Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

SCHEDULES

[[F1]SCHEDULE 1]

Textual Amendments

F1 Sch. 1 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

[[F2](1) . . . . . .

(2) . . . . . .

(3) . . . . . .

(4) . . . . . .

(5) . . . . . .

(6) . . . . . .

(7) . . . . . .]

Textual Amendments

F2 Sch. 1 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

Textual Amendments

F2 Sch. 1 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

SCHEDULE 2

Section 7(2).

MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT

PART I

PROVISIONS APPLICABLE TO ALL SOCIETIES

1 The name of the society.

2 The place which is to be the registered office of the society, to which all communications and notices may be addressed.

3 (1) Subject to **[**[F3]sub-paragraphs (2) and (3)**]** below, 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 [F4]. . . forfeitures to be imposed on any member and the consequences of non-payment of any subscription [F4]. . ..

(2) Nothing in sub-paragraph (1) above shall require the inclusion in the rules of a registered society of tables relating to the benefits payable to or in respect of any members of the society in pursuance of approved group insurance business, as defined in section 65 of this Act.

[[F5](3) Nothing in sub-paragraph (1) above shall prevent a registered friendly society from specifying in its rules the manner in which the conditions under which any member may become entitled to any benefit assured by the society are to be determined, instead of specifying the conditions themselves.**]**

Textual Amendments

F3 Words in Sch. 2 para. 3(1) substituted (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 51(1)(a)** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch.6**.

F4 Words in Sch. 2 para. 3(1) repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), ss. 95, 120(2), Sch. 16 para. 51(1)(a), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

F5 Sch. 2 para. 3(3) inserted (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 51(1)(b)** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**.

4 The mode of holding meetings and right of voting, and the manner of making, altering or rescinding rules.

5 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.

6 The investment of the funds, the keeping of the accounts and the audit of the accounts at least once a year.

7 Annual returns to the registrar relating to the affairs and numbers of members of the society.

Modifications etc. (not altering text)

C1 By Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 51(2)** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**, it is provided that paras. 7, 12 and 15 shall cease to have effect (1.1.1994) in relation to registered friendly societies.

8 The inspection of the books of the society by every person having an interest in the funds of the society.

9 The manner in which disputes shall be settled.

10 In the case of dividing societies, a provision for meeting all claims upon the society existing at the time of division before any such division takes place.

11 (1) For the avoidance of doubt it is hereby declared that nothing in paragraph 3 above requires the rules of a society to contain tables in accordance with which obligations to provide benefits to members have been undertaken or policies of assurance have been issued by the society, if the rules of the society provide that no further obligations may be undertaken or (as the case may be) no further policies may be issued in accordance with any such tables.

(2) Subject to sub-paragraph (1) above and sub-paragraph (3) below, the tables which the rules of a registered society are required to contain by virtue of paragraph 3 above and any tables contained in the rules of a branch shall, in the case of a society or branch which proposes to carry on long-term business within the meaning of the [M1]Insurance Companies Act 1974, be tables which, in so far as they relate to that business, have been certified by a qualified actuary.

(3) Sub-paragraph (2) above does not apply—

(a) to a society first registered before 26th July 1968, nor

(b) to a branch of such a society, nor

(c) to a society formed by the amalgamation of two or more such societies.

Marginal Citations

M1 1974 c. 49.

PART II

PROVISIONS APPLICABLE TO FRIENDLY SOCIETIES AND CATTLE INSURANCE SOCIETIES

12 The keeping of proper accounts in accordance with section 29 of this Act and 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.

Modifications etc. (not altering text)

C2 By Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 51(2)** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**, it is provided that paras. 7, 12 and 15 shall cease to have effect (1.1.1994) in relation to registered friendly societies.

13 Except with respect to cattle insurance societies, such periodic valuation or valuations (if any) of the assets and liabilities of the society as a whole, or of the assets and liabilities of the 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.

14 The voluntary dissolution of the society [F6]. . ..

Textual Amendments

F6 Words in Sch. 2 para. 14 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

15 The right of one-fifth of the total number of members, or of 100 members in the case of a society of not less than 1,000 members and not more than 10,000, or of 500 members in the case of a society of more than 10,000 members, to apply to the Chief Registrar or, in the case of societies registered and doing business exclusively in Scotland, to the assistant registrar for Scotland, for an investigation of the affairs of the society or for winding it up.

Modifications etc. (not altering text)

C3 By Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 51(2)** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**, it is provided that paras. 7, 12 and 15 shall cease to have effect (1.1.1994) in relation to registered friendly societies.

[F7F8][F9SCHEDULE 3

Textual Amendments

F7 Sch. 3 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

F8 Sch. 3 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

F9 Sch. 3 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**,appendix.

