SCHEDULE.

Date of Act.	Title.	Extent of Repeal.
12 & 13 Vict. c. 53. -	An Act for consolidating and amending several of the laws relating to attorneys and solicitors practising in Ireland.	Section 2, from "Provided also, that it "shall be lawful for any judge of the "superior courts of law and equity" to end of section.

CHAPTER 45.

An Act to consolidate and amend the Laws relating to Industrial and Provident Societies. [11th August 1876.]

WHEREAS it is expedient to consolidate and amend the law relating to industrial and provident societies, and to assimilate the same in certain respects to the law relating to friendly societies:

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:

Short title of Act.

1. This Act may be cited as The Industrial and Provident Societies Act, 1876.

Extent of Act.

2. This Act shall extend to Great Britain and Ireland, and the Channel Islands.

Definitions.

3. In this Act, if not inconsistent with the context, the following terms shall have the meanings herein-after respectively assigned to them:

"The Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury:

"England" shall include the Channel Islands (except as herein-after provided):

"The registrar" shall mean for England the central office established by the Friendly Societies Act, 1875, and for Scotland or Ireland the assistant registrar of friendly societies for either country respectively; "the central office" shall mean the central office so established; and "chief registrar" and "assistant registrar" shall mean chief registrar and assistant registrar of friendly societies respectively:

"Country" shall mean England, Scotland, or Ireland, as the case may be:

The several ridings of the county of York, and the several Channel Islands, respectively, shall be deemed to be counties:

"Land" shall include hereditaments, and in Scotland heritable subjects, of whatever description, and chattels real:

"Property" shall mean all real and personal estate (including books and papers):

"Registered society" shall mean a society registered or deemed to be registered under this Act:

"Amendment of rule" shall include a new rule, and a resolution rescinding a rule:

"Rules" shall mean rules for the time being:

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

"Persons claiming through a member" shall include the heirs, executors, administrators, and assigns of a member, and also his nominees where nomination is allowed:

"Officer" shall extend to any trustee, treasurer, secretary, member of the committee, manager, or servant, other than a servant appointed by the committee of a society:

"Meeting" shall include (where the rules of a society so allow) a meeting of delegates appointed by members:

For Scotland, "court of summary jurisdiction" shall mean the sheriff court of the county:

"County court" shall mean for Scotland the sheriff court of the county, and for Ireland the Civil Bill Court; for Scotland, "administration" means confirmation, and "misdemeanor" a crime and offence:

"Summary Jurisdiction Acts" shall mean—

As to England, the Act 11 & 12 Vict. c. 43, and any Acts amending the same:

As to Scotland, the Summary Procedure Act, 1864, and any Acts amending the same:

As to Ireland, within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, and of the police of such district; elsewhere in Ireland, the "Petty Sessions (Ireland) Act, 1851," and any Act amending the same:

"Gazette" shall mean the London Gazette for England, the Edinburgh Gazette for Scotland, and the Dublin Gazette for Ireland.

Repeal of Acts in first schedule.

4. The Acts set forth in the first schedule hereto shall be repealed from the commencement of this Act; but this repeal, or anything herein contained, shall not affect the past operation of the said Acts, or the force or operation, validity or invalidity, of anything done or suffered, or any bond or security given, right, title, obligation, or liability accrued, contract entered into, or proceedings taken, under any of the said Acts, or under the rules of any society registered or certified thereunder, before the commencement of this Act.

Existing societies.

5. Every incorporated society now subsisting whose rules have been registered or certified under any Act relating to industrial and provident societies, shall be deemed to be a society registered under this Act, and its rules shall, so far as the same are not contrary to any express provision of this Act, continue in force until altered or rescinded.

Societies which may be registered.

6. The societies which may be registered under this Act are societies (herein called industrial and provident societies) for carrying on any labour, trade, or handicraft, whether wholesale or retail, including the buying and selling of land, but as to the business of banking subject to the provisions herein-after contained, of which societies no member other than a society registered under this Act shall have or claim an interest in the funds exceeding two hundred pounds sterling.

Registry of societies.

7. With respect to the registry of societies, the following provisions shall have effect:

To consist of seven persons at least.

(1.) No society can be registered under this Act which does not consist of seven persons at least.

The application for registry.

(2.) For the purpose of registry an application to register the society, signed by seven members and the secretary, and two written or printed copies of the rules, shall be sent to the registrar.

Identity or deceptive similarity of name not to be allowed.

(3.) No society shall be registered under a name identical with that under which any other existing society is registered, or so nearly resembling such name as to be likely, in the opinion of the registrar, to deceive the members or the public, as to its identity, and no society shall change its name without sanction of the chief or an assistant registrar or otherwise than is herein-after provided.

As to societies registered under former Acts.

(4.) A society registered under the Industrial and Provident Societies Act, 1852, and not registered under the Industrial and Provident Societies Acts, 1862 or 1867, may, on application to the registrar, obtain an acknowledgment of registry under this Act.

"Limited" to be last word of name.

(5.) The word "limited" shall be the last word in the name of every society registered under this Act.

Registry of societies doing business in more than one country.

(6.) Societies carrying or intending to carry on business in more than one country shall be registered in the country in which their registered office, as herein mentioned, is situate; but copies of the rules of such societies, and of all amendments of the same, shall, when registered, be sent to the registrar of each of the other countries, to be recorded by him; and until such rules be so recorded the society shall not be entitled to any of the privileges of this Act in the country in which such rules have not been recorded, and until such amendments of rules be recorded the same shall not take effect in such country.

The acknowledgment of registry.

