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STATUTORY INSTRUMENTS

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**1994 No. 1984**

**The Friendly Societies Act 1992  
(Amendment) Regulations 1994**

**PART III**

**AUTHORISATION OF FRIENDLY SOCIETIES**

*Authorisation to carry on business*

**Grant of authorisation by Commission: general**

4. For subsection (4) of section 32 of the 1992 Act (grant of authorisation by Commission: general) substitute—

“(4) Authorisation entitles a friendly society to carry on business anywhere in the United Kingdom unless, in the case of a society which is not one to which section 37(2) or (3) below applies, the terms of its authorisation are at its request expressly restricted to a part of the United Kingdom.”.

**Grant of unconditional or conditional authorisation**

5. In subsection (2) of section 34 of the 1992 Act (grant of unconditional or conditional authorisation), at the end of paragraph (a) insert the words “and, in the case of a society to which section 37(2) or (3) below applies, each controller of the society is a fit and proper person to be such a controller”.

*Powers of Commission in relation to authorised societies*

**Withdrawal of authorisation in respect of new business**

6. In subsection (3) of section 40 of the 1992 Act (withdrawal of authorisation in respect of new business), omit the word “or” at the end of paragraph (f) and after paragraph (g) insert

“or

(h) the society is a society to which section 37(2) or (3) above applies and has not effected any contracts of insurance, or any contracts of insurance of a class (or part of a class), for a period of six months or more.”.

**Withdrawal of authorisation to carry on insurance business**

7.—(1) In subsection (1) of section 41 of the 1992 Act (withdrawal of authorisation to carry on insurance business), for the words “in the United Kingdom”, in both places where they occur, substitute—

“(i) in the case of a society to which section 37(2) or (3) above applies, in the European Community;

(ii) in any other case, in the United Kingdom.”.

(2) In subsection (3) of that section, for the words from “during”, in the first place where it occurs, to “authorisation” substitute—

“(a) in the case of a society to which section 37(2) or (3) above applies, during the preceding six months;

(b) in any other case, during a financial year of the society which began and ended during the currency of the authorisation.”.

(3) In sub-paragraph (1) of paragraph 11 of Schedule 13 to that Act (authorisation: supplementary provisions), after paragraph (c) insert—

“(d) in the case of a direction given in relation to a society to which section 37(2) or (3) above applies which is or has been—

(i) carrying on insurance business in an EEA State other than the United Kingdom through an overseas branch in that State, or

(ii) providing insurance in an EEA State other than the United Kingdom through an establishment in another EEA State,

notify the supervisory authority in that State, or, as the case may be, in each of those States of the direction.”.