STATUTORY INSTRUMENTS

1971 No. 1956

FRIENDLY SOCIETIES

The Friendly Societies (Forms and Fees) Regulations 1971

Made - - - -	*2nd December* 1971
Laid before Parliament	*15th December* 1971
Coming into Operation	*31st December* 1971

The Treasury pursuant to the powers conferred upon them by sections 96(1 and 99(1) of the Friendly Societies Act 1896(a) (as amended by paragraphs 2 and 31(1) of Schedule 2 to the Friendly Societies Act 1971(b)) and by regulation of the Friendly Societies (Fees) Order 1971(c) and to all other powers enablin them in that behalf hereby make the following Regulations:—

Citation, commencement and interpretation.

1.—(1) These Regulations may be cited as the Friendly Societies (Forms and Fees) Regulations 1971 and shall come into operation on 31st December 1971.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Applications to register special resolutions.

2. Every application to register a special resolution passed by a society on or after 31st December 1971 shall be in such of the forms contained in Schedule 1 hereto as are appropriate to the special resolution which has been passed.

3. Every application in Form BA to register a special resolution for the amalgamation of societies shall be made by each of the societies in duplicate and shall be sent to the Central Office accompanied by statutory declarations from officers of each society in Form BB. No acknowledgment of registration shall be given to any amalgamating society until special resolutions in like terms have been submitted for registration by the other society or societies.

4. Every application in Form BC to register a special resolution for the transfer of the engagements of a society to another society shall be made in duplicate and shall be sent to the Central Office accompanied by a statutory declaration in Form BB and, where appropriate, by a statutory declaration in Form BD.

5. Every application in Form BE to register a special resolution undertaking to fulfil the engagements of another society shall be made in duplicate and shall be sent to the Central Office accompanied by a statutory declaration in Form BB.

6. Every application in Form BF to register a special resolution for converting a society into a company shall be made in triplicate and shall be sent to the Central Office accompanied by a statutory declaration in Form BB.

(a) 1896 c. 25. (b) 1971 c. 66.
(c) S.I. 1971/1900 (1971 III, p. 5155) (d) 1889 c. 63.

7. Every application to register a special resolution for the transfer of the engagements of a society to a company shall be made in duplicate in Form BC, with necessary modifications to suit the facts, and shall be sent to the Central Office accompanied by a statutory declaration in Form BB and by a statutory declaration of an officer of the company in Form AC contained in the Regulations(a), dated 1st January 1897, made by the Treasury under the Friendly Societies Act 1896 and the Collecting Societies and Industrial Assurance Companies Act 1896(b) (hereinafter referred to as "the Friendly Societies Regulations 1897"), as amended(c).

Miscellaneous forms.

8. The forms contained in Schedule 2 hereto shall be used for the appropriate matters to which the forms relate.

Fees.

9. The fees set out in Schedule 3 hereto shall be payable in advance to the Central Office or, in Scotland, to the Assistant Registrar for Scotland in respect of the matters specified in that Schedule.

Amendments, revocations and savings.

10. For Forms AO and AOb contained in the Schedule to the Friendly Societies Regulations 1897 there shall be substituted the forms contained in Schedule 4 hereto.

11. The Regulations mentioned in Schedule 5 hereto are hereby revoked to the extent specified in the third column of that Schedule.

12. Nothing in these Regulations shall affect the regulations repealed thereby in their operation in relation to a special resolution passed and confirmed in accordance with section 74 of the Friendly Societies Act 1896 before 31st December 1971.

Tim Fortescue,
Keith Speed,
Two of the Lords Commissioners of
Her Majesty's Treasury.

2nd December, 1971.

(a) S.R. & O. 1897/6 (Rev. VIII, p. 815: 1897, p. 181).
(b) 1896 c. 26.
(c) The relevant amending instruments are S.R. & O. 1897/428, (Rev. VIII, p. 815: 1897, p. 231); S.I. 1971/461 (1971 I, p. 1376).

