



Friendly Societies Act 1974

1974 CHAPTER 46

Cancellation and suspension of registration and dissolution

91 Cancellation and suspension of registration.

- (1) Subject to the following provisions of this section, the Chief Registrar or, in the case of a society registered and doing business exclusively in Scotland, the assistant registrar for Scotland may, by writing under his hand, cancel the registration of a society in the following cases, namely,—
 - (a) if he thinks fit, at the request of the society evidenced in such manner as he may direct;
 - (b) on proof to his satisfaction that an acknowledgement of registration has been obtained by fraud or mistake;
 - (c) on proof to his satisfaction that the society exists for an unlawful purpose or has wilfully and after notice from the Chief or any assistant registrar violated any of the provisions of this Act, or has ceased to exist.
- (2) Subject to the following provisions of this section, in any case falling within paragraph (b) or paragraph (c) of subsection (1) above in which the Chief Registrar or the assistant registrar for Scotland might cancel the registration of a society, he may, by writing under his hand,—
 - (a) suspend the registration of the society for a term not exceeding three months; and
 - (b) from time to time renew any such suspension for the like period.
- (3) Subject to subsection (4) below, not less than two months' previous notice in writing specifying briefly the ground of the proposed cancellation or suspension shall be given to a society by the Chief or assistant registrar before its registration is cancelled or suspended.
- (4) Subsection (3) above shall not apply where the registration of a society is cancelled at its own request or under section 82(5), section 84(3) or section 85(4) above; and if before the expiry of the period of notice under subsection (3) above a society duly lodges an appeal under section 92 below, the society's registration shall not be cancelled before the date of determination or abandonment of the appeal.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 91. (See end of Document for details)

- (5) Where before the expiry of the period of notice under subsection (3) above of the proposed cancellation of a society's registration the society duly lodges an appeal against the proposed cancellation under section 92 below, the Chief or assistant registrar, as the case may require, may by writing under his hand suspend the society's registration from the expiry of that period until the date of the determination or abandonment of the appeal.
- (6) Where the registration of a society has been cancelled or suspended, notice shall forthwith be published in the Gazette and in some newspaper in general circulation in the neighbourhood of the society's registered office.
- (7) Where the registration of a society has been cancelled under subsection (1) above or suspended under subsection (2) or subsection (5) above, then, as the case may require,
- (a) from the time of the cancellation, or
 - (b) from the time of the suspension until the period of that suspension and any renewal of it under subsection (2)(b) above ends (whether on the expiry of that period or on a successful appeal under section 92 below against such a renewal),

the society shall not be entitled to any of the privileges of this Act as a registered society, but without prejudice to any liability actually incurred by the society (which liability may be enforced against it as if the cancellation or suspension had not taken place).

Modifications etc. (not altering text)

C1 Ss. 87,91 applied by [Financial Services Act 1986 \(c. 60, SIF 69\)](#), ss. 140, 211(1), [Sch. 11 para. 26\(2\)\(3\)](#)

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