1986 No. 137

CREDIT UNIONS

Credit Unions (Forms and Procedures) Regulations (Northern Ireland) 1986

Made	*3rd June 1986*
Coming into operation . . .	*1st July 1986*

The Department of Economic Development, in exercise of the powers conferred on it by Articles 4(2), 10(4), 31(2) to (4) and 78(1) of the Credit Unions (Northern Ireland) Order 1985(**a**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Credit Unions (Forms and Procedures) Regulations (Northern Ireland) 1986 and shall come into operation on 1st July 1986.

Interpretation

2. In these regulations "the Order" means the Credit Unions (Northern Ireland) Order 1985.

Forms

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

Change of name

4. An application for approval of a change of name under Article 7 of the Order shall be made to the registrar in Form CU3.

Amendment of rules

5. Every application in Form CU4 or Form CU5 to register an amendment of the rules of a credit union shall be accompanied by a statutory declaration in Form CU6.

Special resolutions

6. Every application in Form CU22 to register a special resolution of a credit union for its amalgamation with another credit union shall be made in duplicate and be accompanied by a statutory declaration in Form CU24 and such a special resolution shall not be registered until an application to register a special resolution in like terms has been made by the other credit union.

7. Every application in Form CU23 to register a special resolution of a credit union for the transfer of its engagements to another credit union shall be made in duplicate and be accompanied by statutory declarations in Form CU24 and Form CU25.

(**a**) S.I. 1985/1205 (N.I. 12)

Instrument of dissolution

8. Every instrument of dissolution in Form CU27 shall be submitted in duplicate and be accompanied by a statutory declaration in Form CU28 and by a sum of money sufficient to defray the expense of publishing notice of the dissolution as required by Article 70(6) of the Order.

Disputes

9. Reference of a dispute to the registrar under Article 72 of the Order shall be made in Form CU34.

Charges under Article 31

10.—(1) Every application to record a charge for the purposes of Article 31 of the Order shall be made to the registrar in Form CU35 and a copy of the instrument which creates or is evidence of the charge shall be annexed to the application which shall be signed by an officer of the credit union which executed the charge, or a person interested in the charge otherwise than on behalf of the credit union, or a solicitor acting on behalf of the credit union or of some person so interested, and shall state the capacity in which he has signed it.

(2) Every copy of an instrument annexed to the application referred to in paragraph (1) shall be authenticated by a certificate endorsed thereon that it is a true copy, which certificate shall be signed by the signatory to the said application.

(3) The acknowledgement of an application to record a charge shall be in Form CU36.

(4) Notice may be given to the registrar of any release relating to or of any partial or complete satisfaction of a charge in respect of which an application has been made for the purposes of Article 31 of the Order, and such notice shall be in Form CU37 or CU38.

(5) A statutory declaration in Form CU39 shall be annexed to every such notice in Form CU37 or Form CU38.

Statutory declarations

11. Where a document is appended or annexed to a statutory declaration submitted in accordance with these regulations, the statutory declaration shall identify with a distinguishing mark or letter the document so appended or annexed.

Public files

12.—(1) The registrar shall keep for each credit union a file of documents relating to the credit union and shall make it available for inspection during office hours by the public on payment of the appropriate fee.

(2) The file referred to in paragraph (1) shall consist of the registered rules of the credit union, annual returns of the credit union submitted under Article 49 of the Order, documents required to be filed for the purposes of Article 31 of the Order (relating to charges on the assets of a credit union) and such other classes of document submitted under the Order as the registrar shall direct in accordance with Article 80(1) of the Order to be kept on the file.

Sealed with the Official Seal of the Department of Economic Development on 3rd June 1986.

(L.S.) *W. T. McCrory*
Assistant Secretary

SCHEDULE Regulation 3

In this Schedule are set out the following forms to be used in connection with registration and procedure under the Credit Unions (Northern Ireland) Order 1985:

