.) A registered society or branch shall not pay any sum of money upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of that death under the hand of the registrar of deaths or other person having care of the register of deaths in which that death is or ought to be entered.

(2.) This section shall not apply to deaths at sea, nor to a death by colliery explosion or other accident where the body cannot be found, nor to any death certified by a coroner or procurator fiscal to be the subject of a pending inquest or inquiry.

Payments on Death of Children.

Limitation of amount payable.

62. A society or branch, whether registered or unregistered, shall not insure or pay on the death of a child under five years of age any sum of money which, added to any amount payable on the death of that child by any other society or branch, exceeds six pounds, or on the death of a child under ten years of age any sum of money which, added to any amount payable on the death of that child by any other society or branch, exceeds ten pounds.

Person to whom payment may be made.

63. A society or branch, whether registered or unregistered, shall not pay any sum on the death of a child under ten years of age except to the parent of the child, or to the personal representative of the parent, and upon the production by the parent or his personal representative of a certificate of death issued by the registrar of deaths, or other person having the care of the register of deaths, containing the particulars mentioned in this Act.

Particulars of certificates.

64.—(1.) Where application is made for a certificate of the death of a child for the purpose of obtaining a sum of money from a society or branch, the name of the society or branch, and the sum sought to be obtained therefrom shall be stated to the registrar of deaths.

(2.) The registrar of deaths shall write on or at the foot of the certificate the words "to be produced to the society or branch (naming the same) said to be liable for payment of the sum of *l.* (stating the same)."

(3.) All certificates of the same death shall be numbered in consecutive order.

Cases in which certificates may be given.

65.—(1.) A registrar of deaths shall not give any one or more certificates of death for the payment in the whole of any sum of money exceeding six pounds on the death of a child under five years, or for the payment in the whole of a sum exceeding ten pounds on the death of a child under ten years.

(2.) A registrar of deaths shall not grant any such certificate unless the cause of death has been previously entered in the register of deaths on the certificate of a coroner or of a registered medical practitioner who attended the deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner, or of other satisfactory evidence thereof.

Inquiries by societies.

66. A society or branch, whether registered or unregistered, to which is produced a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, inquire whether any and what sums of money have been paid on the same death by any other society or branch.

Saving as to insurable interests, &c.

67. Nothing in this Act respecting payments on the death of children shall apply to insurances on the lives of children of any

age, where the person insuring has an interest in the life of the person insured.

Disputes.

Decision of disputes.

68.—(1.) Every dispute between—

(*a*) a member or person claiming through a member or under the rules of a registered society or branch, and the society or branch or an officer thereof; or

(*b*) any person aggrieved who has for not more than six months ceased to be a member of a registered society or branch, or any person claiming through such person aggrieved, and the society or branch, or an officer thereof; or

(*c*) any registered branch of any society or branch and the society or branch of which it is a branch; or

(*d*) an officer of any such registered branch and the society or branch of which that registered branch is a branch; or

(*e*) any two or more registered branches of any society or branch, or any officers thereof respectively,

shall be decided in manner directed by the rules of the society or branch, and the decision so given shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction; and application for the enforcement thereof may be made to the county court.

(2.) The parties to a dispute in a registered society or branch may, by consent (unless the rules of the society or branch expressly forbid it), refer the dispute to the chief registrar, or in Scotland or Ireland to the assistant registrar.

(3.) The chief or other registrar to whom a dispute is referred shall, with the consent of the Treasury, either by himself or by any other registrar, hear and determine the dispute, and shall have power to order the expenses of determining the dispute to be paid either out of the funds of the society or branch, or by such parties to the dispute as he may think fit, and his determination and order shall have the same effect and be enforceable in like manner as a decision made in the manner directed by the rules of the society or branch.

(4.) The chief or other registrar to whom a dispute is referred may administer oaths, and may require the attendance of all parties concerned, and of witnesses, and the production of all books and documents relating to the matter in question.

(5.) Where the rules of a registered society or branch direct that disputes shall be referred to justices, the dispute shall be determined by a court of summary jurisdiction, or, if the parties thereto consent, by the county court.

(6.) Where the rules contain no direction as to disputes, or where no decision is made on a dispute within forty days after application to the society or branch for a reference under its rules, the member or person aggrieved may apply either to the county court, or to a court of summary jurisdiction, and the court to which application is so made may hear and determine the matter in dispute; but in the case of a society with branches the said forty days shall not begin

to run until application has been made in succession to all the bodies entitled to determine the dispute under the rules of the society or branch, so however that no rules shall require a greater delay than three months between each successive determination.

52 & 53 Vict. c. 49.

(7.) Notwithstanding anything contained in the Arbitration Act, 1889, or in any other Act, the court and the chief or other registrar or any arbitrator or umpire to whom a dispute is referred under the rules of a registered society or branch shall not be compelled to state a special case on any question of law arising in the case, but the court, or chief or other registrar, may, at the request of either party, state a case for the opinion in England or Ireland of the Supreme Court, and in Scotland of either division of the Inner House of the Court of Session, on any question of law, and may also grant to either party such discovery as to documents and otherwise, or such inspection of documents, and in Scotland may grant warrant for the recovery of documents and examination of havers, as might be granted by any court of law or equity, and the discovery shall be made on behalf of the society or branch by such officer thereof as the court or registrar may determine.

Change of Name, Amalgamation, and Conversion of Societies.

Power to change name.

69.—(1.) A registered society may, by special resolution, with the approval in writing of the chief registrar, or in the case of societies registered and doing business exclusively in Scotland or Ireland the assistant registrar for Scotland or Ireland respectively, change its name, and shall not change its name in any other manner.

(2.) Any such change of name shall not affect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the trustees of the society, or any other officer who may sue or be sued on behalf of the society, notwithstanding its new name.

Amalgamation and transfer of engagements.