(7.) The registrar, on being satisfied that a society has complied with the provisions as to registry in force under this Act, shall issue to such society an acknowledgment of registry.

Appeals from refusal to register.

(8.) If any registrar refuse to register the society or any rules, the society may appeal from such refusal, as follows:

(*a.*) If the assistant registrar for Scotland refuse to register, to either division of the Inner House of the Court of Session:

(*b.*) If the assistant registrar for Ireland refuse to register, to the Court of Queen's Bench at Dublin:

(*c.*) If the central office or the chief registrar refuse to register, to the Court of Queen's Bench in England:

(*d.*) The Court of Session, the Court of Queen's Bench at Dublin, and the Judges of the Court of the Queen's Bench Division of the High Court in England respectively, may make rules or orders as to the form of appeals and the trying thereof and otherwise relating thereto.

If refusal overruled, acknowledgment to be given.

(9.) If the refusal of registry be overruled on appeal, an acknowledgment of registry shall thereupon be given to the society by the registrar.

Effect of acknowledgment of registry.

(10.) The acknowledgment of registry shall be conclusive evidence that the society therein mentioned as duly registered, unless it be proved that the registry of the society has been suspended or cancelled.

Cancelling and suspension of registry.

8. With respect to the cancelling or suspension of registry the following provisions shall have effect:

Cancelling.

(1.) The chief registrar, or, in the case of societies registered and doing business in Scotland or Ireland exclusively, the assistant registrar for Scotland or Ireland respectively, may cancel the registry of a society by writing under his hand,—

(*a.*) If he thinks fit, at the request of a society, to be evidenced in such manner as he shall from time to time direct:

(*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.

Suspension.

(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 suspend the same by writing under his hand, for any term not exceeding three months, and may, with the approval of the Treasury, renew such suspension from time to time for the like period.

Notice of cancelling or suspension.

(3.) Not less than two months previous notice in writing, specifying briefly the ground of any proposed cancelling or suspension of registry, shall be given by the chief or assistant registrar to a society before the registry of the same can be cancelled (except at its request) or suspended; and notice of every cancelling or suspension shall be published in the Gazette, and in some newspaper circulating in the county in which the registered office of the society is situated, as soon as practicable after the same takes place.

Appeal from cancelling or suspension.

(4.) A society may appeal from the cancelling of its registry, or from any suspension of the same which is renewed after six months, in manner herein provided for appeals from the chief registrar's or the registrar's refusal to register respectively.

Effect of cancelling or suspension.

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

Rules and amendments.

9. With respect to the rules of societies the following provisions shall have effect:

Provisions to be contained in rules.

(1.) The rules of every society sent for registry shall contain provisions in respect of the several matters mentioned in the second schedule to this Act.

Amendments to be registered.

(2.) No amendment of a rule made by a registered society shall be valid until the same has been registered under this Act, for which purpose copies of the same, signed by three members and the secretary, shall be sent to the registrar.

(3.) The provision herein contained as to appeals from a refusal of registry shall apply to amendments of rules. Provision applicable to amendments.

(4.) 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 same, which shall be conclusive evidence that the same is duly registered. Acknowledgment of registry of amendments.

(5.) A copy of the rules of a registered society shall be delivered by the society to every person on demand, on payment of a sum not exceeding one shilling. Copies of rules to be delivered on demand.

(6.) 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 for the time being registered under this Act, on the pretence that the same are existing rules of a registered society, or that there are no other rules of such society, or gives to any person a copy of any rules on the pretence that such rules are the rules of a registered society when the society is not registered, the person so offending shall be deemed guilty of a misdemeanor. Delivery of untrue rules.

10. With respect to the duties and obligations of registered societies the following provisions shall have effect: Duties and obligations of societies.

(1.) Every society shall—

(*a.*) Have a registered office to which all communications and notices may be addressed, and send to the registrar notice of the situation of such office, and of every change therein: Registered office.

(*b.*) Paint or affix, and keep painted or affixed, its name on the outside of every office or place in which the business of the society is carried on, in a conspicuous position, in letters easily legible, and have its name engraven in legible characters on its seal, and have its name mentioned in legible characters in all notices, advertisements, and other official publications of the society, and in all bills of exchange, promissory notes, endorsements, cheques, and orders for money or goods, purporting to be signed by or on behalf of such society, and in all bills of parcels, invoices, receipts, and letters of credit of the society: Publication of name.

(*c.*) Once at least in every year submit its accounts for audit either to one of the public auditors appointed as herein mentioned, or to two or more persons appointed as the rules of the society provide, who shall have access to all the books and accounts of the society, and shall examine the general statement of the receipts and expenditure, funds and effects of the society, and verify the same with the accounts and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched, and in accordance with law, or specially report to the society in what respects they find it incorrect, unvouched, or not in accordance with law: Audit.

(*d.*) Once in every year before the first day of June send to the registrar a general statement (to be called the annual return) of the receipts and expenditure, funds, and effects of the society as audited, which shall show separately the expenditure in respect of the several objects of the society, and shall be made out to the thirty-first December then last inclusively, and shall state whether the audit has been conducted by a public auditor appointed as by this Act is provided, and by whom, and if by any person other than a public auditor, shall state the name, address, and calling or profession of each such person, and the manner in which and the authority under which he is appointed, and together therewith shall send a copy of the auditor's report: Annual returns.

(*e.*) Allow any member or person having an interest in the funds of the society to inspect the books and the names of the members at all reasonable hours at the registered office of the society, or at any place where the same are kept; subject to such regulations as to the time and manner of such inspection as may be made from time to time by the general meetings of the society, except that no such member or person, unless he be an officer of the society, or be specially authorised by a resolution thereof, shall have the right to inspect a loan or deposit account of any other member without the written consent of such member: Inspection of books.