F7 . . .

F8 . . .

SCHEDULE 4

Section 57.

FORM OF RECEIPT TO BE ENDORSED ON MORTGAGE OR FURTHER CHARGE

The trustees of the .....Society [or the ..... branch of the .....Society] hereby acknowledge to have received all moneys intended to be secured by the within [or above] written deed.

Signed [Signatures of Trustees]

Trustees

Countersigned [Signature of Secretary]

Secretary

[[F10]SCHEDULE 5]

Textual Amendments

F10 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F11]1 . . . . . .

Textual Amendments

F11 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F12]2 . . . . . .

Textual Amendments

F12 Sch. 2 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F13]3 . . . . . .

Textual Amendments

F13 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F14]4 . . . . . .

Textual Amendments

F14 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F15]5 . . . . . .

Textual Amendments

F15 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

[F16]6 . . . . . .

Textual Amendments

F16 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F17]7 . . . . . .

Textual Amendments

F17 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F18]8 . . . . . .

Textual Amendments

F18 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F19]9 . . . . . .

Textual Amendments

F19 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

[F20]10 . . . . . .

Textual Amendments

F20 Sch. 5 repealed (5.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/197, **art. 2(b)**,Sch.

SCHEDULE 6

Section 74.

PROVISIONS APPLICABLE WHERE PERSON ASSURED IS RESIDENT OUTSIDE THE UNITED KINGDOM AND ISLE OF MAN

1 (1) Notwithstanding anything in Schedule 1 to this Act, a society is a friendly society for the purposes of this Act (and may be registered as such) if it is a society for the purpose of providing by voluntary subscriptions of the members thereof, with or without the aid of donations, for insuring money to be paid for the funeral expenses of any of the persons mentioned in sub-paragraph (2) below, where, subject to the provisions of any Order in Council under section 7 of the [M2]Industrial Assurance and

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

Friendly Societies Act 1948, at the time of the proposal the person in question is ordinarily resident outside the United Kingdom and the Isle of Man.

(2) The persons referred to in sub-paragraph (1) above are the husband, wife or child of a member or the widow of a deceased member.

Marginal Citations

M2 1948 c. 39.

2 (1) Notwithstanding anything in Schedule 1 to this Act and subject to section 72 of this Act and sub-paragraph (3) below, among the purposes for which a registered friendly society may issue policies of insurance shall be included insuring money to be paid to a member on the duration for a specified period of the life of any of the persons mentioned in sub-paragraph (2) below where, subject to the provisions of any Order in Council under section 7 of the Industrial Assurance and Friendly Societies Act 1948, the life in question is that of a person who at the time of the proposal is ordinarily resident outside the United Kingdom and the Isle of Man; and such a policy may include provision for the payment of money in the event of the death of that person before the expiration of the specified period.

(2) The persons referred to in sub-paragraph (1) above are a parent, child, grandparent, grandchild, brother or sister of the member in question.

(3) No such society shall insure or pay on the death of any person under such a policy any sum of money exceeding a reasonable amount for funeral expenses.

(4) The issuing of such policies by a collecting society shall, unless the premiums in respect thereof are payable at intervals of two months or more, be treated as part of the industrial assurance business of the society.

(5) This paragraph and so much of paragraph 4 below as relates to this paragraph shall in their application to collecting societies be construed as one with the Industrial Assurance Acts 1923 to 1968.

3 A registered friendly society or branch thereof shall not in pursuance of paragraph 1 or 2 above insure or pay on the death of a child under the ages hereinafter specified any sum of money which exceeds or which, when added to any amount payable on the death of that child by any other such society or branch or by any trade union or industrial assurance company, exceeds the amounts hereinafter specified, that is to say—

(a) in the case of a child under 3 years of age, £6;
(b) in the case of a child under 6 years of age, £10;
(c) in the case of a child under 10 years of age, £15.

4 (1) For the purpose of calculating the maximum sum which may be insured or paid under paragraph 2 or 3 above no account shall be taken of any repayment of the whole or any part of the premiums paid in respect of any endowment policy, or in respect of a policy or other contract insuring money to be paid on marriage, and paragraphs 5, 6 and 7 below shall not apply as respects any such repayment.

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

(2) In this paragraph "endowment policy" has the same meaning as in section 75 of this Act.

5 (1) Notwithstanding anything in section 70 of this Act, a registered friendly society or branch shall not in pursuance of paragraph 1 or 2 above pay any sum on the death of a child under 10 years of age except upon production by the person claiming payment of a certificate of death issued by the registrar of deaths, or other person having the care of the register of deaths, in accordance with the following provisions of this paragraph.

