

SCHEDULE 3

ENACTMENTS AMENDED

PART III

INDUSTRIAL AND PROVIDENT SOCIETIES

Amendments to the Industrial and Provident Societies Act 1965

230. In section 60(1)—

- (a) in subsection (1) before “(4)” there is inserted “(2A),”;
- (b) after subsection (1) there is inserted—

“(1A) Nothing in subsection (1) above or in rules of a kind mentioned in that subsection prevents any person, in accordance with the scheme for which Part XVI of the Financial Services and Markets Act 2000 provides (the ombudsman scheme), from having a complaint dealt with under such a scheme before, or instead of, determination in the manner directed in the rules.”;

- (c) after subsection (2) there is inserted—

“(2A) If the rules contain directions by virtue of which a dispute would fall to be determined by the Authority, the dispute shall instead be referred to the county court or, in Scotland, to the sheriff for determination.”;

- (d) in subsection (8)—

- (i) for paragraph (a) there is substituted—

“(a) a county court or, in Scotland, the sheriff shall have power to order the expenses of determining the dispute to be paid either out of the funds of the society or by such parties to the dispute as it thinks fit;”;

- (ii) in paragraph (b) for the words “might have been granted by a registrar to whom the dispute had been referred” there is substituted “the court considers necessary for the just and expeditious disposal of the dispute”, and

- (iii) paragraph (c) is omitted, and

- (e) in subsection (9) for the words “or registrar to whom” there is substituted “to which”.

(1) Relevant amendments to section 60 are made by the Friendly Societies Act 1992 (c. 40), section 83 and the Arbitration Act 1996 (c. 23), Schedule 3 paragraph 20 and Schedule 4.