CU1. Application for the registration of a credit union.
CU2. Acknowledgement of registration of a credit union.
CU3. Application for approval of a change of name.
CU4. Application to register a complete amendment of rules.
CU5. Application to register a partial amendment of rules.
CU6. Declaration in support of an amendment of rules.
CU7. Acknowledgement of registration of amendment of rules.
CU8. Notice of change in situation of registered office.
CU9. Acknowledgement of registration of change in situation of registered office.
CU10. Acknowledgement of registration of change of name.
CU11. Request to cancel registration.
CU12. Notice before cancellation of registration.
CU13. Notice before suspension of registration.
CU14. Cancellation of registration.
CU15. Suspension or renewal of suspension of registration.
CU16. Notice of cancellation.
CU17. Notice of suspension.
CU18. Notice of appointment of a receiver or manager.
CU19. Notice of ceasing to act as receiver or manager.
CU20. Application for inspection of books.
CU21. Application for inspection or special meeting.
CU22. Application for registration of a special resolution for amalgamation.
CU23. Application for registration of a special resolution for transfer of engagements.
CU24. Declaration to accompany application for registration of a special resolution.
CU25. Declaration by officer of credit union accepting transfer of engagements.
CU26. Acknowledgement of registration of copy of special resolution.
CU27. Instrument of dissolution.
CU28. Declaration to accompany instrument of dissolution.
CU29. Acknowledgement of registration of instrument of dissolution.
CU30. Notice of dissolution by instrument.
CU31. Notice of proceedings to set aside dissolution.
CU32. Notice of order to set aside dissolution.
CU33. Certificate (of conveyance of property).
CU34. Reference of a dispute to the registrar.
CU35. Application to record a charge.
CU36. Acknowledgement of application to record a charge.
CU37. Notice of release relating to a charge.
CU38. Notice of partial or complete satisfaction of a charge.
CU39. Statutory declaration (in support of a notice of release, partial or complete satisfaction of a charge).

FORM CU1

CREDIT UNIONS (NORTHERN IRELAND) ORDER 1985

Application for the registration of a credit union pursuant to Article 3 of the above Order

To the Registrar.

1. We, the undersigned, being twenty-one members and the secretary of a society formed for the purpose of registering a credit union hereby apply for registration of the society as a credit union under the Credit Unions (Northern Ireland) Order 1985 under the name ..... Credit Union Limited and herewith send two printed copies of its rules, both of which copies are signed at the end thereof by each of us.

2. The rules contain provision in respect of various matters but include in particular the following matters which are mentioned in Schedule 1 to the above Order:

Matters to be provided for in Rules of Credit Union	*Number of Rule*
(*a*) The name of the credit union.	(*a*)
(*b*) The objects of the credit union.	(*b*)
(*c*) The place which is to be the registered office of the credit union to which all communications and notices to the credit union may be addressed.	(*c*)
(*d*) The qualifications required for, and the terms of, admission to membership of the credit union, including any special provision for the insurance of members in relation to their shares.	(*d*)
(*e*) The mode of holding meetings, including provision as to the quorum necessary for the transaction of any description of business, and the mode of making, altering or rescinding rules.	(*e*)
(*f*) The appointment and removal of board of directors and functional committees by whatever name, and of managers or other officers and their respective powers and remuneration.	(*f*)
(*g*) Determination of the maximum amount of the interest in the shares of the credit union which may be held by any member.	(*g*)
(*h*) Provision for the mode of withdrawal of shares and for payment of the balance due on shares on withdrawing from the credit union.	(*h*)
(*i*) The mode and circumstances in which loans to members are to be made and repaid, including any special provision for the insurance of members in relation to loans made to them.	(*i*)
(*j*) Provision for the custody and use of the credit union's seal.	(*j*)
(*k*) Provision for the audit of accounts by one or more auditors appointed by the credit union.	(*k*)
(*l*) Provision for the withdrawal of members from the credit union and for the claims of the representatives of deceased members or the assignees or trustees of the property of bankrupt members and for the payment of nominees.	(*l*)
(*m*) Provision for terminating the membership of members in order to comply with—	(*m*)
(i) the limit on the number of members of a credit union for the time being provided for in Article 13(2) of the above Order or, if a conditional exemption has been granted under paragraph (4) of that Article any other limit which may be specified as a condition of that exemption; and	
(ii) the limit provided for in Article 14(6) of the above Order on the number of non-qualifying members of a credit union;	

and for the repayment of the shares held by, and of any loans made to, a member whose membership is terminated for such a purpose.	
(*n*) Provision for the dissolution of the credit union, including provision requiring any assets remaining after the payment of debts, repayment of share capital and discharge of other liabilities—	(*n*)
(i) to be transferred to another credit union; or	
(ii) if not so transferred, to be applied for charitable purposes.	

Signatures of Applicants (twenty-one)	Full Names [BLOCK LETTERS]	Addresses [BLOCK LETTERS]
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21.		

Full Name .....

..... Signature of Secretary. Address .....

.....

Date .....

Name and address to which communications are to be sent:—

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