(2) Where application is made for a certificate of the death of a child for the purpose of sub-paragraph (1) above, the name of the society or branch and the sum sought to be obtained therefrom shall be stated to the registrar of deaths.

(3) The registrar shall write on or at the foot of the certificate the words "to be produced to the society or branch (naming it) said to be liable for payment of the sum of £ (stating the amount".

(4) All certificates of the same death given for the purpose of sub-paragraph (1) above shall be numbered in consecutive order.

6 (1) A registrar of deaths shall not give for the purpose of paragraph 5(1) above any one or more certificates of death for the payment in the whole of any sum of money exceeding £6 on the death of a child under 3 years, £10 on the death of a child under 6 years or £15 on the death of a child under 10 years.

(2) A registrar of deaths shall not grant any such certificate for the said purpose unless the cause of death has been previously entered in the register of deaths on the certificate of a coroner or of a registered medical practitioner who attended the child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner or of other satisfactory evidence thereof.

7 A registered friendly society or branch to which is produced for the purpose of paragraph 5(1) above a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, inquire whether any and what sums of money have been paid on the same death by any other society or branch.

8 Nothing in this Schedule respecting payments on the death of children shall apply to insurances on the lives of children of any age, where the person insuring has an interest in the life of the person insured.

9 Section 7 of the [M3]Industrial Assurance and Friendly Societies Act 1948 (which confers power by Order in Council to provide for extending the application of certain provisions of that Act originally limited to persons resident in Great Britain and for consequential amendment of provisions of that Act) shall have effect as if section 74 of this Act and paragraphs 1 and 2 above were provisions of that Act and for the

consequential amendment of which provision may accordingly be made by Order in Council under that section.

Marginal Citations

M3 1948 c. 39.

[F21SCHEDULE 6A

CONVERSION OF REGISTERED SOCIETIES INTO INDUSTRIAL AND PROVIDENT SOCIETIES: SUPPLEMENTARY

Textual Amendments

F21 Sch. 6A inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.52** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.

F22 1 This Schedule has effect in relation to any registered society ("the society") which is registered under the Industrial and Provident Societies Act 1965 and, in this Schedule, "registration" means registration under that Act.

Textual Amendments

F22 Sch. 6A inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.52** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch.3**.

F23 2 (1) On the registration of the society any appointment as trustee of the society or any branch of it shall determine.

(2) All officers of the society other than its trustees shall upon its registration become officers of the industrial and provident society holding corresponding offices in that society.

Textual Amendments

F23 Sch. 6A inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.52** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.

PROSPECTIVE

F24 3 Any agreement made, transaction effected or other thing done by, to or in relation to the society or any branch of it (whether registered or not) which is in force or effective immediately before its registration shall have effect as if made, effected or done by, to or in relation to the **[**F25new**]** society, in all respects, as if the **[**F25new**]** society were the same person as the society or branch and accordingly references to the society or branch—

(a) in any agreement (whether or not in writing) and in any deed, bond or instrument;

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

(b) in any process or other document issued, prepared or employed for the purposes of any proceeding before any court or other tribunal or authority; and

(c) in any other document whatsoever (other than an enactment) relating to or affecting any property, right or liability of the registered society or branch,

shall be taken as referring to the **[**[F25]new**]** society.

Textual Amendments

F24 Sch. 6A inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.52** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.

F25 Words in Sch. 6A para. 3 substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 30(4)** (with Sch. 5)

[F26]4 (1) Any agreement made by the society or any branch of it which is in force immediately before the society's registration shall have effect as if—

(a) for references to members of the society or branch there were substituted references to members of the industrial and provident society;

(b) for references to officers of the society or branch other than its trustees there were substituted references to the corresponding officers of the industrial and provident society; and

(c) for references to the trustees of the registered society or branch there were substituted references to the industrial and provident society.

(2) References in sub-paragraph (1) above to an agreement include references to a deed, bond or other instrument.

(3) It is hereby declared for the avoidance of doubt that—

(a) the effect of section 84A of this Act in relation to any contract of employment with the society or any of its branches in force immediately before the society's registration is merely to modify the contract by substituting the industrial and provident society as the employer (and not to terminate the contract or vary it in any other way); and

(b) that section is effective to vest the rights and liabilities of the society or branch under any agreement or arrangement for the payment of pensions, allowances or gratuities in the industrial and provident society along with all other rights and liabilities of the society or branch;

and accordingly any period of employment with the society or branch shall count for all purposes as a period of employment with the industrial and provident society.**]**

Textual Amendments

F26 Sch. 6A inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.52** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.

SCHEDULE 7

Section 107.