Supplying copies of annual returns.

(*f.*) Supply gratuitously to every member or person interested in the funds of the society, on his application, a copy of the last annual return of the society for the time being:

Balance sheet, &c. to be hung up at office.

(*g.*) Keep a copy of the last balance sheet for the time being, together with the report of the auditors, always hung up in a conspicuous place at the registered office of the society.

Provisions as to banking.

(2.) The following provisions shall apply to the business of banking by societies—

(*a.*) No society which has any withdrawable share capital shall carry on the business of banking:

(*b.*) Every society which carries on the business of banking shall, on the first Mondays in February and August in each year, make out and keep conspicuously hung up in its registered office, and every other place of business belonging to it, a statement in the form in the third schedule hereto annexed, or as near thereto as the circumstances admit:

(*c.*) The taking deposits of not more than five shillings in any one payment, nor more than twenty pounds for any one depositor, payable on not less than two clear days notice, shall not be included in the business of banking within the meaning of this Act; but no society which takes such deposits shall make any payment of withdrawable capital while any claim due on account of any such deposit is unsatisfied.

Offences.

(3.) It shall be an offence under this Act if any registered society—

(*a.*) Fails to give any notice, send any return or document, or do or allow to be done any act or thing which the society is by this Act required to give, send, do, or allow to be done:

(*b.*) Wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the chief or any other registrar or other person authorised under this Act, or does any act or thing forbidden by this Act:

(*c.*) Makes a return or wilfully furnishes information in any respect false or insufficient:

(*d.*) Carries on the business of banking having any withdrawable share capital, or in carrying on such business does not make out and keep conspicuously hung up such statement as is herein-before required, or makes any payment of withdrawable capital contrary to the provision herein-before contained.

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

(4.) Every offence by a society under this Act shall be deemed to have been also committed by every officer of the same bound by the rules thereof to fulfil the duty whereof such offence is a breach, or if there be no such officer, then by every member of the committee of the same, unless such member be proved to have been ignorant of or to have attempted to prevent the commission of such offence; and every act or default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which the same continues.

Returns to be in prescribed form.

(5.) Every return 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.

Recording of documents.

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

Privileges of societies.

11. Registered societies shall be entitled to the following privileges:

Incorporation of society with limited liability.

(1.) The registration of a society shall render it a body corporate by the name described in the acknowledgment of registry by which it may sue and be sued, with perpetual succession and a common seal, and with limited liability; and shall vest in the society all property for the time being vested in any person in trust for the society; and all legal proceedings pending by or against the trustees of any such society may be prosecuted by or against the society in its registered name without abatement.

Rules to bind the members.

(2.) The rules of the society shall bind the society and all 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 contained in such rules

a covenant on the part of himself, his heirs, executors, and administrators, to conform thereto, subject to the provisions of this Act: Provided that a society registered at the time when this Act comes into operation, or the members thereof, may respectively exercise any power given by this Act, and not made to depend on the provisions of its rules, notwithstanding any provision contained in any rule thereof certified before this Act was passed.

Moneys due from members to be a debt recoverable from them.

(3.) All moneys payable by a member to the society shall be a debt due from such member to the society, and shall be recoverable as such either in the county court of the district in which the registered office of the society is situate, or that of the district in which such member resides, at the option of the society.

Exemption from income tax.

(4.) The society shall not be chargeable under Schedule (C.) or Schedule (D.) of the Income Tax Acts, but no member of or person employed by the same to whom any profits are paid shall be exempted from any assessment to the said duties to which he would otherwise be liable.

Power of nomination for sums not exceeding fifty pounds.

(5.) A member of a society, 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, nominate any person, not being an officer or servant of the society, unless such officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator, to whom his shares in the society shall be transferred at his decease, provided that the amount credited to him in the books of the society does not exceed fifty pounds, and may from time to time revoke or vary such nomination by a writing under his hand similarly delivered or sent, but not otherwise, and every such society shall keep a book wherein the names of all persons so nominated shall be regularly entered, and the shares comprised in any such nomination shall be transferable to the nominee although the rules of the society declare its shares to be generally not transferable; and on receiving satisfactory proof of the death of a nominator the committee of the society shall either transfer the shares in manner directed on such nomination or pay to every person entitled thereunder the full value of his interest, at their option, unless the shares if transferred to any such nominee would raise his interest in the society to an amount exceeding two hundred pounds sterling, in which case they shall pay him the full value of such shares, not exceeding the sum aforesaid.

Distribution of sums not exceeding fifty pounds.

(6.) If any member of a society, entitled to an interest in the society not exceeding fifty pounds, dies intestate and without having made any nomination under this Act which remains unrevoked at his death, such interest shall be transferable or payable, without letters of administration, to or among the persons who appear to a majority of the committee, upon such evidence as they may deem satisfactory, to be entitled by law to receive the same.

Payments to persons apparently entitled valid.

(7.) Whenever the committee, after the decease of any member, make any payment or transfer to any person who at the time appears to them to be entitled under this section, the payment or transfer shall be valid and effectual against any demand made upon the committee or the society by any other person.

When trustees are absent, &c., registrar may order stock to be transferred.

