1972. No. 248 [C]

FRIENDLY SOCIETIES

REGULATIONS, DATED 29TH SEPTEMBER 1972, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 100 OF THE FRIENDLY SOCIETIES ACT (NORTHERN IRELAND) 1970.

The Ministry of Commerce on behalf of the Secretary of State and in exercise of the powers conferred upon it by section 100 of the Friendly Societies Act (Northern Ireland) 1970(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Friendly Societies Regulations (Northern Ireland) 1972.

Revocation

2. The Regulations specified in Schedule 3 are hereby revoked, but so as not to affect the continued operation of those Regulations in relation to the recording of rules or amendment of rules of registered Great Britain societies until such date as is appointed by regulations made under section 104 of the Act.

Interpretation

3. In these Regulations

"the Act" means the Friendly Societies Act (Northern Ireland) 1970;

"registered society or branch" means a society or branch registered or deemed to be registered under the Act;

"registered Great Britain society" has the meaning assigned to it by section 104(5) of the Act;

"registrar" means the Registrar of Friendly Societies for Northern Ireland.

Forms

4.—(1) The forms contained in Schedule 1 shall be used for the appropriate matters to which the forms relate and may be varied by the authority of the registrar as the circumstances of a particular case may in his view require.

(2) Every application, notice or other document sent before 31 March 1973 to the registrar on a form prescribed by any Regulation revoked by these Regulations shall be deemed for the purpose of these Regulations to be in the form prescribed by these Regulations.

Amendments of rules

5. Every application to register an amendment of the rules of a registered society or branch shall be sent to the registrar accompanied by a statutory declaration in the appropriate form.

(a) 1970. c. 31 (N.I.).

Appointment of trustees

6. A copy of every resolution appointing trustees of a registered society or branch shall be sent to the registrar in Form L or Lb, as the case may be, within 15 days after the day of the meeting whereat such resolution is passed.

Special resolutions

7. Every application in Form N to register a copy of a special resolution of a registered society for its amalgamation with one or more other registered societies shall be made in duplicate and shall be sent to the registrar accompanied by a statutory declaration in Form O. No acknowledgment of registration shall be given to any amalgamating society until a copy of a special resolution in like terms has been submitted for registration by the other amalgamating society or each of the other amalgamating societies, as the case may be.

8. Every application in Form P to register a copy of a special resolution of a registered society for the transfer of its engagements to another registered society shall be made in duplicate and shall be sent to the registrar accompanied by a statutory declaration in Form O and, where appropriate, by a statutory declaration in Form Q.

9. Every application in Form R to register a copy of a special resolution undertaking to fulfil the engagements of another registered society shall be made in duplicate and shall be sent to the registrar accompanied by a statutory declaration in Form O.

10. Every application in Form S to register a copy of a special resolution for converting a registered society into a company shall be made in triplicate and shall be sent to the registrar accompanied by a statutory declaration in Form O.

11. Every application to register a copy of the special resolution of a registered society for the transfer of its engagements to a company shall be made in duplicate in Form P, with necessary modifications to suit the facts, and shall be sent to the registrar accompanied by a statutory declaration in Form O and by a statutory declaration of an officer of the company in Form Q.

Cancellation of registration

12. Every request in Form V to cancel the registration of a registered society shall be sent to the registrar accompanied by a sum of money sufficient to defray the expense of advertising notices of cancellation as required by section 80(6) of the Act.

Instrument of dissolution

13. Every instrument of dissolution of a registered society or branch shall be in Form AA or AAb, as the case may be, and shall be sent to the registrar in duplicate accompanied by a statutory declaration in Form AB or ABb and by a sum of money sufficient to defray the expense of advertising notices of dissolution as required by section 83(7) of the Act.

Statutory declarations

14. 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.

Officers authorised to sue and be sued

15. Where a registered society or branch appoints officers to sue and be sued, other than as trustees, notice of every such appointment shall be given in the same manner as provided for trustees, with the necessary modifications to suit the facts.

Public files

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

(2) The file shall consist of the registered rules of the society or branch, annual returns submitted under section 36 of the Act, and such other classes of document submitted under the Act or Regulations made under the Act as the registrar shall direct in accordance with section 99(2) of the Act to be kept on the file.

