
STATUTORY INSTRUMENTS

1996 No. 3121

INDUSTRIAL AND PROVIDENT SOCIETIES

The Industrial and Provident Societies
(Forms and Procedure) Regulations 1996

Made - - - - *11th December 1996*
Laid before Parliament *11th December 1996*
Coming into force - - *1st January 1997*

The Treasury, in exercise of the powers conferred upon them by sections 2(3), 10(3), and 71(1) of the Industrial and Provident Societies Act 1965⁽¹⁾, sections 1(2),(3) and (4), 4(1) and (3), 5(1) and 7 of the Industrial and Provident Societies Act 1967⁽²⁾, sections 24(3) and 47(5) of the Insurance Companies Act 1982⁽³⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Industrial and Provident Societies (Forms and Procedure) Regulations 1996 and shall come into force on 1 January 1997.

Interpretation

2. In these Regulations—

“the 1965 Act” means the Industrial and Provident Societies Act 1965;

“the 1967 Act” means the Industrial and Provident Societies Act 1967;

“the 1969 Act” means the Industrial and Provident Societies Act (Northern Ireland) 1969⁽⁴⁾;

“Society” means a society registered or deemed to be registered under the 1965 Act;

“Northern Ireland registrar” means the registrar as defined by section 101(1) of the 1969 Act;

“Northern Ireland society” means a society registered or deemed to be registered under the 1969 Act.

(1) 1965 c. 12: See section 74 for the definition of “prescribed”.

(2) 1967 c. 48: section 7(1) applies the definition of “prescribed” in section 74 of the Industrial and Provident Societies Act 1965.

(3) 1982 c. 50.

(4) 1969 c. 24 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Forms under the 1965 Act

3.—(1) The forms listed in the first column of the table below and set out in Schedule 1 to these Regulations are the prescribed forms for the purposes of the sections of the 1965 Act listed in the second column of the table below:

Form R/IP/RA2	Section 2(3) (acknowledgement of registration of a society)
Form R/IP/RA2S	Section 2(3) (acknowledgement of registration of society) (Scotland)
Form R/IP/RA7	Section 10(3) (acknowledgement of registration of amendment of rules)
Form R/IP/RA7S	Section 10(3) (acknowledgement of registration of amendments of rules) (Scotland)
Form R/IP/RA4	Section 10(3) (acknowledgement of registration of change in situation of registered office)
Form R/IP/RA4S	Section 10(3) (acknowledgement of registration of change in situation of a registered office) (Scotland)

Forms under the 1967 Act

4. The forms listed in the first column of the table below and set out in Schedule 2 to these Regulations are the prescribed forms for the purposes of the sections of the 1967 Act listed in the second column of the table below:

Form R/IP/RA9	Section 1(3) (acknowledgement of application for recording of a charge)
Form R/IP/RA9S	Section 4(1) (acknowledgement of delivery of copy of an instrument creating a floating charge) (Scotland)

Procedure under the 1965 Act

5.—(1) Every application under section 8(2) of the 1965 Act to record rules, or an amendment of rules, of a registered society in another area, shall be accompanied by two copies of the rules or amendment of rules under the seal or signature of the appropriate registrar for the area where the registration of the rules or amendment took place.

(2) Every application under section 76 of the 1965 Act to record rules, or an amendment of rules, of a Northern Ireland society, shall be accompanied by two copies of the rules or amendment of rules under the signature of the Northern Ireland registrar.

6. Every application under section 10 of the 1965 Act to register an amendment of the rules of a registered society shall be accompanied by a statutory declaration of an officer of the society that the amendment now submitted for registration has been duly made by the society in accordance with its rules.

7.—(1) Every application under section 50(4) of the 1965 Act to register a special resolution of a registered society for its amalgamation with one or more other registered societies shall be accompanied by two copies of the application and a statutory declaration of an officer of the society

that in passing the special resolution for which application for registration is made the provisions of the Industrial and Provident Societies Act 1965 have been complied with. Such a special resolution in like terms has been made by the other amalgamating society or societies.

(2) Every application under section 50(4) of the 1965 Act to register a special resolution of a registered society for the transfer of its engagements to another registered society shall be accompanied by two copies of the application. Such application shall also be accompanied by statutory declarations of an officer of each of the proposed transferor society and of the proposed transferee society. The statutory declaration of the officer of the proposed transferor society shall be to the effect that in passing the special resolution for which application for registration is now made the provisions of the Industrial and Provident Societies Act 1965 have been complied with. The statutory declaration of the officer of the proposed transferee society shall be to the effect that the society has undertaken to fulfil the engagements of the proposed transferor society.