(8.) When any person, in whose name any stock belonging to any such society transferable at the Bank of England or Bank of Ireland is standing, either jointly with another or others or solely, as a trustee therefor, is absent from Great Britain or Ireland respectively, or 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 becomes a lunatic, or is dead, or has been removed from his office of trustee, or if it be unknown whether such person is living or dead, the chief registrar, on application in writing from the secretary and three members of the society, and on proof satisfactory to him, may direct the transfer of the stock into the names of any other persons as trustees for the society; and such transfer shall be made by the surviving or continuing trustees, and if there be no such trustee, or if such trustees refuse or be unable to make such transfer, and the chief registrar so direct, 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; and the Governors and Companies of the Bank of England and Bank of Ireland respectively are hereby indemnified for anything done by them or any of their officers in pursuance of this provision against any claim or demand of any person injuriously affected thereby.

Membership of minors.

(9.) A person under the age of twenty-one but above the age of sixteen may be a member of a society, unless provision be made in the rules thereof to the contrary, and may, subject to the rules of the society, enjoy all the rights of a member (except as herein provided), and 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, trustee, manager, or treasurer of the society.

Promissory notes and bills of exchange.

(10.) A promissory note or bill of exchange shall be deemed to have been made, accepted, or endorsed on behalf of any society if made, accepted, or endorsed in the name of the society, or by or on behalf or account of the society by any person acting under the authority of the society.

Register of members or shares.

(11.) Any register or list of members or shares kept by any society shall be primâ facie evidence of any of the following particulars entered therein:

(*a.*) The names, addresses, and occupations of the members, the number of shares held by them respectively, the numbers of such shares, if they are distinguished by numbers, and the amount paid or agreed to be considered as paid on any such shares:

(*b.*) The date at which the name of any person, company, or society was entered in such register or list as a member:

(*c.*) The date at which any such person, company, or society ceased to be a member.

Contracts how made.

(12.) Contracts on behalf of the society may be made, varied, or discharged as follows:

(*a.*) Any contract, which if made between private persons would be by law required to be in writing, and if made according to the English law to be under seal, may be made on behalf of the society in writing under the common seal of the society, and may in the same manner be varied or discharged:

(*b.*) Any contract, which if made between private persons would be by law required to be in writing and signed by the persons to be charged therewith, may be made on behalf of the society in writing by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged:

(*c.*) Any contract under seal, which if made between private persons might be varied or discharged at law or in equity by a writing not under seal signed by any person interested therein, may be similarly varied or discharged on behalf of the society by a writing not under seal signed by any person acting under the express or implied authority of the society:

(*d.*) Any contract, which if made between private persons would be by law valid though made by parol only and not reduced into writing, may be made by parol on behalf of the society by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged:

(*e.*) A signature purporting to be made by a person holding any office in the society attached to a writing whereby any contract purports to be made, varied, or discharged by or on behalf of the society shall primâ facie be taken to be the signature of a person holding at the time when the signature was made the office so stated:

And all contracts which may be or have been made, varied, or discharged, according to the provisions herein contained, shall, so far as concerns the form thereof, be effectual in law and binding on the society and all other parties thereto, their heirs, executors, or administrators, as the case may be.

Property and funds of societies.

12. With respect to the property and funds of registered societies, the following provisions shall have effect:

Holding of land.

(1.) A society may (if its rules do not direct otherwise) hold, purchase, or take on lease in its own name any land, and may sell, exchange, mortgage, lease, or build upon the same (with power to alter and pull down buildings and again rebuild), and no purchaser, assignee, mortgagee, or tenant shall be bound to inquire as to the authority for any such sale, exchange, mortgage, or lease by the society, and the receipt of the society shall be a discharge for all moneys arising from or in connexion with such sale, exchange, mortgage, or lease.

Advances to members.

(2.) The rules may provide for the advancing of money by the society to members on the security of real or personal property.

As to copyholds.

(3.) Where any society 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 same are held shall from time to time, if the society so require, admit such persons (not to exceed three) as such society appoints, to be trustees on its behalf, 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, or may admit the society as tenant in respect of the same on payment of such special fine or compensation, in lieu of fine and fees, as may be agreed upon between such lord and the society.

Investments.

(4.) A society may, if its rules so allow, invest any part of its capital in the shares or on the security of any other society registered under this Act or under the Building Societies Acts or of any company registered under the Companies Acts or incorporated by Act of Parliament or by charter, provided that no such investment be made in the shares of any society or company other than one with limited liability, and a society so investing may make such investment in its registered name, and shall be deemed to be a person within the meaning of the Companies Acts, 1862 and 1867, and the Building Societies Act, 1874, and any investment made before the passing of this Act which would have been valid if this Act had been then in force is hereby made valid and confirmed.

Other corporate bodies.

(5.) Any other body corporate may, if its regulations permit, hold shares by its corporate name in a society.

Forms.

(6.) In the rules or any schedule thereto may be set forth the forms of conveyance, surrender admittance, mortgage, transfer, agreement, bond, or other instrument necessary for carrying the purposes of the society into effect.

Application of profits.

(7.) The profits of the society may be applied to any lawful purpose.

Discharge of mortgages by receipt endorsed.

(8.) A receipt under the hands of two members of the committee of the society, countersigned by the secretary, in the form contained in the third schedule to this Act, or in any form specified by the rules of the society or any schedule thereto, for all moneys secured to the society by any mortgage or other assurance endorsed upon or annexed to such mortgage or other assurance, shall vacate the same, and vest the property therein comprised in the person entitled to the equity of redemption of the same, without reconveyance or resurrender; but this provision shall not apply to Scotland or to the Island of Jersey.

Registration of receipt.

