



Co-operative and Community Benefit Societies Act 2014

2014 CHAPTER 14

PART 11

MISCELLANEOUS AND GENERAL

Interpretation

148 Meaning of “electronic form”, “by electronic means” etc

- (1) The following provisions apply for the purposes of this Act.
- (2) A document or information is sent in electronic form if it is sent—
 - (a) by electronic means (for example, by email or fax), or
 - (b) by any other means while in electronic form (for example, sending a disk in the post).

References to electronic copy have a corresponding meaning.

- (3) A document or information is sent by electronic means if it is—
 - (a) sent initially and received at its destination by means of electronic equipment for the processing (which expression includes digital compression) or storage of data, and
 - (b) entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

References to “electronic means” have a corresponding meaning.

- (4) A document or information sent in electronic form must be sent in a form, and by a means, that the sender reasonably considers will enable the recipient—
 - (a) to read it, and
 - (b) to retain a copy of it.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act 2014, Cross Heading: Interpretation. (See end of Document for details)

- (5) For the purposes of this section, a document or information can be read only if—
- (a) it can be read with the naked eye, or
 - (b) to the extent that it consists of images (for example photographs, pictures, maps, plans or drawings), it can be seen with the naked eye.
- (6) The provisions of this section apply whether the provision of this Act uses the word “send” or uses other words (such as “deliver”, “issue”, “produce”, “provide” or “supply”) to refer to the sending of a document or information.

Modifications etc. (not altering text)

- C1** S. 148 applied by 1979 c. 34, s. 31(2) (as amended (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, [Sch. 4 para. 16\(3\)](#) (with [Sch. 5](#)))

149 Interpretation of Act

In this Act, except where the context otherwise requires—

- “the 1965 Act” has the meaning given by section 1;
- “amendment”, in relation to a registered society's rules, includes a new rule and a resolution rescinding a rule;
- “annual return” has the same meaning as in section 89;
- “the appropriate authority” means—
 - (a) in relation to a society that is a PRA-authorised person, the PRA;
 - (b) in relation to any other society, the FCA;
- “charitable registered society” means a registered society that is a charity;
- “charity” (except in section 10)—
 - (a) has the meaning given by section 1(1) of the Charities Act 2011 (as modified, in the case of a society whose registered office is in Scotland, by section 7(2) of that Act);
 - (b) but in relation to a society whose registered office is in any of the Channel Islands, it means a society established for charitable purposes only (“charitable purposes” having the meaning given by the law of that Island);
- and similar expressions are to be read accordingly;
- “committee”, in relation to a society, means the society's management committee or other directing body;
- “the Companies Acts” means—
 - (a) the Companies Acts as defined in section 2(1) of the Companies Act 2006, or
 - (b) any law for corresponding purposes in force in any of the Channel Islands,
- and includes corresponding earlier Acts or laws;
- “credit union” means a registered society that is registered as a credit union;
- “electronic address” means any number or address used for the purposes of sending or receiving documents or information by electronic means;
- “electronic copy”, “electronic form” and “electronic means” have the same meaning as in section 148;
- “enactment” (except in section 136 and Schedule 5) includes—

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- (a) an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978,
- (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament, and
- (c) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales;

“the FCA” means the Financial Conduct Authority;

“the Financial Ombudsman scheme” means the scheme established under Part 16 of the Financial Services and Markets Act 2000;

“Gazette”, in relation to a registered society, means such one or more of the following as apply—

- (a) the London Gazette, if the society's registered office is in England, Wales or the Channel Islands or it carries on business there;
- (b) the Edinburgh Gazette, if the society's registered office is in Scotland or it carries on business there;
- (c) [^{F1}the Belfast Gazette, if a notice given by the society has been filed under section 102 (Great Britain societies carrying on business in Northern Ireland) of the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969;]

“heritable security” has the same meaning as in the Conveyancing (Scotland) Act 1924 except that it includes a security constituted by ex facie absolute disposition or assignation;

“meeting”, in relation to a society, includes (where the society's rules allow it) a meeting of delegates appointed by members;

“officer”, in relation to a registered society—

- (a) includes any treasurer, secretary, member of the committee, manager or employee of the society (except an employee appointed by the society's committee), but
- (b) does not include an auditor appointed by the society in accordance with the requirements of Part 7;

“persons claiming through a member” includes the heirs, executors or administrators and assignees of a member and (where nomination is allowed) the person's nominee;

“the PRA” means the Prudential Regulation Authority;

“PRA-authorised person” has the meaning given by section 2B of the Financial Services and Markets Act 2000;

“pre-commencement society” has the meaning given by section 150;

“registered”, in relation to a society's name or office, means the name or office for the time being registered under this Act in respect of the society;

“registered rules”, in relation to a registered society, means the rules registered under this Act, as amended by any amendment of the rules that has been so registered;

“registered society” has the meaning given by section 1;

the FCA's “seal” means the seal provided for in regulations made under section 109(1)(b) of the Friendly Societies Act 1974 (and any reference to a document sealed by the FCA is to be read accordingly).

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Textual Amendments

- F1** Words in the definition of “Gazette” in s. 149 substituted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323), art. 1, **Sch. 4 para. 2(3)** (with art. 3)
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Modifications etc. (not altering text)

- C2** S. 149 applied by 1979 c. 34, s. 31(2) (as amended (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(3)** (with Sch. 5))

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