

*Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, SCHEDULE 10. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 10

Section 116(2).

#### TRANSITORY PROVISIONS AND SAVINGS

- 1 In so far as any regulation, order, application, nomination or reference made, registration effected, acknowledgement issued, notice, report or other document given or sent or other thing done, under or by virtue of an enactment repealed by this Act could have been made, effected, issued, given, sent or done under or by virtue of the corresponding provision of this Act, it shall not be invalidated by the repeal effected by section 116(4) of this Act but shall have effect as if made, effected, issued, given, sent or done under or by virtue of that corresponding provision.
- 2 Without prejudice to section 116(1) of, and Schedule 9 to, this Act, where any enactment or document refers, either expressly or by implication, to an enactment repealed by this Act, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.
- 4 A conviction of an offence under an enactment repealed by this Act shall be treated for the purposes of this Act as a conviction of an offence under the corresponding provision of this Act.
- 5 If the rules of a registered society in force at the commencement of this Act were in force on 1st January 1909 and provide for the admission as members of persons from the minimum age authorised by the <sup>M1</sup>Friendly Societies Act 1896, the rules shall be construed as providing for the admission as members of persons from birth.

#### Marginal Citations

**M1** 1896 c. 25.

- 6 (1) Any endowment policy issued before 1st January 1924 which would have been in force on that date if the <sup>M2</sup>Industrial Assurance and Friendly Societies Act 1929 had been in operation on and from the date on which the policy was issued shall be deemed for the purposes of section 75 of this Act to have been in force on 1st January 1924 and, in the case of a policy of the description mentioned in paragraph 2 of Schedule 6 to this Act, to have been issued in accordance with section 1 of the said Act of 1929, and as respects any endowment policy in force on, or issued since, 1st January 1924 and before 10th May 1929, the said Act of 1929 shall be deemed to have been in operation on and from the date on which the policy was issued.

In this sub-paragraph “endowment policy” and “policy” have the same meanings respectively as in section 75 of this Act.

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(2) This paragraph in its application to collecting societies shall be construed as one with the Industrial Assurance Acts 1923 to 1968.

**Marginal Citations**  
M2 1929 c. 28.

7 If, immediately before the passing of this Act—  
(a) the<sup>M3</sup>Friendly Societies Act 1896 applied to any society or branch by virtue only of subsection (1) of section 101 of that Act, or  
(b) any provision of the rules of a friendly society or branch was valid by virtue only of subsection (2) of that section,  
then, on and after the commencement of this Act, this Act shall apply to that society or branch or, as the case may require, that provision of the rules of the friendly society or branch shall continue to be valid, notwithstanding any provision of this Act to the contrary.

**Marginal Citations**  
M3 1896 c. 25.

8 The repeal by this Act of section 2(1) of the<sup>M4</sup>Friendly Societies Act 1896 shall not affect the construction of any reference in any enactment passed before that Act to the barrister appointed to certify the rules of savings banks.

**Marginal Citations**  
M4 1896 c. 25.

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**Textual Amendments**  
F1 Sch. 10 para. 9 repealed by Building Societies Act 1986 (c. 53, SIF 16), s. 120(2)(3), Sch. 19 Pt. I

10 The repeal by this Act of sections 103 and 104 of the<sup>M5</sup>Friendly Societies Act 1896 shall not extend to those sections as they apply by virtue of section 45(3) of the<sup>M6</sup>Industrial Assurance Act 1923 or section 108 of the<sup>M7</sup>Companies Act 1967.

**Marginal Citations**  
M5 1896 c. 25.  
M6 1923 c. 8.  
M7 1967 c. 81.

11 Until such time as a form for the purposes is prescribed by regulations under section 109 of this Act, for the purpose of each of the acknowledgements specified in Parts I and II of Schedule 2 to the<sup>M8</sup>Friendly Societies Act 1896 the appropriate form set out in those Parts of that Schedule shall be used.

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**Marginal Citations**

**M8** 1896 c. 25.

- 12 Nothing in section 66 or section 67 of this Act shall affect the total amount payable by a registered society or branch in pursuance of a nomination which was before 5th September 1965 delivered at or sent to the registered office of the society or branch or made on a book kept at that office, and in the case of any such nomination, the said amount shall continue to be limited to £100, or, where section 5(1) of the <sup>M9</sup>Friendly Societies Act 1955 applied in relation to the nomination, £200.

**Marginal Citations**

**M9** 1955 c. 19 (4 & 5 Eliz. 2).

- 13 Nothing in this Act shall prejudice any insurance effected before the passing of this Act in exercise of the powers conferred on registered friendly societies and branches, before the coming into force of section 1 of the <sup>M10</sup>Industrial Assurance and Friendly Societies Act 1948, by section 8(1)(b) of the <sup>M11</sup>Friendly Societies Act 1896 or section 1 of the <sup>M12</sup>Industrial Assurance and Friendly Societies Act 1929.

**Marginal Citations**

**M10** 1948 c. 39.

**M11** 1896 c. 25.

**M12** 1929 c. 28.

- 14 Nothing in this Act shall affect the continued operation, in relation to registered societies and branches, of the following provisions (which relate to the making, within limited periods, of amendments in the rules of registered societies and branches consequential on the provisions of certain enactments) namely—
- (a) section 15(2) of the <sup>M13</sup>Industrial Assurance and Friendly Societies Act 1948; and
  - (b) section 12 of <sup>M14</sup>the Friendly and Industrial and Provident Societies Act 1968.

**Marginal Citations**

**M13** 1948 c. 39.

**M14** 1968 c. 55.

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