(9.) If such mortgage or other assurance has been registered under any Act for the registration or record of deeds or titles, or is of copyholds or lands of customary tenure and entered on any court rolls, the registrar under such Act, or recording officer, or steward of the manor, or keeper of the register, shall on production of such receipt, verified by oath of any person, enter satisfaction on the register or on the court rolls respectively of such mortgage or of the charge made by such assurance, and shall grant a certificate, either upon such mortgage or assurance or separately to the like effect, which certificate shall be received in evidence in all courts and proceedings without further proof, and such registrar, recording officer, steward, or keeper of the register shall be entitled to a fee of two shillings and sixpence for making the said entry and granting the said certificate, and such fee shall in Ireland be paid by stamps, and applied as the other fees of the Registry of Deeds Office and Record of Title Office are by law directed to be paid and applied.

Punishment of fraud or misappropriation.

(10.) If any person obtains possession by false representation or imposition of any property of a society, or having the same in his possession withholds or misapplies the same, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society and authorised by this Act, he shall on the complaint of the society, or of any member authorised by the society, or the committee thereof, or by the central office, or of the chief registrar or any assistant registrar by his authority, be liable on summary conviction to a penalty not exceeding twenty pounds with costs not exceeding twenty shillings, and to be ordered to deliver up all such property or to repay all moneys applied improperly, and in default of such delivery or repayment, or of the payment of such penalty and costs aforesaid, to be imprisoned, with or without hard

labour, for any time not exceeding three months; but nothing herein contained 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.

Officers in receipt or charge of money.

13. With respect to officers of registered societies having receipt or charge of money, the following provisions shall have effect:

Security to be given.

(1.) Every officer, if the rules of the society require, shall, before taking upon himself the execution of his office, become bound, either with or without a surety as the committee require, in a bond according to one of the forms set forth in the third schedule to this Act, or such other form as the committee of the society approve, or give the security of a guarantee society, in such sum as the committee directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the society at such times as its rules appoint, or as the society or the committee thereof require him to do, and for the payment by him of all sums due from him to the society.

Accounts of officers.

(2.) Every officer, his executors or administrators, shall, at such times as by the rules of the society 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 by the committee thereof, to be examined and allowed or disallowed by them, and shall, on the like demand or notice, pay over all moneys and deliver all property for the time being in his hands or custody to such person as the society or the committee appoint; and in case of any neglect or refusal to deliver such account, or to pay over such moneys or to deliver such property in manner aforesaid, the society may sue upon the bond or security before mentioned, or may apply to the county court (which may proceed in a summary way), or to a court of summary jurisdiction, and the order of either such court shall be final and conclusive.

Disputes.

14. With respect to disputes concerning registered societies the following provisions shall have effect:

To be decided by rules of society.

(1.) Every dispute between a member or person claiming through a member or under the rules of a registered society, and the society or an officer thereof, shall be decided in manner directed by the rules of the society, if they contain any such direction, and the decision so made 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.

May be referred to chief registrar.

(2.) The parties to a dispute in a society may, by consent (unless the rules of such society expressly forbid it), refer such dispute to the chief registrar, or to the assistant registrar in Scotland or Ireland, who shall, with the consent of the Treasury, either by himself or by any other registrar, hear and determine such dispute, and shall have power to order the expenses of determining the same to be paid either out of the funds of the society or by such parties to the dispute as he shall think fit, and such 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.

Chief registrar may administer oaths, &c.

(3.) The chief or other registrar to whom any 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; and any person refusing to attend, or to produce any documents, or to give evidence before such chief or other registrar, shall be guilty of an offence under this Act.

Reference to justices.

(4.) Where the rules of a society direct that disputes shall be referred to justices, the dispute shall be determined by a court of summary jurisdiction:

Provided that in every case of dispute cognisable under the rules of a society by a court of summary jurisdiction, it shall be lawful for the parties thereto to enter into a consent referring such dispute to the county court, which may hear and determine the matter in dispute.

Application to county courts, &c.

(5.) 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 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, which may hear and determine the matter in dispute.

(6.) The court, chief or other registrar, may, at the request of either party, state a case for the opinion in England of the Supreme Court of Judicature, in Scotland of either division of the Inner House of the Court of Session, or in Ireland of one of the superior courts of common law at Dublin, 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, such discovery to be made on behalf of the society by such officer of the same as such court or registrar may determine. Case for opinion of Supreme Court, &c.

15. With respect to the inspection of the affairs of registered societies, the following provisions shall have effect: Special powers of registrars to be exercised on application from members.

(1.) Upon the application of one fifth of the whole number of members of a registered society, 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, 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, but, with the consent of the Treasury in every case, may—

(*a.*) Appoint one or more inspectors to examine into the affairs of such society, and to report thereon, who 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: Inspectors.

(*b.*) Call a special meeting of the society in such manner and at such time and place as the chief registrar, or such assistant registrar, may direct, and may direct what matters shall be discussed and determined on at such meeting, which 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. Special meetings.

(2.) The application herein mentioned shall be supported by such evidence, for the purpose of showing that the applicants have good reason for requiring such 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 shall direct. Application to be supported by evidence.

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

(4.) All expenses of and incidental to any such inspection or meeting shall be defrayed either by the members applying for the same, or out of the funds of the society, as the chief registrar or such assistant registrar shall direct. Expenses.

16. With respect to special resolutions by registered societies, and to the proceedings which may be taken by virtue thereof, the following provisions shall have effect: Special resolutions, and proceedings which may be taken thereon.

(1.) A special resolution is one which is passed by a majority of not less than three fourths of such members of a society for the time being 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 such resolutions has been duly given according to the rules, and which resolution is confirmed by a majority of such members for the time being entitled under the rules to votes as may be present, in person or by proxy, 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 deemed conclusive evidence of the fact. Special resolutions.

