



Friendly Societies Act 1974

1974 CHAPTER 46

Trustees and Officers

24 Trustees of registered societies and branches.

- (1) Every registered society and branch shall have one or more trustees.
- (2) The trustees shall be appointed at a meeting of the society or branch and by a resolution of a majority of the members present and entitled to vote at that meeting.
- (3) The society or branch shall send to the registrar a copy of every resolution appointing a trustee, signed by the trustee so appointed and by the secretary of the society or branch.
- (4) In the case of the appointment of a trustee of a branch, the copy of the resolution referred to in subsection (3) above shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.
- (5) The same person may not be secretary or treasurer of a registered society or branch and also a trustee of that society or branch.

25 Minors not to hold office.

A minor shall not be a member of the committee, or a trustee, manager or treasurer, of a registered society or branch.

[^{F1}26 Proof of appointment of officers and trustees.

If any such list as is referred to in section 12(1)(c) above is signed—

- (a) by every trustee and other officer named in the list; and
- (b) by the secretary of the branch,

then on the registration of the branch the list shall be evidence that the persons so named have been duly appointed.]

Status: Point in time view as at 01/02/1993.

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Cross Heading: Trustees and Officers. (See end of Document for details)

Textual Amendments

- F1** S. 26 substituted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para.10** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.

27 Certain officers to give security.

- (1) If the rules of a registered society or branch so require, then before taking upon himself the execution of his office, every officer of the registered society or branch having the receipt or charge of money shall give security in accordance with subsection (2) below, in such sum as the society or branch directs, conditioned for his rendering a just and true account of all sums of money received and paid by him on account of the society or branch at such times as its rules appoint, or as the society or branch or the trustees or committee thereof require him to do, and for the payment by him of all sums due from him to the society or branch.
- (2) Where an officer of a registered society is required to give security in accordance with subsection (1) above, he shall do so either—
 - (a) by becoming bound with one sufficient surety at the least in a bond in that one of the forms set out in Schedule 3 to this Act which is appropriate; or
 - (b) by giving the security of a guarantee society.
- (3) In the application of this section to Scotland, for the reference in subsection (2)(a) above to a surety there shall be substituted a reference to a cautioner.

28 Duty of officers of registered societies and branches to account.

- (1) Every officer of a registered society or branch having the receipt or charge of money shall—
 - (a) at such times as he is required to do so by the rules of the society or branch, or
 - (b) on demand, or
 - (c) on notice in writing requiring him to do so given or left at his last or usual place of residence,
 render an account as may be required by the society or branch, or by the trustees or committee of the society or branch, to be examined and allowed or disallowed by them and shall, on demand or on notice as in paragraph (c) above, pay over all sums of money and deliver all property in his hands or custody to such person as the society or branch, or the committee or the trustees, may appoint.
- (2) In case of any neglect or refusal to deliver the account or to pay over the sums of money or to deliver the property in accordance with subsection (1) above, the trustees or authorised officers of the society or branch—
 - (a) may sue upon any bond or security given under section 27 above; or
 - (b) may apply to the county court or to a magistrates' court and, notwithstanding anything in [F2section 77 of the County Courts Act 1984 (appeals: general provisions)], the order of the county court or magistrates' court shall be final and conclusive.
- (3) In its application to Scotland, this section shall have effect as if, for subsection (2)(b) above, there were substituted the following:—

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“(b) may apply to the sheriff and, notwithstanding anything in section 62 of the Summary Jurisdiction (Scotland) Act 1954, the order of the sheriff shall be final and conclusive.”.

Textual Amendments

F2 Words substituted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1), [Sch. 2 Pt. V para. 48](#)

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