70.—(1.) Any two or more registered societies may, by special resolution of both or all such societies, become amalgamated together as one society, with or without any dissolution or division of the funds of those societies or either of them.

(2.) A registered society may, by special resolution, transfer its engagements to any other registered society which may undertake to fulfil the engagements of that society.

(3.) A special resolution by a registered friendly society for an amalgamation or transfer of engagements under this Act shall not be valid without—

(*a*) the assent thereto of five-sixths in value of the members, given either at the meetings at which the resolution is, according to the provisions of this Act, passed and confirmed, or at one of them, or, if the members were not present thereat, in writing; and

(*b*) the written consent of every person receiving or entitled to any relief, annuity, or other benefit from the funds of the society, unless the claim of that person is first duly satisfied, or adequate provision is made for satisfying that claim.

(4.) Provided that on application of the trustees or committee of a registered friendly society desiring to amalgamate or transfer its engagements, and upon notice of that application being published in the Gazette, the chief registrar, after hearing the trustees or committee and any other persons whom he considers entitled to be heard upon the application, may, with the consent of the Treasury, order that any of the assents, consents, and conditions required by this Act, or by any regulations made under this Act, be dispensed with, and may confirm the amalgamation or transfer.

(5.) A registered society consisting wholly of members under twenty-one years of age, and a registered society or branch or branches of a society having members above twenty-one years of age, may, by resolutions registered in the manner required for the registration of an amendment of rules, become amalgamated together as one society or branch, or provide for distributing among several branches the members of a society consisting wholly of members under twenty-one years of age, and the other provisions of this section shall not apply to that amalgamation.

(6.) The value of members shall be ascertained by giving one vote to every member, and an additional vote for every five years that he has been a member, but to no one member more than five votes in the whole.

(7.) If any member of a friendly society which has amalgamated or transferred its engagements, or if any person claiming any relief, annuity, or other benefit, from the funds thereof, is dissatisfied with the provision made for satisfying his claim, that member or person may apply to the county court of the district within which the chief or any other place of business of the society is situate for relief or other order, and that court shall have the same powers in the matter as in regard to the settlement of disputes under this Act.

Conversion of society into company.

71.—(1.) A registered society may, by special resolution, determine to convert itself into a company under the Companies Acts, 1862 to 1890, or to amalgamate with or transfer its engagements to any such company.

(2.) If a special resolution for converting a society into a company contains the particulars required by the Companies Acts, 1862 to 1890, to be contained in the memorandum of association of a company, and a copy thereof has been registered at the central office, a copy of that resolution under the seal or stamp of the central office shall have the same effect as a memorandum of association duly signed and attested under the said Acts.

(3.) If a society is registered as, or amalgamates with, or transfers all its engagements to, a company, the registry of the society under this Act shall thereupon become void, and shall be cancelled by the chief registrar or by the assistant registrar for Scotland or Ireland under his direction; but the registration of a society as a company shall not affect any right or claim subsisting against that society, or any penalty incurred by that society; and for the purpose of enforcing any such right, claim, or penalty, the society may be sued and proceeded against in the same manner

as if it had not become registered as a company; and every such right or claim, or the liability to any such penalty, shall have priority, as against the property of the company, over all other rights or claims against or liabilities of the company.

Saving for right of creditors.

72. An amalgamation or transfer of engagements in pursuance of this Act shall not prejudice any right of a creditor of either or any society party thereto.

Conversion of society into branch.

73.—(1.) A registered society may, by a resolution passed by a majority of the members or delegates present and entitled to vote at any general meeting, of which notice specifying the intention to propose any such resolution has been duly given according to the rules, determine to become a branch of any other registered society, and also, if thought fit, of any registered branch thereof.

(2.) If the rules of the society do not comply with all the provisions of this Act and of the Treasury regulations in respect of the registry of branches, the meeting at which any such resolution is passed may amend the rules so as to bring the rules into compliance with this Act and with the Treasury regulations.

(3.) A copy of the rules of the society marked to show the amendments, if any, made at the meeting, and two copies of the resolution and of such amendment of rules, if any, as aforesaid, each signed by the chairman of the meeting and by the secretary of the society so determining to become a branch of another society, and countersigned by the secretary of that other society, shall be sent to the registrar.

(4.) If the registrar finds that the rules, with or without such amendment as aforesaid, comply with the provisions of this Act and of the Treasury regulations, he shall cancel the registry of the first-mentioned society and register it as a branch of that other society, and also, if so specified in the resolution before mentioned, of any branch of that other society, without further request or notice, and shall register such amendment of rules without further application or evidence, and until such registry as aforesaid the resolution shall not take effect.

(5.) An advertisement of any cancelling of registry under this section shall not be requisite.

(6.) The rules of a society which becomes a branch under this section shall, so far as they are not contrary to any express provision of this Act or of the Treasury regulations, and subject to any such amendment thereof as aforesaid, continue in force as the rules of the branch until amended.

(7.) This section shall apply only to societies registered before the first day of January one thousand eight hundred and seventy-six.

Meaning of special resolution.

74. For the purposes of this Act a special resolution shall mean a resolution which is—

(*a*) passed by a majority of not less than three fourths of such members of a registered society, entitled under the rules to vote as may be present in person or by proxy (where the rules allow proxies) at any general meeting of which notice

specifying the intention to propose that resolution has been duly given according to the rules; and

(*b*) confirmed by a majority of such members entitled under the rules to vote as may be present in person or by proxy (where the rules allow proxies), at a subsequent general meeting of which notice has been duly given, held not less than fourteen days nor more than one month from the day of the meeting at which such resolution was first passed.

At any meeting mentioned in this section a declaration by the chairman that the resolution has been carried shall be conclusive evidence of the fact.

Registration of special resolutions.

