

Status: Point in time view as at 01/02/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Financial Services Act 1986 (Repealed), Part V is up to date with all changes known to be in force on or before 15 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

FRIENDLY SOCIETIES

Modifications etc. (not altering text)

- C1** Sch. 11 amended (1.2.1993 for specified purposes and 1.1.1994 for all remaining purposes) by [Friendly Societies Act 1992 \(c. 40\)](#) s. 98, Sch. 18 Pt. II para. 10; [S.I. 1993/16, art. 2, Sch.4](#); [S.I. 1993/2213, art. 2\(1\), Sch.5](#).

PART V

MISCELLANEOUS AND SUPPLEMENTAL

- 38 (1) The Registrar may publish information or give advice, or arrange for the publication of information or the giving of advice, in such form and manner as he considers appropriate with respect to—
- the operation of this Schedule and the [^{F1}statements of principle, rules, regulations and codes of practice issued or made] under it in relation to registered friendly societies, including in particular the rights of their members, the duties of such societies and the steps to be taken for enforcing those rights or complying with those duties;
 - any matters relating to the functions of the Registrar under this Schedule or any such [^{F2}statements of principle, rules, regulations or codes of practice];
 - any other matters about which it appears to him to be desirable to publish information or give advice for the protection of those members or any class of them.
- (2) The Registrar may offer for sale copies of information published under this paragraph and may, if he thinks fit, make reasonable charges for advice given under this paragraph at any person's request.
- (3) This paragraph shall not be construed as authorising the disclosure of restricted information within the meaning of section 179 of this Act in any case in which it could not be disclosed apart from the provisions of this paragraph.

Textual Amendments

- F1** Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 Pt. II para. 42\(a\)](#)
- F2** Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 Pt. II para. 42\(b\)](#)

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Modifications etc. (not altering text)

- C1** [Sch. 11 para. 38](#): certain functions conferred by provisions contained in paras. 2–25 and 38 of Schedule 11 transferred as mentioned in [S.I. 1990/354](#), [art. 5\(2\)](#)

- 39 In the case of an application for authorisation under section 26 of this Act made by a society which is registered under the ^{M1}Friendly Societies Act 1974 within the meaning of that Act or is registered or deemed to be registered under the ^{M2}Friendly Societies Act (Northern Ireland) 1970 (“a registered society”), section 27(3)(c) of this Act shall have effect as if it referred only to any person who is a trustee manager or member of the committee of the society.

Marginal Citations

- M1** 1974 c. 46.
M2 1970 c. 31 (N.I.).

- 40 Where the other person mentioned in paragraph (c) of the definition of “connected person” in section 105(9) of this Act is a registered society that paragraph shall have effect with the substitution for the words from “member” onwards of the words “trustee, manager or member of the committee of the society”.

VALID FROM 01/02/1993

[^{F3}40A(1) In the case of an application for authorisation under section 26 of this Act made by an incorporated friendly society section 27(3) shall have effect as if the following paragraph were substituted for paragraph (a)—

“(a) to any member of the committee of management or any director or controller of a subsidiary of the society or of a body jointly controlled by the society.”

(2) Where the other person mentioned in paragraph (b) of the definition of “connected person” in section 105(9) of this Act is an incorporated friendly society that paragraph shall have effect with the substitution for the words from “director” onwards of the words “member of the committee of management of the society or any director, secretary or controller of a subsidiary of the society or a body jointly controlled by the society.”]

Textual Amendments

- F3** [Sch. 11 para. 40A](#) inserted (1.2.1993 for specified purposes and 1.1.1994 for all remaining purposes) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 98, [Sch. 18 Pt. II para.21](#) (with ss. 7(5), 93(4)); [S.I. 1993/16](#), art. 2, [Sch.4](#); [S.I. 1993/2213](#), art. 2(1), [Sch.5](#).

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- 41 In relation to any such document as is mentioned in subsection (1) of section 204 of this Act which is required or authorised to be given to or served on a registered society—
- (a) subsection (3)(c) of that section shall have effect with the substitution for the words from “member” onwards of the words “trustee, manager or member of the committee of the society”; and
 - (b) subsection (4)(c) of that section shall have effect as if for the words from “member” onwards there were substituted the words “trustee, manager or member of the committee of the society, the office which is its registered office in accordance with its rules”.
- 42 Rules under paragraphs 14, 15, 17 and 18 above and regulations under paragraphs 16, 19 and 20 above shall apply notwithstanding any provision to the contrary in the rules of any regulated friendly society to which they apply.
- 43 (1) Where it appears to the Registrar, the assistant registrar for Scotland, the Industrial Assurance Commissioner or the Industrial Assurance Commissioner for Northern Ireland that any such rules as are mentioned in section 48(2)(j) of this Act which are made by virtue of paragraph 14 above (or any corresponding rules made by a self-regulating organisation for friendly societies) make arrangements for the settlement of a dispute referred to him under section 77 of the Friendly Societies Act 1974, section 65 of the ^{M3}Friendly Societies Act (Northern Ireland) ^{M4}1970, section 32 of the Industrial Assurance Act 1923 or Article 36 of the ^{M5}Industrial Assurance (Northern Ireland) Order ^{M6}1979 or that such rules relate to some of the matters in dispute he may, if he thinks fit, delegate his functions in respect of the dispute so as to enable it to be settled in accordance with the rules.
- (2) If such rules provide that any dispute may be referred to such a person, that person may deal with any dispute referred to him in pursuance of those rules as if it were a dispute referred to him as aforesaid and may delegate his functions in respect of any such dispute to any other person.

Marginal Citations

M3 1970 c. 31 (N.I.).

M4 1923 c. 8.

M5 S.I. 1979/1574 (N.I.13).

M6 S.I. 1979/1574 (N.I.13).

- 44 (1) In Part III of Schedule 1 to the ^{M7}House of Commons Disqualification Act 1975 (disqualifying offices) there shall be inserted at the appropriate place—
- “Chairman of a transferee body within the meaning of Schedule 11 to the Financial Services Act 1986 if he is in receipt of remuneration.”
- (2) A corresponding amendment shall be made in Part III of Schedule 1 to the ^{M8}Northern Ireland Assembly Disqualification Act 1975.

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Marginal Citations

M7 1975 c. 24.

M8 1975 c. 25.

- 45 (1) Any power of the Chief Registrar of friendly societies to [^{F4}issue or make statements of principle, rules, regulations, orders or codes of practice] which is exercisable by virtue of this Act shall be exercisable by statutory instrument and the ^{M9}Statutory Instruments Act 1946 shall apply to any such power as if the Chief Registrar of friendly societies were a Minister of the Crown.
- (2) Any such power of the Registrar of Friendly Societies for Northern Ireland shall be exercisable by statutory rule for the purposes of the ^{M10}Statutory Rules (Northern Ireland) Order 1979.
- (3) Any [^{F5}statements of principle, rules, regulations, orders or codes of practice] made under this Schedule by the Registrar may make different provision for different cases.

Textual Amendments

F4 Words substituted by Companies Act 1989 (c. 40, SIF 27), s. 206(1), **Sch. 23 para. 43(a)**

F5 Words substituted by Companies Act 1989 (c. 40, SIF 27), s. 206(1), **Sch. 23 para. 43(b)**

Marginal Citations

M9 1946 c. 36.

M10 S.I. 1979/1573 (N.I.12).

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