PROVISIONS OF SECTION 107 OF THIS ACT TO HAVE EFFECT UNTIL COMING INTO FORCE OF CERTAIN PROVISIONS OF THE SOCIAL SECURITY ACT 1973

107 (1) Subject to any exceptions or conditions prescribed by regulations of the Secretary of State, the Secretary of State shall at the request of any person claiming benefit from a registered friendly society or branch provide the society or branch for the purposes of the claim with a copy or abstract of any medical certificate relating to that person and supplied by him to the Secretary of State for purposes of the Insurance Acts.

In this section "the Insurance Acts" means the National Insurance Acts 1965 to 1974 and the National Insurance (Industrial Injuries) Acts 1965 to 1974.

(2) Where the Secretary of State furnishes a registered friendly society or branch, in connection with a claim for benefit from the society or branch, with information relating to a claim or award under the Insurance Acts, the expenses incurred in connection therewith by the Secretary of State or any other government department shall be treated as expenses in carrying into effect either the [M4]National Insurance Act 1965 or the [M5]National Insurance (Industrial Injuries) Act 1965, as the Secretary of State thinks appropriate.

Marginal Citations

M4 1965 c. 51.

M5 1965 c. 52.

SCHEDULE 8

. . . . . [F27]

Textual Amendments

F27 Sch. 8 repealed by Armed Forces Act 1981 (c. 55, SIF 7:1), s. 28(2), **Sch. 5 Pt. I**

Textual Amendments

F27 Sch. 8 repealed by Armed Forces Act 1981 (c. 55, SIF 7:1), s. 28(2), **Sch. 5 Pt. I**

SCHEDULE 9

Section 116(1).

AMENDMENTS OF OTHER ENACTMENTS

Modifications etc. (not altering text)

C4 The text of Schedule 9 is in the form in which it was originallty enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Friendly Societies Act 1896 (c. 25)

F28 1 . . . . . .

Textual Amendments

F28 Para. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

The Industrial Assurance Act 1923 (c. 8)

F29 2 . . . . . .

Textual Amendments

F29 Sch. 9 para. 2 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6** appendix.

3 In section 8 of the said Act—

(a) in subsection (2)(b), for the words "except where section 10(2) of the Friendly Societies Act 1971 applies"there shall be substituted the words " subject to subsection (4) of this section "; and

(b) at the end thereof there shall be added the following subsection:—

"(4) Nothing in paragraph (a) of subsection (2) of this section shall require the inclusion in the rules of a collecting society of tables relating to policies issued in pursuance of approved group insurance business, within the meaning of section 65 of the Friendly Societies Act 1974, conducted by the society.".

4 In section 20(1)(b) of the said Act, after the word "conferred"there shall be inserted the words " on collecting societies by paragraph 2(d) of Schedule I to the Friendly Societies Act 1974 and on industrial assurance companies ".

F30 5 . . . . . .

Textual Amendments

F30 Sch. 9 para. 5 repealed (13.9.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 3**appendix.

The Industrial Assurance and Friendly Societies Act 1948 (c. 39)

[F31]6 . . . . . .

Textual Amendments

F31 Sch. 9 para. 6 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

7 In section 2(5) of the said Act, after the words "1929"there shall be inserted the words " or by any registered friendly society in exercise of any power conferred by Paragraph (2)(d) of Schedule I to the Friendly Societies Act 1974 or Paragraph 2 of Schedule 6 to that Act ".

[F32]8 . . . . . .

Textual Amendments

F32 Sch. 9 para. 8 repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

9 In section 10 of the said Act, in subsection (1) as originally enacted, for the words "one shilling"there shall be substituted the words " ten pence ".

10 [F33](1) . . . . . .

(2) In section 11 (2) of the said Act, after the words "this Act"there shall be inserted the words " and of the said Act of 1974 ".

Textual Amendments

F33 Sch. 9 para. 10(1) repealed (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); S.I. 1993/2213, art. 2, **Sch. 6**appendix.

11 In section 12(2) of the said Act, the words "A collecting society and"shall be omitted and at the end of the subsection there shall be inserted the words " and a collecting society shall cause to be set out, in every premium receipt book provided by them after the coming into operation of the Friendly Societies Act 1974 for use in respect of policies of industrial assurance the matters specified in that Schedule relating to the provisions mentioned in that Schedule of the Act of 1923, of this Act, of the said Act of 1974 and of regulations made for the purposes of the said section 8 ".

[F34]12 . . . . . .

Textual Amendments

F34 Para. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

13 In section 23(1)(a) of the said Act, for the words "section eight of the Act of 1896"there shall be substituted the words " Schedule I to the Friendly Societies

Act 1974 ", and after the words "that Act"there shall be inserted the words " or the Friendly Societies Act 1896 ".