75. A copy of every special resolution for any of the purposes mentioned in this Act, signed by the chairman of the meeting and countersigned by the secretary, shall be sent to the central office and registered there, and until that copy is so registered the special resolution shall not take effect.

Inspection: Cancelling and Suspension of Registry: Dissolution.

Inspectors and special meetings.

76.—(1.) Upon the application—

(*a*) of one fifth of the whole number of members of a registered society; or

(*b*) in the case of a registered society of one thousand members and not exceeding ten thousand, of one hundred members; or

(*c*) in the case of a registered society of more than ten thousand members, of five hundred members,

the chief registrar, or in cases of societies registered and doing business exclusively in Scotland or in Ireland the assistant registrars for Scotland and Ireland respectively, but with the consent of the Treasury in every case, may—

(*a*) appoint an inspector or inspectors to examine into and report on the affairs of the society; or

(*b*) call a special meeting of the society.

(2.) The application under this section shall be supported by such evidence, for the purpose of showing that the applicants have good reason for requiring an inspection to be made or meeting to be called, and that they are not actuated by malicious motives in their application, and such notice thereof shall be given to the society, as the chief registrar directs.

(3.) The chief or assistant registrar may, if he thinks fit, require the applicants to give security for the costs of the proposed inspection or meeting, before appointing any inspector or calling the meeting.

(4.) All expenses of and incidental to any such inspection or meeting shall be defrayed by the members applying therefor or out of the funds of the society, or by the members or officers, or former members or officers, of the society in such proportions as the chief or assistant registrar directs.

(5.) An inspector appointed under this section may require the production of all or any of the books and documents of the society, and may examine on oath its officers, members, agents, and

servants in relation to its business, and may administer such oath accordingly.

(6.) The chief or assistant registrar may direct at what time and place a special meeting under this section is to be held and what matters are to be discussed and determined at that meeting, and the meeting shall have all the powers of a meeting called according to the rules of the society, and shall in all cases have power to appoint its own chairman, any rule of the society to the contrary notwithstanding.

(7.) This section shall not apply to a society with branches, except with the consent of the central body of that society.

Cancelling and suspension of registry.

77.—(1.) The chief registrar, or, in the case of a society registered and doing business in Scotland or Ireland exclusively, the assistant registrar for Scotland or Ireland, may—

(*a*) if he thinks fit, at the request of a society, to be evidenced in such manner as he may direct: or

(*b*) with the approval of the Treasury, on proof to his satisfaction that an acknowledgment of registry has been obtained by fraud or mistake, or that a society exists for an illegal purpose, or has wilfully and after notice from a registrar whom it may concern violated any of the provisions of this Act, or has ceased to exist,

by writing under his hand cancel the registry of a society.

(2.) The chief or assistant registrar, in any case in which he might, with the approval of the Treasury, cancel the registry of a society, may, by writing under his hand, suspend the registry for any term not exceeding three months, and may, with the approval of the Treasury, renew the suspension for the like period.

(3.) Unless the chief or assistant registrar has given to a registered society not less than two months previous notice in writing, specifying briefly the ground of any proposed cancelling or suspension, the registry of the society shall not be cancelled (except at its request) or suspended.

(4.) Where the registry of a society has been cancelled or suspended, notice thereof shall forthwith be advertised.

(5.) Where the registry of a society has been suspended or cancelled, the society shall from the time of the suspension or cancelling (but if suspended, only while the suspension lasts, and subject also to the right of appeal given by this section) absolutely cease to enjoy as such the privileges of a registered society, but without prejudice to any liability actually incurred by the society, and any such liability may be enforced against the society as if the uspension or cancelling had not taken place.

(6.) A society may appeal from the cancelling of its registry, or from any suspension thereof which is renewed after six months, as follows :—

(*a*) from the assistant registrar for Scotland or Ireland to the chief registrar, and from him to the Court of Session in Scotland or the High Court in Ireland respectively; and

(*b*) from the chief registrar, in cases not relating exclusively either to Scotland or to Ireland, to the High Court in England.

Dissolution of societies.

78.—(1.) Subject to the provision of this Act as to the dissolution of societies with branches, a registered society or branch may terminate or be dissolved in any of the following ways:—

(*a*) upon the happening of any event declared by the rules to be the termination of the society or branch; or

(*b*) as respects societies or branches other than friendly societies or branches, by the consent of three-fourths of the members, testified by their signatures to the instrument of dissolution; or

(*c*) as respects friendly societies or branches, by the consent of five-sixths in value of the members (including honorary members, if any), testified by their signatures to the instrument of dissolution, and also by the written consent of every person receiving or entitled to receive any relief, annuity, or other benefit from the funds of the society or branch, unless the claim of that person is first duly satisfied, or adequate provision made for satisfying that claim, and, in the case of a branch, with the consent of the central body of the society, or in accordance with the general rules of the society; or

(*d*) by the award of the chief registrar or assistant registrars in the cases specified in this Act.

(2.) The provisions of this Act as to the method of calculating the value of members and the remedy of members and persons dissatisfied with the provisions made for satisfying their claims in the case of the amalgamation or transfer of engagements of a registered friendly society shall apply to the dissolution of a registered friendly society or branch.

Instrument of dissolution.

79. When a registered society or branch is terminated by an instrument of dissolution:—

(1.) The instrument shall set forth—

(*a*) the liabilities and assets of the society or branch in detail; and

(*b*) the number of members and the nature of their interests in the society or branch; and

(*c*) the claims of creditors (if any), and the provision to be made for their payment; and

(*d*) the intended appropriation or division of the funds and property of the society or branch, unless the appropriation or division is stated in the instrument of dissolution to be left to the award of the chief registrar.

(2.) Alterations in the instrument of dissolution may be made with the like consents as are in this Act required for the dissolution of a society or branch, testified in the same manner.

