



# Friendly Societies Act 1974

## 1974 CHAPTER 46

### *Valuations and annual returns*

#### **41 Valuations.**

- (1) Subject to the following provisions of this section, every registered society and branch, once at least in every five years, shall—
  - (a) cause its assets and liabilities to be valued by a qualified actuary appointed by the society or branch; and
  - (b) send to the [<sup>F1</sup>FCA and, if the registered society or branch is a PRA-  
authorised person, the PRA] a report on the condition of the society or branch;and every valuation report shall be made in such form and shall contain such particulars as the [<sup>F2</sup>[<sup>F3</sup>appropriate authority] may direct].
- (2) For the purpose of any such valuation as is referred to in subsection (1) above, the Treasury—
  - (a) may appoint valuers (in this Act referred to as “public valuers”) who shall be qualified actuaries; and
  - (b) may determine the rates of remuneration to be paid by societies and branches for the services of those public valuers.
- (3) When a valuation is made under subsection (1) above, the report sent <sup>F4</sup>... under paragraph (b) of that subsection—
  - (a) shall be signed by the actuary who made the valuation and shall state his address; and
  - (b) shall contain an abstract to be made by the actuary of the results of his valuation, together with a statement containing such information with respect to the benefits assured and the contributions receivable by the society or branch, and of its funds and effects, debts and credits, as the [<sup>F5</sup>appropriate authority] may require.
- (4) Subsection (1) above shall not apply—
  - (a) to a benevolent society, working men’s club, old people’s home society, cattle insurance society or to a branch of any such society or club; or

*Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 41. (See end of Document for details)*

- (b) to a specially authorised society or branch unless it is so directed in the authority for registering that society or branch.
- (5) The [<sup>F6</sup>appropriate authority] may dispense with the provisions of subsection (1) above in respect of societies or branches to whose purposes, or to the nature of whose operations, [<sup>F7</sup>it] may deem those provisions inapplicable.
- (6) The [<sup>F8</sup>appropriate authority] may dispense with the provisions of subsection (1) above in respect of any particular business conducted by a registered society or branch if, in [<sup>F9</sup>its] opinion, those provisions are inapplicable to that business because of the nature of the business or the manner in which it is conducted, and in relation to any such society or branch on which a partial exemption is conferred under this subsection, subsection (1) above shall have effect (subject to any regulations made or direction given under section 42 below) as if—
- (a) it required that society or branch once at least in every five years to cause its assets and liabilities in respect of any business other than the business to which the partial exemption relates to be valued under this section; and
- (b) the report required to be sent <sup>F10</sup>... under subsection (1) above were a report on the assets and liabilities so valued.

#### Textual Amendments

- F1** Words in s. 41(1)(b) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(2\)\(a\)](#) (with Sch. 12)
- F2** Words in s. 41(1) substituted (17.8.2001 for certain purposes and otherwise 1.12.2001) by [S.I. 2001/2617](#), arts. 2, 13(1), [Sch. 3 Pt. I para. 18\(a\)\(ii\)](#) (with art. 13(3), Sch. 5); [S.I. 2001/3538](#), [art. 2\(1\)](#)
- F3** Words in s. 41(1) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(2\)\(b\)](#) (with Sch. 12)
- F4** Words in s. 41(3) omitted (1.4.2013) by virtue of [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(3\)\(a\)](#) (with Sch. 12)
- F5** Words in s. 41(3)(b) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(3\)\(b\)](#) (with Sch. 12)
- F6** Words in s. 41(5) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(4\)](#) (with Sch. 12)
- F7** It is provided that in s. 41(5) for the word “he” there is substituted the word “it” (17.8.2001 for certain purposes and otherwise 1.12.2001) by [S.I. 2001/2617](#), arts. 2, 13(1), [Sch. 3 Pt. I para. 18\(c\)\(ii\)](#) (with art. 13(3), Sch. 5); [S.I. 2001/3538](#), [art. 2\(1\)](#)
- F8** Words in s. 41(6) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(5\)\(a\)\(i\)](#) (with Sch. 12)
- F9** Word in s. 41(6) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(5\)\(a\)\(ii\)](#) (with Sch. 12)
- F10** Words in s. 41(6)(b) omitted (1.4.2013) by virtue of [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 7\(5\)\(b\)](#) (with Sch. 12)

#### Modifications etc. (not altering text)

- C1** Ss. 41(1), 43(6) extended by [S.I. 1987/2132](#), [reg. 60\(1\)](#)
- C2** By [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 12](#) (with ss. 7(5) and 93(4)); [S.I. 1993/2213](#), art. 2, [Sch. 6](#) (with art. 7) (1.1.1994) it is provided that ss. 29-45 shall cease to have effect in relation to registered friendly societies and registered branches of such societies. [S.I. 1995/710](#) arts. 1(2) (in force 1.4.1995) for the year ending 31.12.1993 it is provided that s. 41 shall continue to have effect (temp.) for the purposes mentioned.

**Changes to legislation:**

There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 41.