14 In Schedule I to the said Act—

(a) in paragraph 3, for the words "such society or company"and the words in sub-paragraph (b) "society or company"there shall be substituted the words " company or by a registered friendly society ";

(b) for paragraph 4 there shall be substituted the following paragraph—

"4 The provisions of paragraphs 4, 5, 8, 9 and I0 of Schedule 5 to the Friendly Societies Act 1974 shall apply in relation to certificates of death for the purposes of this Schedule and the issue of duplicates thereof"

and

(c) in paragraph 6 for the words "as mentioned in the last preceding paragraph, the society or company"there shall be substituted the words " in accordance with regulations under paragraph 5 of Schedule 5 to the Friendly Societies Act 1974, the company ".

15 In Schedule 3 to the said Act—

(a) in paragraph (b), after the words "section 2"there shall be inserted the words " (in the case of industrial assurance companies only) ";

(b) in paragraph (c), at the beginning there shall be inserted the words " In the case of industrial assurance companies only ", and at the end there shall be inserted the following paragraph—

"(d) In the case of collecting societies only, as to the following provisions of the Friendly Societies Act 1974, a statement which in the opinion of the Commissioner sufficiently sets forth the effect thereof—

Section 71(1) to (4) and Schedule 6 paragraph 3	Payments on deaths of children under 10 years of age.
Sections 72 and 73(2	Insurances on life of parent or grandparent; limit on amount and prohibition of assignment or charge.
Schedule 5	Death certificates in connection with payments referred to in section 72 of that Act."

The Friendly Societies Act 1955 (4 & 5 Eliz. 2. c. 19)

16 In section 9 of the Friendly Societies Act 1955, in subsections (1) and (2) as originally enacted, and in the provision substituted for the said subsection (2) by paragraph 17 of Schedule 27 to the [M6] Social Security Act 1973, for the words "friendly society"and "society"in each place where they occur, there shall be substituted the words, " trade union ", and subsection (3) shall be omitted.

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

Marginal Citations

M6 1973 c. 38.

17 . . . . . [F35]

Textual Amendments

F35 Sch. 9 para. 17 repealed by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127(2), **Sch. 5**

The Industrial and Provident Societies Act 1965 (c. 12)

18 In section II of the Industrial and Provident Societies Act 1965—

(a) in subsection (1), for the words "section 8(1) of the Societies (Miscellaneous Provisions) Act 1940"there shall be substituted the words " section 47(1) of the Friendly Societies Act 1974 ";

(b) in subsection (2), for the words "said Act of 1940"there shall be substituted the words " Societies (Miscellaneous Provisions) Act 1940 ".

The Administration of Estates (Small Payments) Act 1965 (c. 32)

19 In section 5(1) of the Administration of Estates (Small Payments) Act 1965, after the words "of this Act"there shall be inserted the words " or to section 66(1) and (2), 67 or 68 of the Friendly Societies Act 1974 ".

20 In section 6 of the said Act of 1965—

(a) in subsection (1) in paragraph (b) the word "and"where first occurring, shall be omitted, after the words "Parliamentary and other Pensions Act 1972"there shall be inserted the words " and section 68 of the Friendly Societies Act 1974 "and after paragraph (d) there shall be inserted the words ; "and

(e) sections 66 and 67 of the said Act of 1974 (which contain provisions similar to the enactments to which section 2 of this Act relates but subject to a limit of £500)";

(b) in subsection (2), at the end thereof there shall be inserted the words " and that any such order made by virtue of subsection (1)(e) of this section shall apply in relation to any nomination delivered at or sent to the appropriate office, or made in the appropriate book, after the expiration of a period of one month beginning with the date on which the order comes into force ".

The Public Expenditure and Receipts Act 1968 (c. 14)

21 In Schedule 3 to the Public Expenditure and Receipts Act 1968, in column 1, in paragraph I(b) for the words "The Friendly Societies Act 1896 (c.25) section 97"there shall be substituted the words " The Friendly Societies Act 1974 (c. 46) section 106 and Schedule 5, paragraph 8 "and the words "The Industrial Assurance and Friendly Societies Act 1948 (c. 39) Schedule 1, paragraph 7" shall he omitted.

The Friendly and Industrial and Provident Societies Act 1968 (c. 55)

22 In section 17(2) of the Friendly and Industrial and Provident Societies Act 1968, for the words from "an actuary"to the end of the subsection there shall be substituted the words "a qualified actuary within the meaning of the Friendly Societies Act 1974.".

23 . . . . . [F36]

Textual Amendments

F36 Sch. 9 para. 23 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), **s. 844(4)**,Sch. 31

SCHEDULE 10

Section 116(2).