(3) The registrar shall keep for each Great Britain Society whose rules have been recorded by him a file containing those rules, and make it available for inspection as aforesaid.

Fees

17.—(1) The fees set out in Schedule 2 shall be payable in advance to the registrar in respect of the matters specified in that Schedule.

(2) The registrar may at his discretion reduce or waive the fee payable for an award or a dispute or waive the fee for the inspection of documents in any case where he considers it to be in the public interest.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 29th day of September 1972.

(L.S.) *W. E. Bell,*
Deputy Secretary.

SCHEDULE 1

Form A

FRIENDLY SOCIETIES ACT (NORTHERN IRELAND) 1970

Application to Register a Society pursuant to section 2 of the said Act

Name of Society .....

To the Registrar of Friendly Societies.

Application to register a society under the above name is made by the eight persons whose names are subscribed at the foot hereof.

*Delete as appropriate

1. The society is a *friendly society, cattle insurance society, benevolent society, working men's club, old people's home society or specially authorised society.

2. The rules contain provision in respect of various matters but include in particular the following matters which are required to be set forth in the rules:—

Matters provided for	*Number of rule*
(*a*) The name of the society.	(*a*)
(*b*) The registered office of the society, to which all communications and notices may be addressed.	(*b*)
(*c*) The whole of the objects for which the society is to be established, the purposes for which the funds thereof shall be applicable, the terms of admission of members, the conditions under which any member may become entitled to any benefit assured by the society, and the fines and forfeitures to be imposed on any member and the consequences of non-payment of any subscription or fine.	(*c*)
(*d*) The mode of holding meetings and right of voting and the manner of making, altering or rescinding rules.	(*d*)
(*e*) The appointment and removal of a committee of management (by whatever name), of a treasurer and other officers and of trustees and, in the case of a society with branches, the composition and powers of the central body and the conditions under which a branch may secede from the Society.	(*e*)
(*f*) The investment of the funds, the keeping of the accounts and the audit of the accounts at least once a year.	(*f*)
(*g*) Annual returns to the Registrar relating to the affairs and numbers of members of the society.	(*g*)
(*h*) The inspection of the books of the society by every person having an interest in the funds of the society.	(*h*)
(*i*) The manner in which disputes shall be settled.	(*i*)
(*j*) In the case of a dividing society, a provision for meeting all claims upon the society existing at the time of division before any division takes place.	(*j*)
(*k*) The keeping of proper accounts in accordance with section 22 of the Friendly Societies Act (Northern Ireland) 1970 and, in the case of a friendly society or cattle insurance society, the keeping of a separate account of the expenses of management and of all contributions and other moneys which may be applied to those expenses.	(*k*)

Matters provided for	*Number of rule*
(*l*) Such periodic valuation or valuations (if any) of the assets and liabilities of a friendly society as a whole, or of the assets and liabilities of a friendly society in respect of any particular business or businesses conducted by the society, as may from time to time be required by law in the case of that society.	(*l*)
(*m*) The voluntary dissolution of the society, by consent of not less than three quarters in number of the members, testified by their signatures to the instrument of dissolution.	(*m*)
(*n*) The right of one-tenth of the total number of members (or of 100 members if the society has 1,000 members and not more than 10,000 members or of 500 members if the society has more than 10,000 members) to apply to the Registrar for an investigation of the affairs of the society or for winding it up.	(*n*)
(*o*) If it is intended to assure certain annuities, provision for tables of contributions for the assurances certified by ..... an actuary who is qualified in accordance with the Friendly Societies (Qualifications of Actuaries) Regulations (Northern Ireland) 1971.	(*o*)
(*p*) If it is intended to carry on long term business within the meaning of the Insurance Companies Act (Northern Ireland) 1968, provision for tables relating to that business as certified by ....., an actuary who is qualified as in paragraph (*o*) above (but excluding tables relating to benefits payable in pursuance of group insurance business).	(*p*)

With this application are sent two printed copies of the rules signed by each of the applicants and, in the case of a society with branches, a list of all the branches together with, an application under section 5 of the Friendly Societies Act (Northern Ireland) 1970 for the registration of each branch whose registered office is situated in Northern Ireland.

Signatures of Applicants	*Full Names*	*Addresses*
1.		
2.		
3.		
4.		
5.		
6.		
7.		

Full Name *Address*

....
Signature of Secretary

Date .....