(3.) A statutory declaration shall be made by one of the trustees, or by three members and the secretary of the society or branch, that the provisions of this Act have been complied

with, and shall be sent to the registrar with the instrument of dissolution.

(4.) The instrument shall not in the case of a registered friendly society or branch direct or contain any provision for a division or appropriation of the funds of the society or branch, or any part thereof, otherwise than for the purpose of carrying into effect the objects of the society or branch as declared in the rules thereof, unless the claim of every member or person claiming any relief, annuity, or other benefit from the funds thereof is first duly satisfied, or adequate provisions are made for satisfying those claims.

(5.) The instrument of dissolution and all alterations therein shall be registered in manner in this Act provided for the registry of amendments of rules, and shall be binding upon all the members of the society or branch.

(6.) The registrar shall cause a notice of the dissolution to be advertised at the expense of the society or branch, and, unless within three months from the date of the Gazette in which the advertisement appears, a member or other person interested in or having any claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch, and the dissolution is set aside accordingly, the society or branch shall be legally dissolved from the date of that advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto.

Dissolution by award.

80.—(1.) Upon the application made in writing under their hands—

(*a*) of one-fifth of the whole number of members of a registered society or branch; or

(*b*) in the case of a registered society or branch of one thousand members and not exceeding ten thousand, of one hundred members; or

(*c*) in the case of a registered society or branch of more than ten thousand members, of five hundred members,

the chief registrar may by himself, or by any assistant registrar, or by any actuary or public auditor whom the chief registrar may appoint in writing under his hand, investigate the affairs of the society or branch, but shall give not less than two months previous notice in writing to the society or branch whose affairs are to be investigated.

(2.) The application shall—

(*a*) state that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured; and

(*b*) set forth the grounds on which the insufficiency is alleged; and

(*c*) request an investigation into the affairs of the society or branch with a view to the dissolution thereof.

(3.) If upon the investigation it appears that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured to be given by the society or branch, the chief registrar may, if he considers it expedient so to do, award that the society or branch be dissolved, and its affairs wound up, and shall direct in what manner the assets of the society or branch shall be divided or appropriated: Provided always, that the chief registrar may suspend his award for such period as he may deem necessary to enable the society or branch to make such alterations and adjustment of contributions and benefits as will in his judgment prevent the necessity of the award of dissolution being made.

(4.) A registrar proceeding under this section shall have all the same powers and authorities, enforceable by the same penalties, as in the case of a dispute referred to him under this Act.

(5.) Every award under this section, whether for dissolution or distribution of funds, shall be final and conclusive on the society or branch in respect of which the award is made, and on all members of the society or branch and on all other persons having any claim on the funds of the society or branch, without appeal, and shall be enforced in the same manner as a decision on a dispute under this Act.

(6.) The expenses of every investigation and award, and of publishing every notice of dissolution, shall be paid out of the funds of the society or branch before any other appropriation thereof is made.

(7.) Notice of every award for dissolution shall, within twenty-one days after the award has been made, be advertised by the central office and unless, within three months from the date on which that advertisement appears, a member or person interested in or having any claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch consequent upon such award, and the dissolution is set aside accordingly, the society or branch shall be legally dissolved from the date of the advertisement, and the requisite consents to the application to the registrar shall be considered to have been duly obtained without proof of the signatures thereto.

Advertisement of notices.

81. A notice required by this Act to be advertised shall be published in the Gazette and in some newspaper in general circulation in the neighbourhood of the registered office of the society or branch.

Dissolution of societies having branches.

82. The provisions of this Act respecting the dissolution of societies shall not apply to any society having branches except with the consent of the central body of the society.

Notice of proceedings or order to set aside dissolution.

83.—(1.) Where a person takes any proceeding to set aside the dissolution of a society or branch, he shall give notice of the proceeding to the central office not less than seven days before the proceeding is commenced.

(2.) Where an order is made setting aside the dissolution of a society or branch, the society or branch shall give notice of the

order to the central office within seven days after the order has been made.

Offences, Penalties, and Legal Proceedings.

Offences.

84. It shall be an offence under this Act if—

(*a*) a registered society or branch or an officer or member thereof fails to give any notice, send any return or document, do or allow to be done any thing which the society, branch officer, or person is by this Act required to give, send, do, or allow to be done: or

(*b*) a registered society or branch or an officer or member thereof wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the chief or other registrar or by any other person authorised under this Act, or does anything forbidden by this Act: or

(*c*) a registered society or branch or an officer or member thereof makes a return or wilfully furnishes information in any respect false or insufficient: or

(*d*) an officer or member of a body which, having been a branch of a society, has wholly seceded or been expelled from that society, thereafter uses the name of that society or any name implying that the body is a branch of that society or the number by which that body was designated as such branch: or

(*e*) where a dispute is referred under this Act to the chief or other registrar, a person refuses to attend or to produce any documents, or to give evidence before the chief or other registrar: or

(*f*) a society or branch whether registered or unregistered pays money on the death of a child under ten years of age otherwise than is provided by this Act: or

(*g*) a parent or personal representative of a parent claiming money on the death of a child produces a certificate of the death other than is in this Act provided to the society or branch from which the money is claimed, or produces a false certificate, or one fraudulently obtained, or in any way attempts to defeat the provisions of this Act with respect to payments upon the death of children.

Offences by societies to be also offences by officers, &c.

85. Where a registered society or branch is guilty of an offence under this Act every officer of the society or branch bound by the rules thereof to fulfil any duty whereof the offence is a breach, or if there is no such officer, then every member of the committee, unless that member is proved to have been ignorant of or to have attempted to prevent the commission of the offence, shall be liable to the same penalty as if he had committed the offence.

Continuing offences.