TRANSITORY PROVISIONS AND SAVINGS

1 In so far as any regulation, order, application, nomination or reference made, registration effected, acknowledgement issued, notice, report or other document given or sent or other thing done, under or by virtue of an enactment repealed by this Act could have been made, effected, issued, given, sent or done under or by virtue of the corresponding provision of this Act, it shall not be invalidated by the repeal effected by section 116(4) of this Act but shall have effect as if made, effected, issued, given, sent or done under or by virtue of that corresponding provision.

2 Without prejudice to section 116(1) of, and Schedule 9 to, this Act, where any enactment or document refers, either expressly or by implication, to an enactment repealed by this Act, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.

3 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.

4 A conviction of an offence under an enactment repealed by this Act shall be treated for the purposes of this Act as a conviction of an offence under the corresponding provision of this Act.

5 If the rules of a registered society in force at the commencement of this Act were in force on 1st January 1909 and provide for the admission as members of persons from the minimum age authorised by the [M7]Friendly Societies Act 1896, the rules shall be construed as providing for the admission as members of persons from birth.

Marginal Citations

M7 1896 c. 25.

6 (1) Any endowment policy issued before 1st January 1924 which would have been in force on that date if the [M8]Industrial Assurance and Friendly Societies Act 1929 had been in operation on and from the date on which the policy was issued shall be

deemed for the purposes of section 75 of this Act to have been in force on 1st January 1924 and, in the case of a policy of the description mentioned in paragraph 2 of Schedule 6 to this Act, to have been issued in accordance with section 1 of the said Act of 1929, and as respects any endowment policy in force on, or issued since, 1st January 1924 and before 10th May 1929, the said Act of 1929 shall be deemed to have been in operation on and from the date on which the policy was issued.

In this sub-paragraph "endowment policy" and "policy" have the same meanings respectively as in section 75 of this Act.

(2) This paragraph in its application to collecting societies shall be construed as one with the Industrial Assurance Acts 1923 to 1968.

Marginal Citations
M8 1929 c. 28.

7 If, immediately before the passing of this Act—

(a) the [M9]Friendly Societies Act 1896 applied to any society or branch by virtue only of subsection (1) of section 101 of that Act, or

(b) any provision of the rules of a friendly society or branch was valid by virtue only of subsection (2) of that section,

then, on and after the commencement of this Act, this Act shall apply to that society or branch or, as the case may require, that provision of the rules of the friendly society or branch shall continue to be valid, notwithstanding any provision of this Act to the contrary.

Marginal Citations
M9 1896 c. 25.

8 The repeal by this Act of section 2(1) of the [M10]Friendly Societies Act 1896 shall not affect the construction of any reference in any enactment passed before that Act to the barrister appointed to certify the rules of savings banks.

Marginal Citations
M10 1896 c. 25.

9 . . . . . [F37]

Textual Amendments
F37 Sch. 10 para. 9 repealed by Building Societies Act 1986 (c. 53, SIF 16), s. 120(2)(3), **Sch. 19 Pt. I**

10 The repeal by this Act of sections 103 and 104 of the [M11]Friendly Societies Act 1896 shall not extend to those sections as they apply by virtue of section 45(3) of the [M12]Industrial Assurance Act 1923 or section 108 of the [M13]Companies Act 1967.

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

Marginal Citations

M11 1896 c. 25.
M12 1923 c. 8.
M13 1967 c. 81.

11 Until such time as a form for the purposes is prescribed by regulations under section 109 of this Act, for the purpose of each of the acknowledgements specified in Parts I and II of Schedule 2 to the [M14]Friendly Societies Act 1896 the appropriate form set out in those Parts of that Schedule shall be used.

Marginal Citations

M14 1896 c. 25.

12 Nothing in section 66 or section 67 of this Act shall affect the total amount payable by a registered society or branch in pursuance of a nomination which was before 5th September 1965 delivered at or sent to the registered office of the society or branch or made on a book kept at that office, and in the case of any such nomination, the said amount shall continue to be limited to £100, or, where section 5(1) of the [M15]Friendly Societies Act 1955 applied in relation to the nomination, £200.

Marginal Citations

M15 1955 c. 19 (4 & 5 Eliz. 2).

13 Nothing in this Act shall prejudice any insurance effected before the passing of this Act in exercise of the powers conferred on registered friendly societies and branches, before the coming into force of section 1 of the [M16]Industrial Assurance and Friendly Societies Act 1948, by section 8(1)(b) of the [M17]Friendly Societies Act 1896 or section 1 of the [M18]Industrial Assurance and Friendly Societies Act 1929.

Marginal Citations

M16 1948 c. 39.
M17 1896 c. 25.
M18 1929 c. 28.

