



# Friendly Societies Act 1992

## 1992 CHAPTER 40

### PART VIII

#### AMALGAMATIONS, TRANSFERS OF ENGAGEMENTS AND CONVERSION OF FRIENDLY SOCIETIES INTO COMPANIES

##### *Transfers of engagements*

#### **88 Actuary's report on transfer of long term business.**

- (1) This section applies where—
  - [<sup>F1</sup>(a) a friendly society (“a transferor society”) proposes to transfer to any person engagements the fulfilment of which will constitute the carrying on of long term business in the United Kingdom or Gibraltar; or]
  - (b) a friendly society (a “transferee society”) proposes to undertake to fulfil any such engagements to be transferred to it from another friendly society.
- (2) The [<sup>F2</sup>appropriate authority] may direct a transferor society or a transferee society to furnish the [<sup>F2</sup>appropriate authority] with a report by an independent actuary on the terms of the proposed transfer and as to his opinion on the likely effects of the transfer on the members of the society who are long term policyholders.
- (3) A friendly society which is directed to furnish a report under this section shall, on payment of a reasonable fee, furnish a copy of the report to any person who asks for one at any time before the transfer in question is confirmed by the [<sup>F2</sup>appropriate authority].
- (4) Subsections (4) to (7) of section 87 above shall apply in relation to an actuary preparing a report under this section as they apply to the appropriate actuary preparing a report under that section.
- (5) In this section—

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**Changes to legislation:** *There are currently no known outstanding effects for the Friendly Societies Act 1992, Section 88. (See end of Document for details)*

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“independent actuary”, in relation to a transfer of engagements, means an actuary who is not the appropriate actuary of a friendly society participating in the transfer;

“long term policyholder” means a member whose contract with a friendly society is a contract the effecting of which by the society constituted the carrying on of long term business.

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**Textual Amendments**

- F1** S. 88(1)(a) substituted (31.12.2020) by [The Friendly Societies \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1039\)](#), regs. 1, **10** (as amended by [S.I. 2019/680](#), regs. 1(3), **7(3)**); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 88(2)(3) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), **Sch. 9 para. 37** (with Sch. 12)

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**Modifications etc. (not altering text)**

- C1** S. 88: power to modify conferred (16.1.2009) by [Building Societies \(Funding\) and Mutual Societies \(Transfers\) Act 2007 \(c. 26\)](#), **ss. 3, 6(2)**; [S.I. 2009/36](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Friendly Societies Act 1992, Section 88.