



# Friendly Societies Act 1974

## 1974 CHAPTER 46

### *Disputes*

#### **76 Decision of disputes generally**

- (1) Subject to section 77 below every dispute between—
- (a) a member or person claiming through a member or under the rules of a registered society or branch, and the society or branch or an officer thereof, or
  - (b) any person aggrieved who has ceased to be a member of a registered society or branch, or any person claiming through such an aggrieved person, and the society or branch or an officer thereof, or
  - (c) any registered branch of a society or branch and the society or branch of which it is a registered branch, or
  - (d) an officer of any such registered branch and the society or branch of which it is a registered branch, or
  - (e) any two or more registered branches of any society or branch, or any officers thereof,

shall be decided in the manner directed by the rules of the society or branch, and the decision so given shall be binding and conclusive on all parties without appeal and may not be removed into any court of law or restrained by injunction.

For the purposes of section 14 of the Tribunals and Inquiries Act 1971 (supervisory powers of superior courts) this subsection shall be deemed to have been contained in an Act passed before 1st August 1958.

- (2) An application for the enforcement of such a decision as is referred to in subsection (1) above may be made to the county court.
- (3) Where the rules of a registered society or branch direct that disputes shall be referred to justices, the dispute shall be determined by a magistrates' court or, if the parties thereto consent, by the county court.
- (4) In this section, the expression "dispute"—

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*Status: This is the original version (as it was originally enacted).*

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- (a) includes any dispute arising on the question whether a member or person aggrieved is entitled to be, or to continue to be, a member or to be reinstated as a member, but
  - (b) in the case of a person who has ceased to be a member does not (except as provided in paragraph (a) above) include any dispute other than one on a question between him and the society or branch, or an officer thereof, which arose whilst he was a member, or arises out of his previous relation as a member to that society or branch.
- (5) In the application of this section to Scotland, in subsection (1) the words " and may not" to the end of the subsection shall be omitted, in subsection (2) for the words " county court " there shall be substituted the word " sheriff " and in subsection (3) for the words from " a magistrates' court" to the end of the subsection there shall be substituted the words " the sheriff ".