8.—(1) Every application under section 50(4) of the 1965 Act to register a special resolution of a registered society for its conversion into a company shall be accompanied by four copies of the application and a statutory declaration of an officer of the society that in passing the special resolution for which application for registration is made the provisions of the Industrial and Provident Societies Act 1965 have been complied with.

(2) Every application under section 50(4) of the 1965 Act to register a special resolution of a registered society for its amalgamation with a company shall be accompanied by two copies of the application. Such application shall also be accompanied by statutory declarations of an officer of each of the registered society and of the company. The statutory declaration of the officer of the registered society shall be to the effect that in passing the resolution for which application for registration is now made the provisions of the Industrial and Provident Societies Act 1965 have been complied with. The statutory declaration of the officer of the company shall be to the effect that by resolution passed at a general meeting the company has agreed to an amalgamation with the society.

(3) Every application under section 50(4) of the 1965 Act to register a special resolution of a registered society for the transfer of its engagements to a company shall be accompanied by two copies of the application. Such application shall also be accompanied by statutory declarations of an officer of each of the proposed transferor society and the proposed transferee company. The statutory declaration of the officer of the proposed transferor society shall be to the effect that in passing the special resolution for which application for registration is now made the provisions of the Industrial and Provident Societies Act 1965 have been complied with. The statutory declaration of the officer of the company shall be to the effect that by resolution passed at a general meeting the company has undertaken to fulfil the engagements of the proposed transferee society.

9. Every instrument of dissolution submitted for registration under section 58 of the 1965 Act shall be accompanied by two copies of the instrument and a sum of money sufficient to defray the expense of publishing as required by section 58(6) of the 1965 Act notice of the dissolution in a newspaper and The Gazette.

Procedure under the 1967 Act

10.—(1) The prescribed manner for authenticating a copy of an instrument creating or evidencing a charge under section 1(2) or section 4(1) of the 1967 Act is to endorse on the copy a certificate which complies with the conditions in paragraph (2) below.

- (a) (2) (a) The certificate must state that the copy is a true copy.
- (b) The certificate must be signed by—
 - (i) an officer of the registered society which executed the charge, or
 - (ii) a person interested in the charge otherwise than on behalf of the registered society, or

(iii) a solicitor acting on behalf either of the registered society or of a person falling within sub-paragraph (ii) above.

(c) The certificate must state the capacity in which the person signing it has signed.

11.—(1) Notice may be given by either the registered society which executed a charge or a person falling within Regulation 10(2)(b)(ii) above to the appropriate registrar of any release relating to or of any partial or complete satisfaction of such charge created or evidenced by an instrument a copy of which has been delivered under section 1(2) or 4(1) of the 1967 Act.

(2) Notice may be given by a person under paragraph (1) above even if that person was not the person who signed the certificate or delivered the copy of the instrument creating or evidencing the charge.

(3) Every notice given under this Regulation shall be accompanied by a statutory declaration of both an officer and a member of the committee of management of the society that the particulars in relation to any partial or complete satisfaction of a charge for which application for registration is now made are true.

Duties and functions of the registrar

12.—(1) The appropriate registrar shall keep for each registered society a file of documents relating to that society and shall make the file available for inspection during office hours by the public on payment of the appropriate fee.

(2) The file shall consist of the registered rules of the society, annual returns submitted under section 39 of the 1965 Act, notices submitted under Regulation 11 of these Regulations and such other classes of documents submitted under the 1965 Act, the 1967 Act or these Regulations as the Chief Registrar shall direct in accordance with section 72(1) of the 1965 Act to be kept on the file together with documents deposited by the society with the appropriate registrar under section 24 of the Insurance Companies Act 1982 and any notice served on the appropriate registrar under section 47(3) of that Act.

(3) The appropriate registrar shall also keep for each society whose rules have been recorded by him a file containing those rules and shall make the file available for inspection in the same way as the file of a registered society.

Revocation

13.—(1) The Regulations set out in Schedule 3 to these Regulations are revoked to the extent set out in that Schedule.

(2) Notwithstanding the revocations set out in Schedule 3, every form, application, notice or other document received before 31st March 1997 by the chief registrar, the central office or the assistant registrar for Scotland in a form required by those revoked Regulations shall be deemed to be in a form directed by the chief registrar under section 72(1) of the 1965 Act.

Michael Bates
Patrick McLoughlin
Two of the Lords Commissioners of Her
Majesty's Treasury

11th December 1996

SCHEDULE 1

Regulation 3

PUBLIC RECORD

Form R/IP/RA 2

Acknowledgement of Registration of a Society
(Industrial and Provident Societies Act 1965 s.2(3))

(Register No.) is this day registered under the Industrial and Provident Societies Act 1965.