Regulation 2

SCHEDULE 1

FORM BA

FRIENDLY SOCIETIES ACT 1896

Application for registration of Special Resolution for Amalgamation of Societies pursuant to section 75 of the above mentioned Act.
(To be sent in duplicate by each society, accompanied by Form BB)

Name of Society.....

Register No.....

Name of Society.....

Register No.....

(and so on, if more than two societies are amalgamating).

To the Central Office

1. Application for registration of a special resolution for the amalgamation of the above-named societies is made by [Name of Society]

2. The following is a copy of a resolution passed

(*a*) at a general meeting of the applicant society, held on.....19 , of which notice, specifying the intention to propose that resolution, was duly given in accordance with the society's rules, and

(*b*) by not less than three-quarters of those members of the society for the time being entitled under the society's rules to vote who voted either in person or by proxy at the meeting:—

[Where the meeting was of delegates, substitute for paragraph (*b*) "by not less than three-quarters of the delegates who voted at the meeting:—"]

Omit where exemption from this requirement has been obtained.

In accordance with section 1(4)(*a*) of the Friendly Societies Act 1971 a notice in terms approved by the Chief Registrar has been sent to each member of the applicant society.

..... Signature of Chairman of Applicant Society

..... Signature of Secretary of Applicant Society

Date.....

FORM BB

FRIENDLY SOCIETIES ACT 1971

Statutory Declaration to accompany Application for Registration of a Special Resolution pursuant to the Friendly Societies (Forms and Fees) Regulations 1971.

Name of Society.....

Register No.....

I.....of.....

.....

an officer of the above-named society, do solemnly and sincerely declare that in passing the special resolution, application for registration of which is appended to this declaration marked.....the provisions of section 4(1) of the Friendly Societies Act 1971 have been duly complied with.

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

Signature of Declarant.....

Declared at.....
.....
the.....day of.....
one thousand nine hundred and
.....
before me,

.....
A Commissioner for Oaths*
*or Notary Public or Justice of the Peace.

FORM BC

FRIENDLY SOCIETIES ACT 1896

Application for Registration of a Special Resolution for Transfer of Engagements of one society to another society pursuant to section 75 of the above-mentioned Act. (To be sent in duplicate accompanied by Form BB and, where appropriate, Form BD)

Name of transferor society.....
Register No.....
Name of transferee society.....
Register No.....

To the Central Office

1. Application for registration of a special resolution for transfer of engagements is made by [Name of transferor society].

2. The following is a copy of a resolution passed

(*a*) at a general meeting of the society, held on.....19 , of which notice, specifying the intention to propose that resolution, was duly given in accordance with the society's rules, and

(*b*) by not less than three-quarters of those members of the society for the time being entitled under the society's rules to vote who voted either in person or by proxy at the meeting:—

[Where the meeting was of delegates, substitute for paragraph (*b*) "by not less than three-quarters of the delegates who voted at the meeting:—"]

Omit where exemption from this requirement has been obtained.

In accordance with section 1(4)(*a*) of the Friendly Societies Act 1971 a notice in terms approved by the Chief Registrar has been sent to each member of the applicant society.

3. [Name of transferee society] has [state in what manner]..... undertaken to fulfil the said engagements as testified by the signature of the secretary of the society hereto and by his statutory declaration submitted herewith.

Registered Office of Transferor Society
.....
.....
.....
.....
.....

Date.....

..... Signature of Chairman of Transferor Society

..... Signature of Secretary of Transferor Society

..... Signature of Secretary of Transferee Society

FORM BD

FRIENDLY SOCIETIES ACT 1896

Statutory Declaration by Officer of Society accepting Transfer of Engagements pursuant to regulation 4 of the Friendly Societies (Forms and Fees) Regulations 1971.

Name of Society.....
Register No.....

I.....of.....
.....an officer of the above-named society, do solemnly and sincerely declare that the above-named society has, in the manner authorised by its rules, viz. by resolution of.....
passed.....19 , undertaken to fulfil the engagements of [name of transferor society].

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

Signature of Declarant.....