(2.) A 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; but no such change shall affect any right or obligation of the society, or of any member Change of name.

thereof, and any pending legal proceedings may be continued by or against the society, notwithstanding its new name.

Amalgamation of societies.

(3.) Any two or more 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 such societies or either of them; and any society may by special resolution transfer its engagements to any other registered society which may undertake to fulfil the engagements of such society.

Conversion of societies into companies, &c.

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

Rights of creditors.

(5.) No amalgamation or transfer of engagements shall prejudice any right of a creditor of either or any society party thereto.

Registration of special resolutions.

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

Registration of copy of special resolution as memorandum of association.

(7.) If a special resolution for converting a society into a company contains the particulars by the Companies Act, 1862, required 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 such 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 Act.

Registry of society under Act to become void on registration as a company, &c.

(8.) If a society be registered as, or amalgamates with, or transfers all its engagements to a company, the registry of such society under this Act shall thereupon become void, and the same 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 for the time being subsisting against such society, or any penalty for the time being incurred by such 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 such penalty, shall have priority as against the property of such company, over all other rights or claims against or liabilities of such company.

Dissolution of societies.

17. With respect to the dissolution of registered societies, the following provisions shall have effect:

How societies may be dissolved.

(1.) A society may be dissolved—

By an order to wind up the society, or a resolution for the winding up thereof, made as is directed in regard to companies by the Companies Act, 1862, the provisions whereof shall apply to any such order or resolution, except that the court having jurisdiction in the winding up shall be the county court, and that the term registrar shall for the purpose of such winding up mean the central office in England, or the assistant registrar in Scotland or Ireland, as the case may be; or,

By the consent of three fourths of the members, testified by their signatures to an instrument of dissolution.

Liability of the members.

(2.) Where a society is wound up the liability of a present or past member of the society to contribute for payment of the debts and liabilities of the society, the expenses of winding up, and the adjustment of the rights of contributories amongst themselves, shall be qualified as follows:

(*a.*) No individual, society, or company who or which has ceased to be a member for one year or upwards prior to the commencement of the winding up shall be liable to contribute:

(*b.*) No individual, society, or company shall be liable to contribute in respect of any debt or liability contracted after he or it ceased to be a member:

(*c.*) No individual, society, or company not a member shall be liable to contribute, unless it appears to the court that the contributions of the existing members are insufficient to satisfy the just demands on the society:

(*d.*) No contribution shall be required from any individual, society, or company exceeding the amount, if any, unpaid on the shares in respect of which he or it is liable as a past or present member:

(*e.*) An individual, society, or company shall be taken to have ceased to be a member, in respect of any withdrawable share withdrawn, from the date of the notice or application for withdrawal.

(3.) Where a society is terminated by an instrument of dissolution the following provisions shall apply: Contents of instrument of dissolution.

(*a.*) The instrument of dissolution shall set forth the liabilities and assets of the society in detail, the number of members and the nature of their interests in the society respectively, the claims of creditors (if any), and the provision to be made for their payment, and the intended appropriation or division of the funds and property of the society, unless the same be stated in the instrument of dissolution to be left to the award of the chief registrar:

(*b.*) Alterations in the instrument of dissolution may be made with the like consents as herein-before provided, and testified in the same manner: Alterations.

(*c.*) A statutory declaration shall be made by three members and the secretary of the society that the provisions of this Act have been complied with, and shall be sent to the registrar with the instrument of dissolution; and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanor: Statutory declaration.

(*d.*) The instrument of dissolution and all alterations therein shall be registered in manner herein provided for the registry of rules, and shall be binding upon all the members of the society: Registry of instrument of dissolution.

(*e.*) The registrar shall cause a notice of the dissolution to be advertised at the expense of the society in the Gazette and in some newspaper circulating in the county in which the registered office of the society is situated; and unless within three months from the date of the Gazette in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society in the county court of the district where the registered office of the society is situate, and such dissolution is set aside accordingly, the society shall be legally dissolved from the date of such advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto: Notice of dissolution.

(*f.*) Notice shall be sent to the central office of any proceeding to set aside the dissolution of a society, not less than seven days before it is commenced, by the person by whom it is taken, or of any order setting it aside, within seven days after it is made by the society. Notice of proceedings to set aside a dissolution.

18. With respect to penalties under this Act, the following provisions shall have effect: Penalties.

(1.) If any person wilfully makes, orders, or allows to be made any entry or erasure in, or omission from any balance sheet of a registered society, or any contribution or collecting book, or any 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 penalty not exceeding fifty pounds. Penalty for falsification.

(2.) If any officer of the society, or any person on its behalf, uses any seal purporting to be a seal of the society, whereon its name is not so engraved as aforesaid, or issues or authorises the issue of any notice, advertisement, or other official publication of the society, or signs or authorises to be signed on behalf of the society any bill of exchange, promissory note, endorsement, cheque, order for money or goods, or issues or authorises to be issued any bills of parcels, invoice, receipt, or letters of credit of the society, wherein its name is not mentioned in manner aforesaid, he shall be liable to a penalty of fifty pounds, and shall further be personally liable to the holder of any such bill of exchange, promissory note, cheque, or order for money or goods for the amount thereof unless the same is duly paid by the society. Not using the name of the society.

Penalties for ordinary offences.

(3.) Every society, officer or member of a society, or other person guilty of an offence under this Act for which no penalty is expressly provided herein shall be liable to a penalty of not less than one pound and not more than five pounds.

Recovery of penalties.