Date:
Registry of Friendly Societies

Seal of the Central Office

PUBLIC RECORD

Form R/IP/RA 2S

Acknowledgement of Registration of a Society
(Industrial and Provident Societies Act 1965 s.2(3))

(Register No.) is this day registered under the Industrial and Provident Societies Act 1965.

Date:
Registry of Friendly Societies for Scotland

Signature of Assistant Registrar of
Friendly Societies for Scotland

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PUBLIC RECORD

Form R/IP/RA 7

**Acknowledgement of Registration of Amendment of Rules
(Industrial and Provident Societies Act 1965 s.10(3))**

The amendment of rules of the (Register No.) to which this acknowledgement is attached, is this day registered under the Industrial and Provident Societies Act 1965.

Date:
Registry of Friendly Societies

Seal of the Central Office

PUBLIC RECORD

Form R/IP/RA 7S

**Acknowledgement of Registration of Amendment of Rules
(Industrial and Provident Societies Act 1965 s.10(3))**

The amendment of rules of the
(Register No.) to which this acknowledgement is attached, is this day registered under the Industrial and Provident Societies Act 1965.

Date:
Registry of Friendly Societies for Scotland

Signature of Assistant Registrar of
Friendly Societies for Scotland

PUBLIC RECORD

Form R/IP/RA 4

**Acknowledgement of Registration of Change in Situation of
Registered Office
(Industrial and Provident Societies Act 1965 s.10(3))**

The change in the situation of the registered office of

(Register No.)

to

is this day registered as an amendment of rules under the Industrial and Provident Societies Act 1965.

Date:
Registry of Friendly Societies

Seal of the Central Office

PUBLIC RECORD
Form R/IP/RA 4S

**Acknowledgement of Registration of Change in Situation of
Registered Office
(Industrial and Provident Societies Act 1965 s.10(3))**

The change in the situation of the registered office of

(Register No.)

to

is this day registered as an amendment of rules under the Industrial and Provident Societies Act 1965.

Date
Registry of Friendly Societies for Scotland

Signature of Assistant Registrar of
Friendly Societies for Scotland

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SCHEDULE 2

Regulation 4

PUBLIC RECORD

Form R/IP/RA 9

**Acknowledgement of Application for Recording of a Charge
(Industrial and Provident Societies Act 1967 s.1(3))**

Name of Society:

Register No:

The application dated _____, for the recording of a charge on the assets of the above-named society which was created or evidenced by an instrument dated _____ and made between

a certified true copy of which was annexed thereto, was delivered to the Central Office on

Date:
Registry of Friendly Societies

Seal of the Central Office

PUBLIC RECORD

Form R/IP/RA 9S

**Acknowledgement of Delivery of a copy of an Instrument
Creating a Floating Charge
(Industrial and Provident Societies Act 1967 s.4(1))**

Name of Society:

Register No:

A certified true copy of an instrument creating a floating charge on assets of the above-named society dated _____ and made between—

was delivered to me at
on

Date
Registry of Friendly Societies for Scotland

Signature of Assistant Registrar of
Friendly Societies for Scotland

SCHEDULE 3

Regulation 16

REVOCATIONS

Regulations revoked	References	Extent of revocation
The Industrial and Provident Societies Regulations 1965	SI 1965/1995	Regulations 2 to 12 and Schedule 1
The Industrial and Provident Societies Regulations 1967	SI 1967/1310	Regulations 3, 4, 6 to 10 and the Schedule

EXPLANATORY NOTE*(This note does not form part of the Regulations)*

These Regulations supersede the greater part of the Industrial and Provident Societies Regulations 1965 and the Industrial and Provident Societies Regulations 1967. Their main effect is to revoke the forms and procedures for use by industrial and provident societies which were prescribed by HM Treasury in those Regulations. In consequence of this the Chief Registrar of Friendly Societies may determine by direction, under a separate power in the Industrial and Provident Societies Act 1965, the form and content of most forms and returns required in connection with these societies. The Chief Registrar of Friendly Societies has, by a direction, determined all forms required by industrial and provident societies which are not specified in these Regulations, and these will have effect from the date these Regulations come into force. Copies of all these forms are available free of charge from the Registry of Friendly Societies at 15 Great Marlborough Street, London W1V 2LL, until 10 January 1997, and subsequently from the Department's new address, Victory House, 30-34 Kingsway, London WC2B 6ES.

These Regulations also set out those forms and procedures which are required by the Industrial and Provident Societies Act 1965 to be prescribed by statutory instrument. These remain in many respects identical to the equivalent forms and procedures revoked by these Regulations although the opportunity has been taken to review the forms and, so far as possible, to simplify procedures required by the Registry of Friendly Societies thus reducing the work and expenditure necessarily undertaken by societies.