1969. No. 353 **[C]**

INDUSTRIAL AND PROVIDENT SOCIETIES

REGULATIONS, DATED 30TH DECEMBER 1969, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 97 OF THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT (NORTHERN IRELAND) 1969.

The Ministry of Commerce, in exercise of the powers conferred upon it by the Industrial and Provident Societies Act (Northern Ireland) 1969(a) and all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Industrial and Provident Societies Regulations (Northern Ireland) 1969.

Revocation

2. The Regulations specified in Schedule 3 are hereby revoked.

Interpretation

3. In these Regulations—

"the Act" means the Industrial and Provident Societies Act (Northern Ireland) 1969;

"society" means an industrial and provident society registered or deemed to be registered under the Act but does not include a credit union;

"registered Great Britain society" has the meaning assigned to it by section 102(1) of the Act.

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 1st July 1970 to the registrar in a form prescribed by any Regulations revoked by these Regulations shall be deemed for the purposes of these Regulations to be in the form prescribed by these Regulations.

Recording of Rules of Great Britain society

5. Every application in Form D to record rules, or amendments of rules, of a registered Great Britain society shall be accompanied by two copies of the rules or amendments of rules under the seal of the Central Office or under the signature of the Assistant Registrar for Scotland, as the case may be.

Amendments of Rules

6. Every application in Form E or Form F to register an amendment of the rules of a society shall be accompanied by a statutory declaration in Form G.

(a) 1969, c. 24 (N.I.).

Cancellation of Registration

7. Every request in Form L to cancel the registration of a society shall be accompanied by a sum of money sufficient to defray the expense of publishing notices of cancellation as required by section 15(6) of the Act.

Special Resolutions

8. Every application in Form U to register a special resolution of a society for its amalgamation with one or more other societies shall be made in duplicate and be accompanied by a statutory declaration in Form W. 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 amalgamating society or as the case may be by each of the other amalgamating societies.

9. Every application in Form V to register a special resolution of a society for the transfer of its engagements to another society shall be made in duplicate and be accompanied by statutory declarations in Form W and Form X.

10. Every application in Form Y to register a special resolution of a society for its conversion into a company shall be made in triplicate and be accompanied by a statutory declaration in Form W.

11. Every application to register a special resolution of a society for the transfer of its engagements to a company shall be made in duplicate in Form V with the necessary modifications to suit the facts, and be accompanied by statutory declarations in Form W and Form Z.

Instrument of Dissolution

12. Every instrument of dissolution in Form AB shall be submitted in duplicate and be accompanied by a statutory declaration in Form AC and by a sum of money sufficient to defray the expense of publishing notice of dissolution as required by section 67(6) of the Act.

Recording of Charges under Section 29

13. Every application to record a charge for the purposes of section 29(1) of the Act shall be made to the registrar in Form AJ and a copy of the instrument which creates or is evidence of the charge shall be annexed to the application.

14. Every copy of an instrument annexed to the application referred to in Regulation 13 shall be authenticated by a certificate endorsed thereon that it is a true copy, which certificate shall be signed by an officer of the society which executed the charge, or a person interested in the charge otherwise than on behalf of the society, or a solicitor acting on behalf of the society or of some person so interested, and shall state the capacity in which he has signed it.

15. The acknowledgment of an application to record a charge shall be in Form AK.

16. Notice may be given to the registrar of any release relating to or of any partial or complete satisfaction of a charge, and such notice shall be in Form AL or Form AM.

17. A statutory declaration in Form AN shall be annexed to every such notice in Form AL or Form AM.

Statutory Declarations

18. 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

19.—(1) The registrar shall keep for each society a file of documents relating to the society 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, annual returns submitted under section 48 of the Act, documents required to be filed for the purposes of section 29 of the Act, and such other classes of document submitted under the Act or these Regulations as the registrar shall direct in accordance with section 98(1) of the Act to be kept on the file.

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

Fees

20. The fees set out in Schedule 2 shall be payable in advance to the registrar in respect of the matters specified in that Schedule.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 30th day of December 1969.

(L.S.)

W. L. Robinson,
Assistant Secretary.

SCHEDULE 1

FORM A

INDUSTRIAL AND PROVIDENT SOCIETIES ACT (NORTHERN IRELAND) 1969

Application for the Registration of a Society pursuant to section 2 of the said Act

To the Registrar.

1. We, the undersigned, being seven members and the secretary of a society hereby apply for the registration of the society under the Industrial and Provident Societies Act (Northern Ireland) 1969 under the name ..... 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 Part I of Schedule 1 to the said Act:—

Matters to be provided for	Number of Rule
(*a*) The name of the society.	(*a*)
(*b*) The objects of the society.	(*b*)
(*c*) The registered office of the society, to which all communications and notices to the society may be addressed.	(*c*)
(*d*) The terms of admission of the members, including any society or company investing funds in the society under the provisions of the said Act.	(*d*)
(*e*) The mode of holding meetings, the scale and right of voting, and the mode of making, altering or rescinding rules.	(*e*)
(*f*) The appointment and removal of a committee of management (by the name of) and of managers or other officers, and their respective functions and remuneration.	(*f*)
(*g*) The maximum amount of interest in the shares of the society which may be held by any member otherwise than by virtue of section 6(1)(*a*) or (*b*) of the said Act.	(*g*)
(*h*) Whether the society may contract loans or receive money on deposit subject to the provisions of the said Act from members or others; and, if so, under what conditions, under what security, and to what limits of amount.	(*h*)
(*i*) Whether the shares or any of them shall be transferable, the form of transfer and registration of the shares, and the consent of the committee thereto; whether the shares or any of them shall be withdrawable, and the mode of withdrawal, and the payment of the balance due thereon on withdrawing from the society.	(*i*)
(*j*) The audit of accounts.	(*j*)
(*k*) Whether and, if so, how members may withdraw from the society, and provision for the claims of the representatives of deceased members or the trustees of the property of bankrupt members, and for the payment of nominees.	(*k*)
(*l*) The mode of application of profits.	(*l*)
(*m*) The custody and use of the society's seal.	(*m*)
(*n*) Whether and, if so, by what authority, and in what manner, any part of the society's funds may be invested.	(*n*)

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

Full Name Address

..... Signature of Secretary.

Date .....

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

.....

FORM B

INDUSTRIAL AND PROVIDENT SOCIETIES ACT (NORTHERN IRELAND) 1969

Acknowledgment of Registration of Society

Register No. .....

..... Limited is registered under the Industrial and Provident Societies Act (Northern Ireland) 1969 this ..... day of ..... 19....

Signature of Registrar or Assistant Registrar

.....

FORM C

INDUSTRIAL AND PROVIDENT SOCIETIES ACT (NORTHERN IRELAND) 1969

Application for Approval of Change of Name pursuant to section 5 of the said Act

Name already registered ..... Limited
Register No. .....

To the Registrar.

1. By a resolution passed at a general meeting of the society held on ....., of which notice of the intention to propose the resolution was duly given in accordance with section 5 of the said Act, it was resolved that the name of the society be changed to ..... Limited.

2. Application is hereby made for approval of the said change of name.

Signed on behalf of the Society

Date .....

.....
Secretary.