86. Every default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which the default continues.

Punishment of fraud, false declarations,

87.—(1.) If any person, with intent to mislead or defraud, gives to any other person a copy of any rules, laws, regulations, or other

documents, other than the rules of a registered society or branch, on the pretence that they are the existing rules of that society or branch, or that there are no other rules of the society or branch or gives to any person a copy of any rules on the pretence that those rules are the rules of a registered society or branch when the society or branch is not registered, the person so offending shall be guilty of a misdemeanor. and misappropriations.

(2.) If any person knowingly makes a false or fraudulent statement in any statutory declaration required by this Act, he shall be guilty of a misdemeanor.

(3.) If any person obtains possession by false representation or imposition of any property of a registered society or branch, or withholds or misapplies any such property in his possession, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society or branch and authorised by this Act, he shall, on such complaint as is in this section mentioned, be liable on summary conviction to a fine not exceeding twenty pounds, and costs, and to be ordered to deliver up all such property, or to repay all sums of money applied improperly, and in default of such delivery or repayment, or of the payment of such fine and costs as aforesaid, to be imprisoned, with or without hard labour, for any time not exceeding three months.

(4.) Complaint under this section may be made—

(*a*) in the case of a registered society, by the society or any member authorised by the society, or the trustees or committee of the society; or

(*b*) in the case of a registered branch, by

(i.) the branch or any member authorised by the branch or the trustees or committee thereof; or

(ii.) the central body of the society of which the branch forms part; or

(iii.) any member of the society or branch authorised by the central body; or

(*c*) in any case, by the chief registrar or any assistant registrar by his authority, or by any member of the society or branch authorised by the central office.

(5.) Nothing in this Act shall prevent any such person from being proceeded against by way of indictment, if not previously convicted of the same offence under the provisions of this Act.

88. If any person wilfully makes, orders, or allows to be made, any entry, erasure in, or omission from a balance sheet of a registered society or branch, or a return or document required to be sent, produced, or delivered for the purposes of this Act, with intent to falsify the same, or to evade any of the provisions of this Act, he shall be liable to a fine not exceeding fifty pounds. Fine for falsification.

89. A society or branch, and an officer or member of a society or branch, or other person guilty of an offence under this Act for which a fine is not expressly provided shall be liable to a fine of not more than five pounds. Fine for ordinary offences.

Special offences in the case of friendly societies.

90. If an officer or person aids or abets in the amalgamation or transfer of engagements or in the dissolution of a friendly society otherwise than as in this Act provided he shall be liable on summary conviction to the fine imposed by this Act for offences thereunder, or to be imprisoned with hard labour for a term not exceeding three months.

Recovery of fines.

91.—(1.) A fine imposed by this Act, or by any regulations thereunder, or by the rules of a registered society or branch, shall be recoverable in a court of summary jurisdiction.

(2.) Any such fine shall be recoverable at the suit of the chief registrar or of any assistant registrar, or of any person aggrieved.

Jurisdiction of court of summary jurisdiction.

92. In England and Ireland all offences and fines under this Act may be prosecuted and recovered in the manner directed by the Summary Jurisdiction Acts either—

(*a*) at the place where the offence was committed; or

(*b*) as respects a prosecution against a registered society or branch or an officer thereof, at the place where the registered office of the society or branch is situated; or

(*c*) as respects a prosecution against a person other than a registered society or branch or an officer thereof, at the place where the person is resident at the time of the institution of the prosecution.

Appeals.

93.—(1.) In England or Ireland any person may appeal to quarter sessions from any order or conviction made by a court of summary jurisdiction under this Act.

(2.) In Scotland any person may appeal from any order or conviction under this Act in accordance with the provisions of the Summary Jurisdiction (Scotland) Acts.

Legal proceedings.

94.—(1.) The trustees of a registered society or branch, or any other officers authorised by the rules thereof, may bring or defend, or cause to be brought or defended, any action or other legal proceeding in any court whatsoever, touching or concerning any property, right, or claim of the society or branch, and may sue and be sued in their proper names, without other description than the title of their office.

(2.) In legal proceedings brought under this Act by a member, or person claiming through a member, a registered society or branch may also be sued in the name, as defendant, of any officer or person who receives contributions or issues policies on behalf of the society or branch within the jurisdiction of the court in which the legal proceeding is brought, with the addition of the words "on behalf of the society or branch" (naming the same).

(3.) A legal proceeding shall not abate or be discontinued by the death, resignation, or removal from office of any officer, or by any act of any such officer after the commencement of the proceedings.

(4.) The summons, writ, process, or other proceeding, to be issued to or against the officer or other person sued on behalf of a registered society or branch, shall be sufficiently served by personally serving that officer or other person, or by leaving a true copy thereof at the

registered office of the society or branch, or at any place of business of the society or branch within the jurisdiction of the court in which the proceeding is brought, or, if that office or place of business is closed, by posting the copy on the outer door of that office or place of business.

(5.) In all cases where the said summons, writ, process, or other proceeding is not served by means of such personal service or by leaving a true copy thereof at the registered office of the society or branch as aforesaid, a copy thereof shall be sent in a registered letter addressed to the committee at the registered office of the society or branch, and posted at least six days before any further step is taken on the proceeding.

Fees: Forms: Regulations: Evidence.

Remuneration of county court officers.

95. The registrars and high bailiffs of the county courts shall be remunerated for the duties to be performed by them under this Act in such manner as the Treasury, with the consent of the Lord Chancellor, may direct.

Fees.

96.—(1.) The Treasury may determine a scale of fees to be paid for matters to be transacted or for the inspection of documents under this Act.

(2.) A fee shall not be payable on the registry of any friendly, benevolent, or cattle insurance society, or working-men's club, or of any amendment of the rules thereof.

(3.) All fees which may be received by any registrar under or by virtue of this Act shall be paid into the Exchequer.

Fees payable to registrar of births and deaths.