Declared at.....
.....
the.....
one thousand nine hundred and.....
..... before me,
.....
A Commissioner for Oaths*
*or Notary Public or Justice of the Peace

FORM BE

FRIENDLY SOCIETIES ACT 1896

Application for Registration of a Special Resolution undertaking to fulfil the engagements of another society pursuant to section 75 of the above-mentioned Act.
(To be sent in duplicate, accompanied by Form BB)

Name of Society.....
Register No.....

To the Central Office

1. Application is made by the above-named society for registration of a special resolution undertaking to fulfil the engagements of [name of transferor society].

2. The following is a copy of a resolution passed

(*a*) at a general meeting held on.....19 of which notice, specifying the intention to propose that resolution, was duly given in accordance with the society's rules, and

(*b*) by not less than three-quarters of those members of the society for the time being entitled to vote who voted either in person or by proxy at the meeting:—

[Where the meeting was of delegates, substitute for paragraph (*b*) "by not less than three-quarters of the delegates who voted at the meeting:—"]

.....
Signature of Chairman of Society

Date.....

.....
Signature of Secretary of Society

FORM BF

FRIENDLY SOCIETIES ACT 1896

Application for Registration of Special Resolution for Conversion into a Company.
(To be sent in triplicate, accompanied by Form BB)

Name of Society.....
Register No.....

To the Central Office

1. Application for registration of a special resolution for conversion of the above-named society into a company is made by the said society.

2. The following is a copy of a resolution passed

(*a*) at a general meeting held on.....19 , of which notice, specifying the intention to propose that resolution, was duly given in accordance with the society's rules, and

(*b*) by not less than three-quarters of those members of the society for the time being entitled to vote who voted either in person or by proxy at the meeting:—

[Where the meeting was of delegates, substitute for paragraph (*b*) "by not less than three-quarters of the delegates who voted at the meeting:—"].

.....
Signature of Chairman of Society

Date.....

.....
Signature of Secretary of Society

Regulation 8

SCHEDULE 2

FORM BG

FRIENDLY SOCIETIES ACT 1896

Acknowledgment of registration of copy of Special Resolution

Name of Society.....

Register No.....

The copy of the special resolution appended hereto is this day registered under the Friendly Societies Act 1896.

(Seal of Central Office)

Date.....

FORM BH

FRIENDLY SOCIETIES ACT 1896

Approval of Change of Name pursuant to section 69 of the above-mentioned Act

Register No.....

The change of the name of.....
to.....effected by the amendment of rules registered this day is hereby approved.

Signature of Chief Registrar
(or Assistant Registrar of Friendly Societies for Scotland)

Date.....

FORM BI

FRIENDLY SOCIETIES ACT 1896

Acknowledgment of Registration of Change in Situation of Registered Office of Society or Branch

Register No.....

The change in the situation of the registered office of [Name of Society or Branch]
to .....
is this day registered as an amendment of rules under the Friendly Societies Act 1896.

(Seal of Central Office or signature of Assistant Registrar for Scotland)

Date.....

FORM BJ

FRIENDLY SOCIETIES ACT 1896

Notice of proceedings to set aside Dissolution pursuant to section 83(1) of the above mentioned Act.

Name of Society or Branch.....

Register No.....

To the Central Office [or, where the society or branch is registered in Scotland, the Assistant Registrar for Scotland]

Whereas on.....19 ,
the instrument of dissolution of the above-named society/branch was registered
the Chief Registrar made an award that the above-named society/branch be dissolved
I hereby give you notice that on.....19 , I commenced proceedings in the.....County Court [or Sheriff Court, as the case may be] to set aside the said dissolution.

Delete as necessary

Signature.....
Address.....
.....

Date.....

FORM BK

FRIENDLY SOCIETIES ACT 1896

Notice of Order to set aside Dissolution pursuant to section 83(2) of the above mentioned Act

Name of Society or Branch.....

Register No.....

To the Central Office [or, where the society or branch is registered in Scotland, the Assistant Registrar for Scotland]

The above-named society/branch hereby gives you notice that by an order of the .....County Court [or Sheriff Court, as the case may be] dated.....19 , a copy whereof is hereto annexed, the dissolution of the said society/branch was set aside.

