

SCHEDULES

SCHEDULE 3

AUTHORISATION : SUPPLEMENTARY PROVISIONS

PART IV

REVOCATION OF AUTHORISATION

Procedure for revocation

- 6 (1) If the Commission proposes to revoke a society's authorisation it shall serve on the society and, subject to paragraph 10 below, on every director and its chief executive a notice stating—
- (a) that the Commission proposes to revoke the authorisation,
 - (b) the grounds for the proposed revocation ; and
 - (c) that the society may make representations with respect to the proposed revocation within such period of not less than 14 days as may be specified in the notice and that, if the society so requests, it will be afforded an opportunity of being heard by the Commission within that period.
- (2) If the grounds for the proposed revocation include the ground that any officer of the society is not a fit and proper person to hold office in the society the Commission shall also serve the notice specified in sub-paragraph (1) above on the officer concerned giving him the like right to make representations and to be heard with respect to his fitness and propriety for office.
- (3) The Commission shall, before reaching a decision on whether to revoke the authorisation, consider any representations made to it in accordance with sub-paragraph (1) or (2) above and, except where paragraph 7 below applies, the Commission shall serve on the society and, subject to paragraph 10 below, on every director of and the chief executive of the society and every other person on whom a notice was served under sub-paragraph (2) above, a notice stating its decision.
- (4) If the Commission decides to revoke a society's authorisation, the notice under sub-paragraph (3) above shall state the grounds for the decision.
- (5) The Commission may not revoke a society's authorisation on grounds other than those stated, or grounds included in those stated, in the notice served under sub-paragraph (1) above.
- 7 (1) This paragraph applies where the Commission proposes, instead of revoking a society's authorisation, to impose conditions.
- (2) The Commission shall serve on the society and, subject to paragraph 10 below, on every director of the society and its chief executive a notice stating—

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- (a) that it proposes to impose conditions instead of revoking the society's authorisation ;
 - (b) what conditions it proposes to impose;
 - (c) the grounds for the imposition of conditions instead of revoking the society's authorisation ; and
 - (d) that the society may make representations with respect to the conditions the Commission proposes to impose within such period of not less than seven days as may be specified in the notice and that, if the society so requests, it will be afforded an opportunity of being heard by the Commission within that period.
- (3) If any condition proposed to be imposed on the society includes a requirement for the removal from office of any officer of the society, the Commission shall also serve the notice specified in sub-paragraph (2) above on the officer whose removal is proposed giving him a like right to make representations and to be heard with respect to his proposed removal from office.
- (4) The Commission shall, before reaching a decision on whether to impose conditions and, if so, what conditions, consider any representations made in accordance with sub-paragraph (2) or (3) above and, except where paragraph 8 below applies, the Commission shall serve on the society and, subject to paragraph 10 below, on every director of and the chief executive of the society and every other person on whom a notice was served under sub-paragraph (3) above, a notice stating its decision.
- (5) If the Commission decides to impose conditions the notice under sub-paragraph (4) above shall—
- (a) specify the conditions, and
 - (b) state the grounds for their imposition.
- (6) The Commission may not impose conditions on grounds other than those stated, or grounds included in those stated, in the notice served by the Commission under sub-paragraph (2) above.
- 8 (1) This paragraph applies where the Commission has decided, instead of revoking a society's authorisation, to impose conditions but proposes to impose conditions different from and more onerous than those stated in the notice served by the Commission under paragraph 7(2) above.
- (2) The Commission shall serve on the society and, subject to paragraph 10 below, on every director of the society and its chief executive, a notice stating—
- (a) what conditions it proposes to impose ;
 - (b) the grounds for the imposition of those conditions instead of the conditions stated in the notice under paragraph 7(2) above; and
 - (c) that the society may make representations with respect to the conditions the Commission proposes to impose within such period of not less than seven days as may be specified in the notice and that, if the society so requests, the Commission will afford to it an opportunity of being heard by the Commission within that period.
- (3) If any condition proposed to be imposed on the society includes a requirement for the removal from office of any officer of the society the Commission shall also serve the notice specified in sub-paragraph (2) above on the officer whose removal is proposed giving him the like right to make representations and to be heard with respect to his proposed removal from office.

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- (4) The Commission shall, before reaching a decision on whether to impose conditions different from those stated in the notice served under paragraph 7(2) above and, if so, what conditions, consider any representations made in accordance with sub-paragraph (2) or (3) above and shall serve on the society and, subject to paragraph 10 below, on every director of and the chief executive of the society and every other person on whom a notice was served under sub-paragraph (3) above, a notice stating its decision.
- (5) If the Commission decides to impose conditions the notice under sub-paragraph (4) above shall—
 - (a) specify the conditions, and
 - (b) state the grounds for their imposition.
- (6) The Commission may not impose conditions on grounds other than those stated, or grounds included in those stated, in the notice served by it under sub-paragraph (2) above.