14 Nothing in this Act shall affect the continued operation, in relation to registered societies and branches, of the following provisions (which relate to the making, within limited periods, of amendments in the rules of registered societies and branches consequential on the provisions of certain enactments) namely—

(a) section 15(2) of the [M19]Industrial Assurance and Friendly Societies Act 1948; and

(b) section 12 of [M20]the Friendly and Industrial and Provident Societies Act 1968.

Marginal Citations

M19 1948 c. 39.

M20 1968 c. 55.

SCHEDULE 11

Section 116(4).

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C5 The text of Schedule 11 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Chapter	Short Title	Extent of Repeal
59 & 60 Vict c. 25.	The Friendly Societies Act 1896.	The whole Act except section 22 and except sections 62 and 64 to 67 as they apply to industrial assurance companies. In section 22, subsection (1) and in subsection (3) the words “society or”.
61 & 62 Vict. c. 15.	The Societies’ Borrowing Powers Act 1898.	The whole Act.
8 Edw. 7. c. 32.	The Friendly Societies Act 1908.	The whole Act.
5 & 6 Geo. 5. c. 93.	The War Loan (Supplemental Provisions) Act 1915.	In section 8, in subsection (1) the words “of any registered friendly society or any branch thereof, or”and the words “society”and “or branch”in each place where they subsequently occur; in subsections (2) and (3) the words “society”and “or branch”.
13 & 14 Geo. 5. c. 8.	The Industrial Assurance Act 1923.	In section 4(2), the words “A collecting society or”. In section 36, in subsection (2) the words from “and section seventy-one”to the end of the subsection.

14 & 15 Geo. 5. c. 11.	The Friendly Societies Act 1924.	The whole Act.
19 & 20 Geo. 5. c. 28.	The Industrial Assurance and Friendly Societies Act 1929	In section 1, in subsection (1) the words “registered friendly societies and”, the words “member or”and the words “society or”in subsection (2), the words “a collecting society or”and the words “society or”, and subsection (3). In section 3, in subsection 1, the words from “and if any”to the end, in subsection (3), the words “a collecting society or”and the words from “and no”to the end, and subsection (4). In section 5, in subsection (1), the words from “and this Act”, where last occurring, to the end and in subsection (3) the words “to the Friendly Societies Act 1896 and”, the words “collecting societies and”and the words from “and in its”to the end.
3 & 4 Geo. 6. c. 19.	The Societies (Miscellaneous Provisions) Act 1940.	Sections 8 to 10 and 12.
11 & 12 Geo. 6. c. 39.	The Industrial Assurance and Friendly Societies Act 1948.	In section 1, the words “the Friendly Societies Act 1896,”the words “ the Act of 1896”and paragraph (a). In section 2, in subsection (1), the words “registered friendly societies and”, the words “to the member (in the case of such a society) or”and the words “(in the case of such a company)” ; and in subsection (2) the words “society or” Section 3. In section 4, the words “1896”

		In section 6, in subsection (1) the words “A society (whether registered or unregistered)”and in subsection (2), the words “both as it applies to societies and”.
		Section 15.
		In section 16, subsection (1), in subsection (2), the proviso, in subsection (4) the words “Any society not being a registered society and”and subsection (5).
		Section17.
		Section 18(1).
		Section 19.
		In section 25, in subsection (2), the words from “and this Act”to the end, and in subsection (4) the words from “and in its application”to the end.
		In Schedule 1, in paragraph I the words “registered friendly society or”; in paragraph 2 the words “society or”in each place where they occur; in paragraph 3 the words “society or”in the first two places where they occur and in the last place where they occur before sub-paragraph (a); paragraph 5; in paragraph 6 the words “society or”in the first place where they occur; paragraphs 7 to 9.
		In Schedule 2, the entries relating to the Friendly Societies Act 1896.
		Schedule 4.
4 & 5 Eliz. 2. c. 19.	The Friendly Societies Act 1955.	Sections 1 and 2.
		In section 3, subsections (1) , (4) and (5).

Status: *Point in time view as at 01/01/1994.*
Changes to legislation: *There are currently no known outstanding effects for the Friendly Societies Act 1974. (See end of Document for details)*