Signed on behalf of the society/branch
.....Secretary

Date.....

SCHEDULE 3

Regulation 9

Fees payable for registration and sundry other matters

	£
1. For the acknowledgment of registry of a society	15
2. For the acknowledgment of registry of a branch	5
3. For registration of an annual return (except where the society or branch concerned has by written notice sent to the Central Office or the Assistant Registrar for Scotland irrevocably elected to pay the fees specified in paragraph 4 of this Schedule)—	
where it relates to a society	2.50
where it relates to a branch	1
4. The fees specified in this paragraph shall be payable where the society or branch concerned has by notice elected as aforesaid.	
(*a*) For the acknowledgment of registry of an alteration of rules—	
if the alteration substitutes an entire set of rules for the existing set of rules	
where made by a society	12
where made by a branch	4
if the alteration does not substitute an entire set of rules for the existing set of rules (and including approval of name in the case of an alteration effecting a change of name of a society or branch)	
where made by a society	6
where made by a branch	2
(*b*) For the registry of a notice of change in the situation of the registered office—	
of a society	2
of a branch	1
(*c*) For a receipt issued in respect of a notice of appointment of a trustee or trustees—	
of a society	2
of a branch	1
5. For the registry of a special resolution—	
(1) where the special resolution relates to an amalgamation or a transfer of engagements and the society passing it has—	
(*a*) 100 members or less	4
(*b*) more than 100 members but not more than 500	6
(*c*) more than 500 members but not more than 1,000	8
(*d*) more than 1,000 members	10
(2) where the special resolution relates to a conversion...	10
6. For the appointment of an inspector or calling of a special meeting by a Registrar under section 76 of the Friendly Societies Act 1896 ...	10

Regulation 9

7. For registry of an instrument of dissolution or alteration therein where a society or branch has— £

(*a*) 100 members or less 4

(*b*) more than 100 members but not more than 500 6

(*c*) more than 500 members but not more than 1,000... 8

(*d*) more than 1,000 members 10

8. For the determination of a Registrar on a dispute or for the award of a Registrar for dissolution where the matter is settled without a hearing or upon one hearing without an adjournment 3

9. Where on a dispute or on an application for an award of dissolution more than one hearing is required or where the hearing is adjourned—

the same fee as where the matter is settled upon one hearing without adjournment and in addition for every hearing after the first and for every adjournment 3

10. For an award or direction of a Registrar for the appropriation or division of the assets of a society or branch, an additional fee as follows:—

where the value of the assets is less than £300, 5% of that value.

where the value of the assets is £300 or more, £15 with an additional £1 for every £100 or part thereof in excess of £300.

11. Where application is made for an investigation into the affairs of a society or branch with a view to an award of dissolution thereof, the Chief Registrar may, if he thinks fit, at any time before making his award, require the payment of such further fee as he may deem reasonable not exceeding—

where the number of members does not exceed 150 30

where the number of members exceeds 150 but does not exceed 250... 45

where the number of members exceeds 250 but does not exceed 350... 60

where the number of members exceeds 350 but does not exceed 500... 75

where the number of members exceeds 500 but does not exceed 700... 120

where the number of members exceeds 700 but does not exceed 1,000... 165

where the number of members exceeds 1,000 but does not exceed 2,500, £165 for the first 1,000 members, and £25 for every 500 members, or part thereof, exceeding 1,000 members.

where the number of members exceeds 2,500 a special fee may be determined by the Chief Registrar.

12. For every inspection on the same day of documents in the custody of the Registrar relating to one and the same society or branch 0.10

13. For every document (except as otherwise provided) required to be signed by a Registrar, or to bear the seal of the Central Office, not chargeable with any other fee to the Registrar ... ... 1 provided that such fee shall not be paid by a society or branch which has not by notice elected as in paragraph 4 of this Schedule.

14. For a copy or extract of any document in the custody of the Registrar, not exceeding 216 words, 50p, and if exceeding that number, 10p per folio of 72 words, in addition to the fee for the signature of a Registrar, or for the seal of the Central Office; provided that where a photocopy is supplied the fee charged therefor may be of an amount less than the fee payable on the basis of word content.