97.—(1.) For the purpose of this Act a certificate of the birth or death of any member of or person insured or to be insured with a registered friendly society or branch shall, on application being made as in this Act provided, be given under his hand by the registrar of births or deaths, for a sum not exceeding one shilling, in place of all fees or payments otherwise payable in respect thereof.

(2.) Whenever application is made at one time to any such registrar for more certificates than one of the same birth or death for the purposes of and in the manner prescribed by this Act, the sum charged for every such certificate other than the first shall not exceed sixpence.

(3.) Whenever the registrar is required by the person applying for any certificate of birth or death to fill up the form of application, he may demand a sum not exceeding threepence for so doing.

(4.) For the purposes of this section the expression "registrar of births or deaths" shall include any person having the care of the register of births or deaths in which the birth or death is entered.

Forms.

98.—(1.) The forms to be used for registry shall be those contained in Part I. of the Second Schedule to this Act or such other forms as are prescribed by Treasury regulations.

(2.) The acknowledgment of registry of a branch and of any amendment of the rules of a branch shall be in the forms provided in Part II. of the same schedule.

(3.) Every annual or other return, abstract of valuation, and other document required for the purposes of this Act, shall be made in such form and shall contain such particulars as the chief registrar prescribes.

(4.) A receipt under this Act endorsed upon or annexed to a mortgage or other assurance shall be in the form set forth in Part III. of the same schedule, or in any form specified in the rules of the society or branch or any schedule thereto, and a bond to be given by an officer in receipt or charge of money shall be in one of the forms set forth in the said part.

(5.) Applications for certificates of births and deaths under this Act shall be in such form and under such regulations as may be approved of by the registrar-general of births, deaths, and marriages for England, Scotland, and Ireland respectively.

Regulations for carrying out Act.

99.—(1.) The Treasury may make regulations respecting registry and procedure under this Act, and the seal to be used for registry, and the duties and functions of the registrar, and the inspection of documents kept by the registrar under this Act, and generally for carrying this Act into effect.

(2.) All such regulations shall forthwith be laid before both Houses of Parliament.

Evidence of documents.

100. Every document bearing the seal or stamp of the central office shall be received in evidence without further proof; and every document purporting to be signed by the chief or any assistant registrar, or any inspector, or public auditor or valuer under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.

Application of Act.

Application to existing societies.

101.—(1.) This Act shall apply to societies and branches subsisting at the commencement of this Act which or the rules of which have been registered, enrolled, or certified, under any Act relating to friendly societies or cattle insurance societies, as if they had been registered under this Act, and the rules of those societies and branches shall, so far as they are not contrary to any express provision of this Act, continue in force until altered or rescinded.

(2.) Where the contingent annual payments to which the members or the nominees of the members of friendly societies or branches, established before the fifteenth day of August one thousand eight hundred and fifty, may become entitled exceed the limit fixed by this Act, the rules of those societies and branches shall continue to be valid, anything in this Act to the contrary notwithstanding.

Application to Scotland.

102. In the application of this Act to Scotland—

The expression "land" shall include heritable subjects of whatever description;

The expressions "court of summary jurisdiction" and "county court" shall mean the sheriff court of the county;

The expression "administration" shall mean confirmation;

The expression "misdemeanor" shall mean crime and offence.

Application to the Isle of Man.

103. This Act shall apply to the Isle of Man as if it were part of England, subject to the following variations:—

(1.) The expressions "Supreme Court" and "county court" shall respectively mean the Chancery Division of the High Court of the said isle, in which court the proceedings under this Act may be regulated by rules and orders to be made in that behalf by the court, and, until otherwise provided, shall be regulated according to the ordinary practice of that court:

(2.) The expression "the Companies Acts 1862 to 1890" shall mean the law for the time being in force in the said isle for the regulating and winding up of companies:

(3.) The expression "Summary Jurisdiction Acts" shall mean the laws for the time being in force in the said isle for regulating the exercise of summary jurisdiction by justices of the peace:

(4.) All offences and fines under this Act shall be prosecuted and recovered summarily before a high bailiff or two justices of the peace at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of a registrar or of a head constable, and a misdemeanor under this Act shall be punishable by fine or imprisonment:

(5.) All fines recovered under this Act shall be paid to the treasurer of the said isle, and be added to the general revenue of the said isle:

(6.) A person may appeal from any order or conviction to be made in a case of summary jurisdiction under this Act in the manner prescribed by the law in force in the said isle as to appeals in cases of summary jurisdiction.

Application to Channel Islands.

104. This Act shall apply to the Channel Islands as if they were part of England, subject to the following variations:—

(1.) As respects the Island of Jersey:

(*a.*) The expression "county court" shall mean the court for the recovery of petty debts, in all cases in which the claim or demand shall not exceed the sum of ten pounds sterling, and in all other cases the inferior number of the Royal Court of the said island, composed of the bailiff and two jurats of the said court:

(*b.*) The expression "court of summary jurisdiction" shall have in civil cases the same meaning as the expression county court:

(*c.*) All misdemeanors under this Act shall be prosecuted, tried, and punished in the form and manner prescribed by the law and custom of the said island with respect to crimes and offences (*crimes et délits*):

(*d.*) All other offences and all fines under this Act shall be prosecuted and recovered summarily before the magistrate of the court for the repression of minor offences, in all cases of his competency, at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of the constable of the parish in which the offence or other unlawful act has been committed, and in all other cases before the bailiff and two jurats of the

Royal Court, at the suit or instance (except as aforesaid) of Her Majesty's Procurator General for the said island:

(*e.*) All fines recovered under this Act shall be paid to the officers who by the law and practice of the said island are entitled to receive fines levied by order of the said courts respectively, and shall by such officers be accounted for and paid to Her Majesty's Receiver General in the said island on behalf of the Crown:

(*f.*) All proceedings under this Act in any of the courts of the said island shall be regulated according to the ordinary practice of those courts respectively, and all fines shall in default of payment be enforced in the same manner as fines payable to the Crown in the said island:

(*g.*) The rules prescribed by the law of the said island with respect to appeals in civil and criminal cases shall be followed as to appeals from any orders, judgments, or convictions made in cases of summary jurisdiction under this Act:

(*h.*) The expression "the Companies Acts, 1862 to 1890," shall mean the law for the time being in force in the said island for the formation, regulation, and winding up of companies:

(*i.*) All friendly societies and branches within the bailiwick of the said island may invest any part of their funds in any of the public funds under the guarantee of the states of the said island.