		Section 4.
		In section 5, in subsection (1) , paragraph (a), and subsection (2).
		Section 8.
		In section 9, subsection (3).
		Section 10.
		In section 11, subsection (2) and in subsection (3), paragraph (a).
4 & 5 Eliz. 2. c. 54.	The Finance Act 1956.	In section 26(2), the words “registered friendly society or”and the words “society or”.
6 & 7 Eliz. 2. c. 27.	The Industrial Assurance and Friendly Societies Act, 1948 (Amendment) Act 1958.	In section 1, in subsection (1), the words “registered friendly society or”.
		In section 3, in subsection (2), the words from “and this Act”to the end and in subsection (3) the words from “and, in its”to the end.
1965 c. 32.	The Administration of Estates (Small Payments) Act 1965.	In Schedule 1, in Part 1, the entry relating to the Friendly Societies Act 1896.
		In Schedule 2, and in Schedule 3, the entry relating to the Friendly Societies Act 1896.
1966 c. 18.	The Finance Act 1966.	Section 29(4) and (9).
		In Schedule 8, Part II.
1967 c. 80.	The Criminal Justice Act 1967.	In Schedule 3, in Part I, the entry relating to section 89 of the Friendly Societies Act 1896.
1968 c. 14.	The Public Expenditure and Receipts Act 1968.	In Schedule 3, in paragraph I(b), the words from “The Industrial”to “paragraph 7”.
1968 c. 55.	The Friendly and Industrial and Provident Societies Act 1968.	In section 3, in subsection (4), the words from “(a) in”to “other society”, subsection (6) and in subsection (9) the words

"under the Act of 1896 or", the words "(as the case may be)"and the words "under either of those Acts".

In section 4, in subsection (2), the words "(not being a collecting society)"; subsection (3); in subsection (4), the words "or (3)"; in subsection (7)(b), the words from "of section 27"to "may be"; and in subsection (8)(a), the words from "or for"to "section"and the words "or percentage".

In section 7(2)(a) the words "under section 30 of the Act of 1896 or".

In section 9, subsection (8).

In section 4, in subsection (2), the words "(not being a collecting society)"; subsection (3); in subsection (4), the words "or (3)"; in subsection (7)(b), the words from "of section 27"to "may be"; and in subsection (8)(a), the words from "or for"to "section"and the words "or percentage".

In section 7(2)(a) the words "under section 30 of the Act of 1896 or".

In section 9, subsection (8).

In section 11, in subsection (1), the words from "to the registrar"to "1896 or", the words "(as the case may be)", paragraph (a) and the words from "and in section 27(2)(b)"to the end; in subsection (2) the words "either of"; in subsection (3) the words "under section 98(3) of the Act of 1896 or"and the words "(as the case may

be)"; subsection (4); in subsection (5), the words "section 39(a) of the Act of 1896 or", the words "(as the case may be) and", paragraph (b) and the words from "or on that"to the end; and subsections (6) to (8).

In section 12, in subsection (2)(b) the words "under section 13 of the Act of 1896 or"; and in subsection (3) the words in "section 13 of the Act of 1896 or"the words from "after the end"to "the registrar or"and the words "(as the case may be".

Section 16.

In section 17, in subsection (1), the words "in paragraph 2 of Schedule I to the Act of 1896 or", the words from "obligations to provide"to "been undertaken or"and the words from "no further obligations"to "may be)", in subsection (2), the words from "by virtue"to "1896 or"and subsection (4).

In section 20(1), the words from "and (b)"to the end.

In section 21, in subsection (1), in the definition of "annual return"the words from "in relation to", where those words first occur, to "that Act, and", in the definition of "Scottish society", the words from "either"to "1896 or"and the words "(as the case may be)", in the definition of "society"the words from "either"to "1896 or"and in the words first occur, to "that Act, and", in the definition of "Scottish society", the words from "either"to "1896 or" and the words "(as the case

		may be)", in the definition of "society"the words from "either"to "1896 or"and in the definition of "year of account"paragraph (a); in subsection (2), paragraph (a) and the words "to an offence falling within section 89 of the Act of 1896 or"and the words "(as the case may require)". In section 23, in subsection (2), the words from "this Act and"in the second place where they occur to the words "1896 to 1968"; and in subsection (4), paragraph (b). In Schedule 1, paragraphs 1 to 8. Schedule 2. In Schedule 3, in paragraph 2, sub-paragraphs (a), (b) and (c), and paragraphs 5 and 6.
1969 c. 19.	The Decimal Currency Act 1969.	In section 7, subsections (1), (3) and (4).
1969 c. 39.	The Age of Majority (Scotland) Act 1969.	In Schedule I the entry relating to section 36 of the Friendly Societies Act 1896.
1969 c. 46.	The Family Law Reform Act 1969.	In Schedule 1 the entry relating to section 36 of the Friendly Societies Act 1896.
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In Schedule 15, paragraph 3(2) and (3).
1971 c. 23.	The Courts Act 1971.	In Schedule 9, in Part I, the entry relating to the Friendly Societies Act 1896.
1971 c. 66.	The Friendly Societies Act 1971.	The whole Act except subsections (5) and (6) of section 11 and subsections (4) and (5) of section 15.

Status:
Point in time view as at 01/01/1994.

Changes to legislation:
There are currently no known outstanding effects for the Friendly Societies Act 1974.