
Changes to legislation: There are currently no known outstanding effects for the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016, PART 3 . (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 3

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)

38.—(1) Section 48 (annual returns) is amended as follows.

(2) For subsections (1) to (1B) substitute—

“(1) A registered society must, within the period of 7 months beginning immediately after the end of a year of account, send to the registrar—

- (a) a return relating to its affairs for that year (the society's “annual return” for that year),
- (b) a copy of each balance sheet made during that year, and
- (c) a copy of any relevant auditor's report for that year.

(1A) “Relevant auditor's report” means—

- (a) if section 38 (duty to appoint auditors) applies for that year, the auditor's report on the society's accounts for that year and any auditor's report on a balance sheet made during that year;
- (b) otherwise, any report for that year required by section 43A.”.

(3) In subsection (2) omit—

- (a) “and” at the end of paragraph (b);
- (b) paragraph (c).

(4) Omit subsections (3) to (5).

39. In section 67(5) (instrument of dissolution) for the words from “such a final return” to the end substitute “ the society's annual return for its last year of account (see section 36A(8) or 36B(8)). ”.

40. In section 68(1) (restriction on dissolution or cancellation of registration)—

- (a) for “section 64(a)” substitute “ section 64(1)(a) ”;
- (b) for “section 64(b)” substitute “ section 66A ”.

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41. In section 101(1) (interpretation) for the definition of “year of account” substitute—

““year of account” is to be read in accordance with sections 36A and 36B.”.

42. In Part 1 of Schedule 1 (matters to be provided for in the society's rules) in paragraph 7 before “shares” insert “ withdrawable ”.

The Credit Unions (Northern Ireland) Order 1985 (NI 12)

43. In Article 2(2) (interpretation) at the appropriate place insert—

““year-end balance sheet” means a balance sheet relating to the position at the end of a year of account;”.

44. After Article 78 insert—

“Incidental, transitional, etc. provision

78A. An order under any of the following may contain such incidental, transitional, transitory or saving provision as the Department considers appropriate—

- (a) Article 14A(7) (alteration of maximum proportion of corporate members);
- (b) Article 23A(4) (alteration of threshold amount required for credit union to issue or retain interest-bearing shares);
- (c) Article 28(1B) (alteration of maximum proportion of loan book which may be made to corporate members).”.

(45) In Schedule 1 (matters to be provided for in rules of credit union), after paragraph 13 insert—

“13A. If the issue of interest-bearing shares is permitted, provision for the conversion of such shares into shares that are not interest-bearing in order to comply with Article 23B(3).”.

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