1966. No. 40 **[C]**

BUILDING SOCIETIES

Forms and Fees

REGULATIONS, DATED 24TH FEBRUARY, 1966, MADE BY THE REGISTRAR OF BUILDING SOCIETIES, WITH THE CONSENT OF THE MINISTRY OF COMMERCE, UNDER SECTION 77 OF THE BUILDING SOCIETIES ACT (NORTHERN IRELAND) 1964.

The Registrar, with the consent of the Ministry of Commerce, in exercise of the powers conferred upon him by section 77(1) of the Building Societies Act (Northern Ireland) 1964(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These regulations may be cited as the Building Societies (Forms and Fees) Regulations (Northern Ireland) 1966 and shall come into operation on 1st March, 1966.

Certificates, Notices, etc.

2. Every certificate issued under the Building Societies Acts (Northern Ireland) 1874 to 1964, and every application, notice and other document made or sent to the Registrar, under or in pursuance of the said Acts such as is referred to in the headings of the forms contained in Schedule 1 shall contain the particulars set out in, and be in the form of, the appropriate form contained in the said Schedule, which form may be varied as the circumstances require.

Fees

3.—(1) The fees set out in Schedule 2 shall be payable in advance to the Registrar.

(2) The Registrar may dispense with the fee for inspection and copies of documents in any case where he considers it in the public interest to do so and may, if he thinks fit, reduce or dispense with the fee for an award on a dispute, or for a direction confirming the right to inspect the register of members of a building society.

Amendments

4. The Building Societies Rules (Northern Ireland) 1940(b) are hereby amended by the deletion, in rule 1, of the words "and the returns", and, in the schedule, of Form 5.

Repeals and Revocations

5. Section 26 of, and the Third Schedule to, the Building Societies Act 1894(c) are hereby repealed and the Building Societies Regulations 1895(d), the Building Societies Regulations of the 8th November, 1906(e), the Building

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(a) 1964: c. 15 (N.I.).
(b) S.R. & O. (N.I.) 1940, No. 50.
(c) 57 & 58 Vict. c. 47.
(d) S.R. & O. 1895, No. 16.
(e) S.R. & O. 1906, No. 838.

Societies Regulations of the 4th December, 1906(a) and the Building Societies Regulations (Northern Ireland) 1948(b) are hereby revoked.

Dated this 24th day of February, 1966.

Ernest Simpson,
Registrar of Building Societies.

The Ministry of Commerce hereby consents to these Regulations.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 24th day of February, 1966.

(L.S.) *W. L. Robinson,*
Assistant Secretary.

SCHEDULE 1

FORM A

BUILDING SOCIETIES ACTS (NORTHERN IRELAND) 1874 TO 1964

Application for a Certificate of Incorporation on the establishment of a society pursuant to section 17 of the Building Societies Act 1874

To the Registrar.

1. We, the undersigned, whose names and addresses are:—

	Name	Address
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

hereby apply for a certificate of incorporation to be granted in respect of a society intended to be established under the Building Societies Acts (Northern Ireland) 1874 to 1964 to be called ..... Building Society, and herewith transmit two printed copies of the rules agreed upon by us for the government of the society, each copy of which is signed by us and by the intended secretary.

2. The matters required to be provided for in the rules of a building society by section 16 of the Building Societies Act 1874, section 1 of the Building Societies Act 1894, and sections 6(2) and 43(1) of the Building Societies Act (Northern Ireland) 1964 are provided for in the rules transmitted herewith as follows:—

(a) S.R. & O. 1906, No. 885. (b) S.R. & O. (N.I.) 1948, No. 22.

Matters required to be provided for	Number of Rule
(*a*) The name of the society and its chief office or place of meeting for its business;	(*a*)
(*b*) The manner in which the stock or funds of the society is or are to be raised;	(*b*)
(*c*) The issue to founding members of shares on terms which comply with the requirements of Schedule 1 to the Building Societies Act (Northern Ireland) 1964;	(*c*)
(*d*) The terms upon which unadvanced subscription shares are to be issued; the manner in which the contributions are to be paid to the society, and withdrawn by the members;	(*d*)
(*e*) The terms upon which paid-up shares, if any, are to be issued and withdrawn;	(*e*)
(*f*) If preferential shares are to be issued the issue and limits of issue thereof; if preferential shares are not to be issued, that they are not to be issued;	(*f*)
(*g*) The manner in which advances are to be made and repaid; the deductions, if any, for premiums, and the conditions upon which a borrower can redeem the amount due from him before the expiration of the period for which the advance was made;	(*g*)
(*h*) The manner in which losses are to be ascertained and provided for;	(*h*)
(*i*) The manner in which membership is to cease;	(*i*)
(*j*) The power to borrow money, and the limits thereof;	(*j*)
(*k*) The purposes to which the funds of the society are to be applied;	(*k*)
(*l*) The manner of remunerating auditors and the manner of appointing, remunerating and removing the board of directors or committee of management and other officers;	(*l*)
(*m*) The calling and holding of meetings;	(*m*)
(*n*) The right of members to requisition meetings;	(*n*)
(*o*) The manner in which notice of any resolutions to be moved at meetings is to be given to members;	(*o*)
(*p*) The procedure to be observed at meetings;	(*p*)
(*q*) The form of notice for the convening of a meeting, and the manner of its service;	(*q*)
(*r*) The voting rights of members, the right to demand a poll and the manner in which a poll is to be taken;	(*r*)
(*s*) The settlement of disputes between the society and any of its members, or any person claiming by or through any member, or under the rules, whether by reference to the Court, or to the Registrar, or to arbitration;	(*s*)
(*t*) The device, custody and use of the seal of the society, and that it shall bear the registered name thereof;	(*t*)
(*u*) The custody of the mortgage deeds and other securities belonging to the society;	(*u*)
(*v*) The powers and duties of the board of directors or committee of management and other officers;	(*v*)
(*w*) The fines and forfeitures to be imposed on members of the society and	(*w*)
(*x*) The manner in which the society shall be terminated or dissolved.	(*x*)

