



Industrial and Provident Societies Act 1965 (repealed)

1965 CHAPTER 12

Name and maximum shareholding

[^{F1}5A Status of charitable societies to appear on correspondence etc

- (1) Where a registered society is a charity and its registered name does not include the word “charity” or the word “charitable”, the society must state the fact that it is a charity in legible characters—
 - (a) in all notices, advertisements and other official publications of the society;
 - (b) in all business letters of the society;
 - (c) in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods, purporting to be signed by or on behalf of the society;
 - (d) in all bills, invoices, receipts and letters of credit of the society; and
 - (e) in all conveyances purporting to be executed by or on behalf of the society.
- (2) Where a society’s registered name includes the words “elusen” or the word “elusennol”, subsection (1) of this section shall not apply in relation to any document which is wholly in Welsh.
- (3) The statement required by subsection (1) of this section shall be in English, except that, in the case of a document which is otherwise wholly in Welsh, the statement may be in Welsh if it consists of or includes the word “elusen” or the word “elusennol”.
- (4) Section 62 of this Act does not apply in respect of an offence committed by a registered society under section 61 of this Act where the offence consists of a failure to comply with this section.
- (5) Any officer of a registered society, or any other person acting on such a society’s behalf, who—
 - (a) issues or authorises the issue of any document such as is mentioned in subsection (1)(a), (b) or (d) of this section;

Status: Point in time view as at 01/01/2005. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Industrial and Provident Societies Act 1965 (repealed), Section 5A. (See end of Document for details)

- (b) signs or authorises to be signed on behalf of the society any document such as is mentioned in subsection (1)(c) of this section; or
- (c) executes or authorises to be executed on behalf of the society any document such as is mentioned in subsection (1)(e) of this section,

in which a statement required by subsection (1) is not made in accordance with this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- (6) In the case of a conviction by virtue of paragraph (b) of subsection (5) of this section, the officer or other person shall further be personally liable to the holder of any such document as is referred to in that paragraph for the amount specified in the document unless that amount is duly paid by the society.
- (7) In this section “charity”—
 - (a) in relation to a society whose registered office is situated in England or Wales, has the same meaning as in the Charities Act 1993;
 - (b) in relation to a society whose registered office is situated in Scotland, means a body established for charitable purposes only (that expression having the same meaning as in the Income Tax Acts);
 - (c) in relation to a society whose registered office is situated in one of the Channel Islands, means a society established for charitable purposes only (“charitable purposes” having the meaning given by the law of the Island in question) .
- (8) In this section “conveyance” means any document for the creation, transfer, variation or extinction of an interest in land.
- (9) In subsection (5)(c) of this section the references to execution include—
 - (a) purported execution; and
 - (b) the doing of any act which (though not by itself execution) combined with other acts constitutes execution or purported execution.]

Textual Amendments

F1 S. 5A inserted (1.4.2004) by [Co-operatives and Community Benefit Societies Act 2003 \(c. 15\)](#) , **ss. 2** , 7(1) ; [S.I. 2003/2678](#) , art. 2(1)

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