(4.) The penalties imposed or to be imposed (1) by this Act, (2) by any regulations under the same, or (3) by the rules of a registered society, shall be recoverable in a court of summary jurisdiction, and at the suit, in cases (1) and (2), of the chief registrar, or of any assistant registrar, or of any person aggrieved, and, in case (3), of the society.

Summary procedure and appeals.

19. With respect to summary procedure and appeals from orders or convictions thereon made, the following provisions shall have effect:

Prosecution for offences, &c.

(1.) In England and Ireland all offences and penalties under this Act may be prosecuted and recovered, in the manner directed by the Summary Jurisdiction Acts, as respects a prosecution against a society or its officers, in the place where the registered office of the society is, or where the offence has been committed, or, as respects a prosecution against any person other than a society or its officers, in the place where such person is resident at the time of the institution of such prosecution, or where the offence was committed.

Summary orders.

(2.) In England and Ireland summary orders under this Act may be made and enforced on complaint before a court of summary jurisdiction in the manner provided by the Summary Jurisdiction Acts.

Summary jurisdiction in England and Ireland.

(3.) The court of summary jurisdiction, when hearing and determining an information or complaint, shall consist as follows:

In England—

(*a.*) In any place within the jurisdiction of a metropolitan police magistrate or other stipendiary magistrate, of such magistrate or his substitute:

(*b.*) In the city of London, of the Lord Mayor or any alderman of that city:

(*c.*) In any other place, of two or more justices of the peace sitting in petty sessions.

In Ireland—

(*a.*) In the police district of Dublin metropolis, of a divisional justice:

(*b.*) In any other place, of two or more justices of the peace sitting in petty sessions.

Summary jurisdiction in Scotland.

(4.) In Scotland—

(*a.*) All offences and penalties under this Act may be prosecuted and recovered by the procurator fiscal of the county in the sheriff court, under the provisions of the Summary Procedure Act, 1864:

(*b.*) Summary orders may be made and enforced on complaint in the sheriff court:

(*c.*) All penalties may be enforced in default of payment by imprisonment for a term to be specified in the order or conviction, but not exceeding three months:

(*d.*) All penalties recovered shall be paid to the sheriff clerk, and by him accounted for and paid to the Queen's and Lord Treasurer's Remembrancer on behalf of the Crown:

(*e.*) The sheriffs and their substitutes shall have all jurisdiction, power, and authority necessary for giving effect to these provisions.

Description of offences.

(5.) In any information or complaint under this Act it shall be sufficient to describe the offence in the words of this Act, and no exception, exemption, proviso, excuse, or qualification accompanying the description of the offence in this Act need be specified or negatived.

Appeals in England or Ireland.

(6.) In England or Ireland any party may appeal from any order or conviction made by a court of summary jurisdiction on determining any complaint or information under this Act as follows:

(*a.*) The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal has arisen, holden not less than fifteen days and not more than four months after the decision appealed from:

(*b.*) The appellant shall within seven days after the cause of appeal has arisen give notice to the other party and to the court of summary jurisdiction of his intention to appeal, and of the ground thereof:

(*c.*) The appellant shall immediately after such notice enter into a recognizance before a justice of the peace in the sum of ten pounds, with two sufficient sureties in the sum of ten pounds, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay costs if awarded:

(*d.*) Where the appellant is in custody, the justice may, on the appellant entering into such recognizance as aforesaid, release him from custody:

(*e.*) The court of appeal may adjourn the appeal, and upon the hearing thereof may confirm, reverse, or modify the decision of the court of summary jurisdiction, or remit the matter to such court with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks fit:

(*f.*) If the matter be remitted to the court of summary jurisdiction such court shall thereupon rehear and decide the information or complaint in accordance with the opinion of the court of appeal.

Appeals in Scotland.

(7.) In Scotland any person may appeal from any order or conviction under this Act to the Court of Justiciary, or any circuit court thereof, under or in terms of the Act of the twentieth year of His Majesty King George the Second, chapter forty-three, or under any Act amending that Act or applying or incorporating its provisions with regard to appeals, or to the Court of Justiciary in Edinburgh under or in terms of "The Summary Prosecutions Appeals (Scotland) Act, 1875."

Regulation of proceedings in county courts.

20. Proceedings under this Act by and before the judges of county courts may be regulated in Scotland by any acts of sederunt of the Court of Session, and in Ireland by any orders made by the Lord Chancellor, and until otherwise provided are regulated by such rules and orders and acts of sederunt as may be in force at the commencement of this Act.

The registrar 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, from time to time orders and directs.

Public auditors.

21. The Treasury may from time to appoint public auditors for the purposes of this Act, and may determine from time to time the rates of remuneration to be paid by societies for the services of such auditors; but the employment of such auditors is not compulsory on any society.

Fees.

22. 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.

All fees which may be received by any registrar under or by virtue of this Act shall be paid into the receipt of Her Majesty's Exchequer.

Regulations to be made for carrying out the Act.

23. The Treasury may from time to time make regulations respecting registry and procedure under this Act, and the forms to be used for such 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.

All such regulations shall be laid before both Houses of Parliament within ten days after the approval thereof if Parliament is then sitting, or if not then sitting, then within ten days from the then next assembling of Parliament.

Until otherwise provided, the forms contained in the fourth schedule to this Act shall be used.

Evidence of documents.

24. Every instrument or document, copy or extract of an instrument or 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 under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.

Duties of the registrars.

25. Sub-sections six, seven, eight, and nine of the Friendly Societies Act, section ten, relating to the duties of the chief registrar and assistant registrars, shall, so far as the same are applicable to Industrial and Provident Societies, be deemed to be incorporated with this Act.