Regulation 9

15. For any document certified as a true copy of a document in the custody of the Registrar, where the copy so certified is not made by the Registrar, 25p for the examination of such copy, and if the copy exceeds 216 words, for every additional folio of 72 words, 5p (in addition to the fee for the signature of a Registrar, or the seal of the Central Office).

The Chief Registrar may, at his discretion, reduce or waive the fee for an award on a dispute.

No fees shall be payable in respect of the examination or authentication of copies of rules or alterations of rules to be used for recording under section 14(1) of the Friendly Societies Act 1896.

SCHEDULE 4

Regulation 10

FORM AO

FRIENDLY SOCETIES ACT 1896

Instrument of Dissolution

(To be signed in duplicate and accompanied by Form AP)

Name of Society.....

Register No.....

Instrument of dissolution of the above-named society made the..... day of.....19 , pursuant to section 79 of the Friendly Societies Act 1896.

It is declared and agreed as follows:—

1. This instrument is signed by three fourths of the members.

2. The liabilities and assets of the society are the following:—

3. The number of members is

4. The society has no creditors [or, if there are creditors, state the amount due to them and the provision to be made for their payment].

5. The funds and property of the society shall be appropriated and divided in the following manner [or, in such manner as the Chief Registrar may award].

6. It is desired that this instrument be advertised in the [state some newspaper in general circulation in the neighbourhood of the registered office of the society]. as well as the London [Edinburgh] Gazette, and the cost of such advertisements is herewith transmitted.

[Here insert any other provisions the society desires to make as to the Dissolution].

Signatures of members.

SCHEDULE

List of members who have not signed the foregoing instrument—

FORM AOb

FRIENDLY SOCIETIES ACT 1896

Instrument of Dissolution of Branch

(To be signed in duplicate and accompanied by Form AP)

Name of Society.....

Register No.....
Name and number (if any) of branch

Instrument of dissolution of the above-named branch made the..... day of.....19 , pursuant to section 79 of the Friendly Societies Act 1896.

It is declared and agreed as follows:—

1. This instrument is signed by three fourths of the members.

2. The liabilities and assets of the branch are the following:—

3. The number of members is

4. The branch has no creditors [or, if there are creditors, state the amount due to them and the provision to be made for their payment].

5. The funds and property of the branch shall be appropriated and divided in the following manner [or, in such manner as the Chief Registrar may award].

6. It is desired that this instrument be advertised in the [state some newspaper in general circulation in the neighbourhood of the registered office of the branch] as well as the London [Edinburgh] Gazette, and the cost of such advertisements is herewith transmitted.

[Here insert any other provisions the branch desires to make as to the Dissolution].

Signatures of members.

SCHEDULE

List of members who have not signed the foregoing instrument—

The consent of the central body of the society has been given to the dissolution.

Signature of the secretary of the society.

Date.....

SCHEDULE 5 Regulation 11

REVOCATIONS

Regulations revoked	References	Extent of revocation
The Friendly Societies Regulations 1897.	S.R. & O. 1897/6 (Rev. VIII, p. 815; 1897, p. 181).	Regulation 18
		Regulations 21 to 24
		Regulations 33 to 43
		In Regulation 44, the words "amalgamation with".
		Regulation 46
		Regulation 49
		Regulation 54
		Regulation 59
		Regulation 68
		Regulation 70
		In Regulation 75, the words "special resolutions and transfers of engagements from one society to another".
		In the Schedule, Forms J, K, L, T, U, V, W, X, Y, Z, AA, AX, AY, CI, UI and XI.
The Friendly Societies (Amendment) Regulations 1971.	S.I. 1971/461 (1971 I, p. 1376).	In Regulation 3, para (*d*) Schedule 1.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations prescribe the forms to be used under the Friendly Societies Act 1971 and the fees to be paid for matters to be transacted, and for the inspection of documents, under the Friendly Societies Acts 1896 to 1971. The fees supersede those prescribed by the Friendly Societies (Amendment) Regulations 1971, Sch. 1.