



Friendly Societies Act 1896

1896 CHAPTER 25

APPLICATION OF ACT

101 Application to existing societies

- (1) This Act shall apply to societies and branches subsisting at the commencement of this Act which or the rules of which have been registered, enrolled, or certified, under any Act relating to friendly societies or cattle insurance societies, as if they had been registered under this Act, and the rules of those societies and branches shall, so far as they are not contrary to any express provision of this Act, continue in force until altered or rescinded.
- (2) Where the contingent annual payments to which the members or the nominees of the members of friendly societies or branches, established before the fifteenth day of August one thousand eight hundred and fifty, may become entitled exceed the limit fixed by this Act, the rules of those societies and branches shall continue to be valid, anything in this Act to the contrary notwithstanding.

102 Application to Scotland

In the application of this Act to Scotland—

The expression " land " shall include heritable subjects of whatever description;

The expressions " court of summary jurisdiction " and " county court " shall mean the sheriff court of the county;

The expression " administration " shall mean confirmation ;

The expression " misdemeanor " shall mean crime and offence.

103 Application to the Isle of Man

This Act shall apply to the Isle of Man as if it were part of England, subject to the following variations:—

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- (1) The expressions " Supreme Court" and " county court" shall respectively mean the Chancery Division of the High Court of the said isle, in which court the proceedings under this Act may be regulated by rules and orders to be made in that behalf by the court, and, until otherwise provided, shall be regulated according to the ordinary practice of that court:
- (2) The expression "the Companies Acts 1862 to 1890" shall mean the law for the time being in force in the said isle for the regulating and winding up of companies :
- (3) The expression " Summary Jurisdiction Acts" shall mean the laws for the time being in force in the said isle for regulating the exercise of summary jurisdiction by justices of the peace:
- (4) All offences and fines under this Act shall be prosecuted and recovered summarily before a high bailiff or two justices of the peace at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of a registrar or of a head constable, and a misdemeanor under this Act shall be punishable by fine or imprisonment:
- (5) All fines recovered under this Act shall be paid to the treasurer of the said isle, and be added to the general revenue of the said isle:
- (6) A person may appeal from any order or conviction to be made in the case of summary jurisdiction under this Act in the manner prescribed by the law in force in the said isle as to appeals in cases of summary jurisdiction.
- (7) Any sum recoverable summarily as a civil debt shall be recoverable in accordance with the law and procedure in force in the Isle of Man for the recovery of civil debts.

104 Application to Channel Islands

This Act shall apply to the Channel Islands as if they were part of England, subject to the following variations :—

- (1) As respects the Island of Jersey,
 - (a) The expression " county court" shall mean the court for the recovery of petty debts, in all cases in which the claim or demand shall not exceed the sum of ten pounds sterling, and in all other cases the inferior number of the Royal Court of the said island, composed of the bailiff and two jurats of the said court:
 - (b) The expression " court of summary jurisdiction " shall have in civil cases the same meaning as the expression county court:
 - (c) All misdemeanors under this Act shall be prosecuted, tried, and punished in the form and manner prescribed by the law and custom of the said island with respect to crimes and offences (*crimes et délits*):
 - (d) All other offences and all fines under this Act shall be prosecuted and recovered summarily before the magistrate of the court for the repression of minor offences, in all cases of his competency, at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of the constable of the parish in which the offence or other unlawful act has been committed, and in all other cases before the bailiff and two jurats of the Royal Court, at the suit or instance (except as aforesaid) of Her Majesty's Procurator General for the said island :

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- (e) All fines recovered under this Act shall be paid to the officers who by the law and practice of the said island are entitled to receive fines levied by order of the said courts respectively, and shall by such officers be accounted for and paid to Her Majesty's Receiver General in the said island on behalf of the Crown:
 - (f) All proceedings under this Act in any of the courts of the said island shall be regulated according to the ordinary practice of those courts respectively, and all fines shall in default of payment be enforced in the same manner as fines payable to the Crown in the said island:
 - (g) The rules prescribed by the law of the said island with respect to appeals in civil and criminal cases shall be followed as to appeals from any orders, judgments, or convictions made in cases of summary jurisdiction under this Act:
 - (h) The expression " the Companies Acts, 1862 to 1890," shall mean the law for the time being in force in the said island for the formation, regulation, and winding up of companies :
 - (i) All friendly societies and branches within the bailiwick of the said island may invest any part of their funds in any of the public funds under the guarantee of the states of the said island.
- (2) As respects the bailiwick of the Island of Guernsey:
- (a) The Court of Primary Instance within the bailiwick shall have all such powers and authorities as are by this Act conferred either on courts of summary jurisdiction or on county courts in England: Provided that a sentence may be appealed from, if the case admits of an appeal under the Orders in Council now in force within the bailiwick, but that the decision of the Royal Court when sitting in a body as a court of appeal shall be final:
 - (b) All friendly societies and branches within the bailiwick shall be authorised to invest any part of their funds in the state bonds either of Guernsey or of Alderney:
 - (c) The expression " the Companies Acts, 1862 to 1890," shall mean the law for the time being in force in the said bailiwick for the regulation and winding up of companies:
 - (d) All offences and fines under this Act shall be prosecuted and recovered summarily before the court of primary jurisdiction at the suit or instance, except in the case of a complaint under section eighty-seven of this Act, of the law officers of the Crown or of a constable of a parish :
 - (e) All fines recovered under this Act shall be paid to the Receiver General, to be by him carried to the account of the Crown Revenue.

105 Payment to representatives in Channel Islands and Isle of Man

As respects the Channel Islands and the Isle of Man, when any sum of money becomes payable on the death of a person entitled to make a nomination under this Act that sum shall, in default of any such nomination, be paid to the deceased member's legal representative, according to the law of the island in which that deceased member was domiciled.