Application of Act to Channel Islands.

26. With respect to the Channel Islands this Act shall be varied as follows:

1. As respects the Island of Jersey, the following provisions shall have effect:

(*a.*) The term "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 term "court of summary jurisdiction" shall have in civil cases the same meaning as the term 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 penalties 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 of the bailiff of the parish in which the offence or other unlawful act shall have been committed, and in all other cases before the bailiff and two jurats of the royal court, at the suit or instance of Her Majesty's Procurator General for the said island:

(*e.*) All penalties 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.*) The powers conferred under this Act on two justices shall be exercised by the inferior number of the royal court of the said island:

(*g.*) Clause nineteen of this Act, and the term "Summary Jurisdiction Acts," shall not apply to the said island, but all proceedings under this Act in any of the courts of the said island shall be regulated according to the ordinary practice of such courts respectively, and all penalties shall in default of payment be enforced in the same manner as fines payable to the Crown in the said island:

(*h.*) 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:

(*i.*) The terms "the Companies Acts" and "the Companies Act, 1862," shall be taken to mean the law which from time to time is in force in the said island for the formation, regulation, and winding up of companies.

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 justices of the peace or on judges of 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.*) When any sum of money becomes payable on the death of a member, such sum of money shall, in default of any direction or nomination such as is contemplated by this Act, be paid to the deceased member's legal representative, according to the law of Guernsey:

(*c.*) All industrial and provident societies within the bailiwick shall be authorised to invest any part of their funds in the states bonds either of Guernsey or of Alderney:

(*d.*) The term "the Companies Act" shall mean the law for the time being in force in the said bailiwick for the regulation and winding up of companies:

(*e.*) All offences and penalties under this Act shall be prosecuted and recovered summarily before the court of primary jurisdiction at the suit or instance of the law officers of the Crown or of a constable of a parish:

(*f.*) All penalties recovered under this Act shall be paid to the Receiver General, to be by him carried to the account of the Crown revenue.

SCHEDULES.

SCHEDULE I.

ACTS AND ENACTMENTS REPEALED.

Date of Act.	Title of Act.	Extent of Repeal.
25 & 26 Vict. c. 87. -	An Act to consolidate and amend the Laws relating to Industrial and Provident Societies.	The whole.
30 & 31 Vict. c. 117. -	An Act to amend the Industrial and Provident Societies Acts -	The whole.
34 & 35 Vict. c. 80. -	An Act to explain and amend the Law relating to Industrial and Provident Societies.	The whole.

SCHEDULE II.

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

1. Object, name, and place of office of the society.
2. Terms of admission of the members, including any society or company investing funds in the society under the provisions of sub-section (4) or sub-section (5) of section 12.
3. Mode of holding meetings and right of voting, and of making, altering, or rescinding rules.
4. The appointment and removal of a committee of management, by whatever name, of managers or other officers, and their respective powers and remuneration.
5. Determination of the amount of interest, not exceeding two hundred pounds sterling, in the shares of the society which any member other than a registered society may hold.
6. Determination whether the society may contract loans or receive money on deposit subject to the provisions of sub-section (2) of section 10 of this Act, from members or others; and, if so, under what conditions, on what security, and to what limits of amount.
7. Determination whether the shares or any number thereof shall be transferable; and if it be determined that the shares or any number thereof shall be transferable, provision for the form of transfer and registration of the shares, and for the consent of the committee thereto; and if it be determined that the shares or any of them shall be withdrawable, provision for paying the members the balance due thereon on withdrawing from the society.
8. Provision for the audit of accounts.
9. Determination whether and how members may withdraw from the society, and provision for the claims of executors, administrators, or trustees of the property of bankrupt members, and for the payment of nominees in the case herein mentioned.
10. Mode of application of profits.
11. Provisions for the custody, use, and device of the seal of the society, which shall in all cases bear the registered name of the society.
12. Determination whether, and by what authority, and in what manner, any part of the capital may be invested.

SCHEDULE III.

FORM OF STATEMENT TO BE MADE OUT BY A SOCIETY CARRYING ON THE BUSINESS OF BANKING.

1. Capital of the society:—
   (*a.*) Amount of each share.
   (*b.*) Number of shares issued.
   (*c.*) Amount paid up on shares.
2. Liabilities of the society on the first day of January (or July) last previous:—
   (*a.*) On judgments.
   (*b.*) On specialty.
   (*c.*) On notes or bills.
   (*d.*) On simple contract.
   (*e.*) On estimated liabilities.
3. Assets of the society on the same date:—
   (*a.*) Government securities (stating them).
   (*b.*) Bills of exchange and promissory notes.
   (*c.*) Cash at the bankers.
   (*d.*) Other securities.

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, Limited, established 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 the said society in the sum of to be paid to the said society, 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 established 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, 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 in his hands or custody to such person or persons as the said society or the committee thereof appoint, according to the rules of the said society, 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 security for *C.D.*, a person employed by 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, and also assign and transfer or deliver all property (including books and papers) belonging to the said society in his hands or custody, and that to such person or persons as the said society or the committee thereof appoint, according to the rules of the said society.

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 written or wholly printed, or partly written and partly printed.

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

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

Signed [*Two members of the committee.*]

Countersigned [*Signature of Secretary*]
Secretary.

SCHEDULE IV.

ACKNOWLEDGMENT OF REGISTRY OF SOCIETY.

The Society, Limited, is registered under the Industrial and Provident Societies Act, 1876, this day of .

[*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, Limited, is registered under the Industrial and Provident Societies Act, 1876, this day of .

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