Signatures

1 .....

2 .....

3 .....

4 .....

5 .....

6 .....

7 .....

8 .....

9 .....

10 .....

Address for reply .....

.....

Date

FORM B

BUILDING SOCIETIES ACTS (NORTHERN IRELAND) 1874 TO 1964

Certificate of Incorporation

Register No. .....

I hereby certify that the Building Society is incorporated under the Building Societies Acts (Northern Ireland) 1874 to 1964, this day of one thousand nine hundred and

Signature of Registrar or Assistant Registrar.

FORM C

BUILDING SOCIETIES ACTS (NORTHERN IRELAND) 1874 TO 1964

Certificate under section 6 of the Building Societies Act (Northern Ireland) 1964

I hereby certify that evidence has been produced which satisfies me that ten of the members of the Building Society Register No. , who signed copies of the society's rules for transmission to me under section 17 of the Building Societies Act 1874, have each been issued with shares in the society to the value of five hundred pounds on terms which comply with the requirements of Schedule 1 to the Building Societies Act (Northern Ireland) 1964, and have each paid to the society in cash for those shares a sum of five hundred pounds.

Signature of Registrar or Assistant Registrar.

Date

FORM D

BUILDING SOCIETIES ACTS (NORTHERN IRELAND) 1874 TO 1964

Application for Permission to commence Advertising under section 7 of the Building Societies Act (Northern Ireland) 1964

..... Building Society

Register No. .....

To the Registrar.

1. The above-named society which was incorporated on the day of , 19 , hereby applies for permission to commence advertising.

2. The annual return of the society which has been sent to the Registrar for the last financial year preceding this application, being the year 19 , shows that at the end of that year—

(*a*) the total amount of outstanding advances made by the society on the security of freehold or leasehold estate, together with any arrears of interest thereon, was £

(*b*) the total amount of such advances made either to a body corporate or to a person indebted to the society (taking into account any kind of debt, whether immediately repayable or not) in an amount exceeding £7,000, was £

(*c*) the value of the assets of the society, as taken into account in the balance sheet, was £

(*d*) the value of the liquid funds of the society, as defined in paragraph 3(2) of Schedule 2 to the Building Societies Act (Northern Ireland) 1964 as taken into account in the balance sheet, was £

3. *At the end of the last financial year preceding this application no advance, and no part of any advance, to an officer of the society or to a company in which he is interested, such as is referred to in section 63(1) of the Building Societies Act (Northern Ireland) 1964 was outstanding, *or*

*The advance(s), such as is/are referred to in section 63(1) of the Building Societies Act (Northern Ireland) 1964 shown in Schedule No. 3 of the society's annual return(s) for the year(s) 19 , *[*or* in the auditors' report to the society dated , 19] has/have been wholly repaid, as stated in the statutory declaration in Form E, made by the manager/secretary of the society which accompanies this application.

4. The society is not at the date hereof in arrear with any interest due on its shares.

5. At the date hereof neither any director of the society nor its manager or secretary was a director or the manager or the secretary of a building society when an order was made against it under section 8 of the Building Societies Act (Northern Ireland) 1964 or section 11 of the Prevention of Fraud (Investments) Act (Northern Ireland) 1940, within five years from the date of this application.

6. There accompany this application:—

(*a*) a report in Form F, signed by the auditors of the society stating that in their opinion the balance of the revenue and appropriation account for the last financial year preceding this application represents a surplus after making any adjustments which in their opinion are necessary to provide for diminution in value of assets, or in respect of items of an exceptional or abnormal nature;

(*b*) a statutory declaration in Form G by the manager/secretary of the society stating that none of its directors holds office at the date hereof for a fixed term exceeding five years from appointment, or for a term which is not fixed.

Registered Chief Office (Seal of the Society)

Date

*Delete as appropriate.