(2.) As respects the bailiwick of the Island of Guernsey:

(*a.*) The Court of Primary Instance within the bailiwick shall have all such powers and authorities as are by this Act conferred either on courts of summary jurisdiction or on county courts in England: Provided that a sentence may be appealed from, if the case admits of an appeal under the Orders in Council now in force within the bailiwick, but that the decision of the Royal Court when sitting in a body as a court of appeal shall be final:

(*b.*) All friendly societies and branches within the bailiwick shall be authorised to invest any part of their funds in the state bonds either of Guernsey or of Alderney:

(*c.*) The expression "the Companies Acts, 1862 to 1890," shall mean the law for the time being in force in the said bailiwick for the regulation and winding up of companies:

(*d.*) All offences and fines under this Act shall be prosecuted and recovered summarily before the court of primary jurisdiction at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of the law officers of the Crown or of a constable of a parish:

(*e.*) All fines recovered under this Act shall be paid to the Receiver General, to be by him carried to the account of the Crown Revenue.

Payment to representatives in Channel

105. As respects the Channel Islands and the Isle of Man, when any sum of money becomes payable on the death of

a person entitled to make a nomination under this Act that sum shall, in default of any such nomination, be paid to the deceased member's legal representative, according to the law of the island in which that deceased member was domiciled. Islands and Isle of Man.

Supplemental.

106. In this Act, unless a contrary intention appears: Definitions.

The expression "the registrar" shall mean for England the central office, and for Scotland or Ireland the assistant registrar for Scotland or Ireland:

The expression "land" shall include any interest in land:

The expression "property" shall extend to all property whether real or personal (including books and papers):

The expression "registered society" shall mean a society registered under this Act, and shall include societies subsisting at the commencement of this Act to which the provisions of this Act apply:

The expression "amendment of rule" shall include a new rule, and a resolution rescinding a rule:

The expression "branch" shall mean any number of the members of a society, under the control of a central body, having a separate fund, administered by themselves or by a committee or officers appointed by themselves, and bound to contribute to a fund under the control of a central body:

The expression "committee" shall mean the committee of management or other directing body of a society or branch:

The expression "persons claiming through a member" shall include the nominees of the member where nomination is allowed:

The expression "officer" shall include any trustee, treasurer, secretary, or member of the committee of management of a society or branch, or person appointed by the society or branch to sue and be sued on its behalf:

The expression "meeting" shall include (where the rules of a society or branch so allow) a meeting of delegates appointed by members:

The expression "gazette" shall mean the London Gazette for England, the Edinburgh Gazette for Scotland, and the Dublin Gazette for Ireland:

The expression "Treasury regulations" shall mean any regulations made and approved by the Treasury and in force under this Act.

107. The Acts mentioned in the Third Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. Repeal.

108. This Act shall come into operation on the first day of January next after the passing thereof and shall extend to the whole of the British Islands. Commencement and extent of Act.

109. This Act may be cited as the Friendly Societies Act, 1896. Short title.

SCHEDULES.

Section 9 (3).

THE FIRST SCHEDULE.

MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT.

[38 & 39 Vict. c. 60. Sch. II.; 50 & 51 Vict. c. 56. ss. 14 and 15; and 58 & 59 Vict. c. 26. s. 18.]

1. The name and place of office of the society.

2. The whole of the objects for which the society is to be established, the purposes for which the funds thereof shall be applicable, the terms of admission of members, the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member, and the consequences of nonpayment of any subscription or fine.

3. The mode of holding meetings and right of voting, and the manner of making, altering, or rescinding rules.

4. The appointment and removal of a committee of management (by whatever name), of a treasurer and other officers, and of trustees, and in the case of a society with branches, the composition and powers of the central body, and the conditions under which a branch may secede from the society.

5. The investment of the funds, the keeping of the accounts, and the audit of the same once a year at least.

6. Annual returns to the registrar of the receipts, funds, effects, and expenditure, and numbers of members, of the society.

7. The inspection of the books of the society by every person having an interest in the funds of the society.

8. The manner in which disputes shall be settled.

9. In case of dividing societies, a provision for meeting all claims upon the society existing at the time of division before any such division takes place.

And also in the case of friendly and cattle insurance societies :—

10. The keeping separate accounts of all moneys received or paid on account of every particular fund or benefit assured for which a separate table of contributions payable shall have been adopted, and the keeping separate account of the expenses of management, and of all contributions on account thereof.

11. (Except as to cattle insurance societies) a valuation once at least in every five years of the assets and liabilities of the society, including the estimated risks and contributions.

12. The voluntary dissolution of the society by consent in a friendly society of not less than five sixths in value of the members, and of every person for the time being entitled to any benefit from the funds of the society, unless his claim be first satisfied or adequately provided for ; and in a cattle insurance society by consent of three fourths in number of the members.

13. The right of one fifth of the total number of members, or of one hundred members in the case of a society of one thousand members and not exceeding ten thousand, or of five hundred members in the case of a society of more than ten thousand members, to apply to the chief registrar, or in case of societies registered and doing business exclusively in Scotland or Ireland to the assistant registrar for Scotland or Ireland, for an investigation of the affairs of the society, or for winding up the same.

