



Industrial Assurance and Friendly Societies Act 1948

1948 CHAPTER 39

Amendments as to procedure and administration.

16 Provisions as to offences.

- (1) Any registered society not being a collecting society which contravenes or fails to comply with any of the provisions of this Act, or of a direction given under section fourteen of this Act, shall be guilty of an offence under the Act of 1896, and, in the case of a contravention of subsection (2) of section two of this Act or of subsection (1) of section six thereof, shall be liable to a fine not exceeding fifty pounds:

Provided that such a society shall not be guilty of an offence under the Act of 1896 by reason of its insuring in contravention of subsection (2) of section two of this Act if it is proved that, owing to any false representation on the part of the proposer, the society did not know that the insurance was in contravention of that subsection.

- (2) Any collecting society or industrial assurance company which contravenes or fails to comply with any of the provisions of this Act, or of regulations made for the purposes of section eight thereof, shall be guilty of an offence under the Act of 1923 :

Provided that such a society or company shall not be guilty of an offence under the Act of 1923 by reason of its insuring in contravention of subsection (2) of section two of this Act if it is proved that, owing to any false representation on the part of the proposer, the society or company did not know that the insurance was in contravention of that subsection.

- (3) Any collector of a collecting society or industrial assurance company, or any other person, who contravenes or fails to comply with any of the provisions of regulations made for the purposes of section eight of this Act affecting such collector or other person shall be guilty of an offence under the Act of 1923.
- (4) Any society not being a registered society, and any trade union, which contravenes subsection (1) of section six of this Act shall be guilty of an offence under the Act of 1896 and shall be liable to a fine not exceeding fifty pounds.

Status: This is the original version (as it was originally enacted).

- (5) Notwithstanding any limitation on the time for the taking of proceedings contained in any Act, summary proceedings for offences under the Act of 1896 may be commenced at any time within one year of the first discovery thereof by the registrar, but not in any case after more than- three years from the commission of the offence :

Provided that this subsection shall not apply where the society by or in respect of which, or the person by or in respect of whom, the Offence is alleged to have been committed is a collecting society or an officer of such a society (for which cases corresponding provision is made by subsection (5) of section thirty-nine of the Act of 1923).