THE SECOND SCHEDULE.

Section 98.

FORMS.

PART I.

ACKNOWLEDGMENT OF REGISTRY OF SOCIETY.

The Society is registered as a [*friendly society, cattle insurance society, benevolent society, working-men's club*, or *specially authorised society*] under the Friendly Societies Act, 1896, this day of . [38 & 39 Vict. c. 60. Sch. IV.]

[*Seal or stamp of central office*, or *signature of Assistant Registrar for Scotland or Ireland.*]

ACKNOWLEDGMENT OF REGISTRY OF AMENDMENT OF RULES.

The foregoing amendment of the rules of the Society is registered under the Friendly Societies Act, 1896, this day of .

[*Seal or stamp of central office*, or *signature of Assistant Registrar for Scotland or Ireland.*]

PART II.

ACKNOWLEDGMENT OF REGISTRY OF BRANCH.

The is registered as a branch of the Society [and of the branch of the same] under the Friendly Societies Act, 1896, this day of . [50 & 51 Vict. c. 56. Sch. I.]

[*Seal of central office*, or *signature of Assistant Registrar for Scotland or Ireland.*]

ACKNOWLEDGMENT OF REGISTRY OF AMENDMENT OF BRANCH RULES.

The foregoing amendment of the branch rules of the is registered under the Friendly Societies Act, 1896, this day of

[*Seal of central office* or *signature of Assistant Registrar for Scotland or Ireland.*]

PART III.

FORM OF BOND.

(1.)—In England or Ireland.

Know all men by these presents, that we, *A.B.* of , one of the officers of the Society [*or* of the branch of the Society] having its registered office at , in the county of , and *C.D.* of (as surety on behalf of the said *A.B.*), are jointly and severally held and firmly bound to *E.F.* of , *G.H.* of , and *I.K.* of , the trustees of the said society [*or* branch], in the sum of to be paid to the said *E.F.*, *G.H.*, and *I.K.*, as such trustees or their [38 & 39 Vict. c. 60. Sch. III.]

successors, trustees for the time being, or their certain attorney; for which payment well and truly to be made we jointly and severally bind ourselves, and each of us by himself our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals. Dated the day of in the year of our Lord .

Whereas the above-bounden *A.B.* has been duly appointed to the office of of the Society [*or* of the branch of the Society] having its registered office situate as aforesaid, and he, together with the above-bounden *C.D.* as his surety, have entered into the above-written bond, subject to the condition herein-after contained: Now therefore the condition of the above-written bond is such, that if the said *A.B.* do render a just and true account of all moneys received and paid by him on account of the said society [*or* branch], at such times as the rules thereof appoint, and do pay over all the moneys remaining in his hands, and assign and transfer or deliver all property (including books and papers) belonging to the said society [*or* branch] in his hands or custody to such person or persons as the said society [*or* branch], or the trustees or committee of management thereof, shall appoint, according to the rules of the said society [*or* branch], together with the proper and legal receipts or vouchers for such payments, then the above-written bond shall be void, otherwise shall remain in full force.

Sealed and delivered in the presence of [*two witnesses.*]

(2.)—In Scotland.

I, *A.B.* of , hereby bind and oblige myself, to the extent of £ at most, as caution and surety for *C.D.*, a person employed by the Society [*or* the branch of the Society], that he, the said *C.D.*, shall on demand faithfully and truly account for all moneys received and paid to him for behoof of the said society [*or* branch], and also assign and transfer or deliver all property (including books and papers) belonging to the said society [*or* branch] in his hands or custody, and that to such person or persons as the said society [*or* branch], or the trustees thereof shall appoint, according to the rules of the said society [or branch].

Dated at this day of

Signature of Cautioner.

E.F. of witness.
G.H. of witness.

The above bond shall not require a testing clause or subscription clause, and may be wholly printed, or partly written and partly printed.

FORM OF RECEIPT TO BE ENDORSED ON MORTGAGE OR FURTHER CHARGE.

In England or Ireland.

The trustees of the Society [*or* the branch of the Society] hereby acknowledge to have received all moneys intended to be secured by the within [*or* above] written deed.

Signed [*Signatures of Trustees.*]
Trustees.

Countersigned [*Signature of Secretary.*]
Secretary.

THE THIRD SCHEDULE.

Section 107.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
38 & 39 Vict. c. 60.	The Friendly Societies Act, 1875.	The whole Act, except so far as it relates to societies to which section thirty applies and to industrial assurance companies.
46 & 47 Vict. c. 47.	The Provident Nominations and small Intestacies Act, 1883.	So much as relates to registered societies.
50 & 51 Vict. c. 56.	The Friendly Societies Act, 1887.	The whole Act, except in section two so much as relates to section thirty of the Friendly Societies Act, 1875, and sub-section two of section eight, sub-section four of section nine, and sections twelve and eighteen.
51 & 52 Vict. c. 15.	The National Debt (Supplemental) Act, 1888.	Section six.
56 & 57 Vict. c. 30.	The Friendly Societies Act, 1893.	The whole Act.
58 & 59 Vict. c. 26.	The Friendly Societies Act, 1895.	The whole Act, except sections fifteen and nineteen.

CHAPTER 26.

An Act to consolidate the Enactments relating to Friendly Societies and Industrial Assurance Companies which receive Contributions and Premiums by means of Collectors. [7th August 1896.]

BE it enacted by the Queen'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, as follows:

Application of Act.

1. This Act shall apply to every such—

(*a*) friendly society or branch, whether registered or unregistered (in this Act referred to as a collecting society); and

(*b*) person or body of persons, whether corporate or unincorporate, granting assurances on any one life for a less sum than twenty pounds (in this Act referred to as an industrial assurance company),

as receives contributions or premiums by means of collectors at a greater distance than ten miles from the registered office or principal