



# Friendly Societies Act 1896

## 1896 CHAPTER 25

### *REGISTRY OF SOCIETIES*

#### **8 Societies which may be registered**

The following societies may be registered under this Act:—

- (1) Societies (in this Act called friendly societies) for the purpose of providing by voluntary subscriptions of the members thereof, with or without the aid of donations, for—
  - (a) The relief or maintenance of the members, their husbands, wives, children, fathers, mothers, "brothers, or sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, in old age (which shall mean any age after fifty) or in widowhood, or for the relief or maintenance of the orphan children of members during minority ; or
  - (b) insuring money to be paid on the birth of a member's child, or on the death of a member, or for the funeral expenses of the husband, wife, or child of a member, or of the widow of a deceased member, or, as respects persons of the Jewish persuasion, for the payment of a sum of money during the period of confined mourning ; or
  - (c) the relief or maintenance of the members when on travel in search of employment, or when in distressed circumstances, or in case of shipwreck, or loss or damage of or to boats or nets ; or
  - (d) the endowment of members or nominees of members at any age; or
  - (e) the insurance against fire, to any amount not exceeding fifteen pounds, of the tools or implements of the trade or calling of the members; or
  - (f) guaranteeing the performance of their duties by officers and servants of the society or any branch thereof.

Provided that a friendly society which contracts with any person for the assurance of an annuity exceeding fifty pounds per annum, or of a gross sum exceeding two hundred pounds, shall not be registered under this Act :

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- (2) Societies (in this Act called cattle insurance societies) for the purpose of insurance to any amount against loss of neat cattle, sheep, lambs, swine, horses, and other animals by death from disease or otherwise:
- (3) Societies (in this Act called "benevolent societies) for any benevolent or charitable purpose:
- (4) Societies (in this Act called working-men's clubs) for purposes of social intercourse, mutual helpfulness, mental and moral improvement and rational recreation :
- (5) Societies (in this Act called specially authorised societies) for any purpose which the Treasury may authorise as a purpose to which the provisions of this Act, or such of them as are specified in the authority, ought to be extended. Provided that where any provisions of this Act are so specified, those provisions only shall be so extended.

## **9 Conditions of registration**

- (1) A society shall not be registered under this Act unless it consists of seven persons at least.
- (2) For the purpose of registry there shall be sent to the registrar an application to register the society, signed by seven members and the secretary, and copies of the rules, together with a list of the names of the secretary and of every trustee or other officer intended to be authorised to sue and be sued on behalf of the society.
- (3) The rules of the society so sent shall, according to the class in which the society is to be registered, contain provisions in respect of the several matters mentioned in the First Schedule to this Act.
- (4) If the list is signed by the secretary and every trustee and other officer named therein, it shall on the registry of the society be evidence that the persons so named have been duly appointed.

## **10 Name of society**

A society shall not be registered under a name identical with that under which any other existing society is registered, Or so nearly resembling that name as to be likely, or in any name likely, in the opinion of the registrar, to deceive the members or the public as to its nature or its identity.

## **11 Acknowledgment of registry**

The registrar, on being satisfied that a society has complied with the provisions of this Act as to registry, shall issue to that society an acknowledgment of registry specifying the designation of the society, according to the classification set forth in this Act, and this acknowledgment shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registry of the society has been suspended or cancelled.

## **12 Appeals from refusal to register**

- (1) From a refusal to register a society an appeal shall lie as follows :—

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- (a) if the assistant registrar for Scotland or for Ireland refuses to register, the society may appeal to the chief registrar, and if he refuses, to the Court of Session in Scotland, or to the High Court in Ireland:
  - (b) if the central office refuse, the society may appeal to the High Court in England.
- (2) If the refusal to register is overruled on appeal, the registrar shall give an acknowledgment of registry to the society.

### **13 Registry of amendments of rules**

- (1) An amendment of a rule made by a registered society shall not be valid until the amendment has been registered under this Act, for which purpose copies of the amendment, signed by three members and the secretary, shall be sent to the registrar.
- (2) The registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Act, issue to the society an acknowledgment of registry of the amendment, and that acknowledgment shall be conclusive evidence that the amendment is duly registered.
- (3) The provisions of this Act as to appeals from a refusal to register a society shall apply to a refusal to register an amendment of a rule.

### **14 Registry of societies carrying on business in more than one part of the United Kingdom**

- (1) A society carrying or intending to carry on business in more than one part of the United Kingdom shall be registered in the part in which its registered office is situate ; but the rules and registered amendments of rules of any such society shall be recorded by the registrars of the other parts, and for that purpose copies of the rules and amendments shall be sent to those registrars.
- (2) Until the rules are so recorded the society shall not be entitled to any of the privileges of this Act in the part of the United Kingdom in which the rules have not been recorded, and until the amendments of rules are recorded they shall not take effect in that part.

### **15 Registry of dividing societies**

A society (other than a benevolent society or working-men's club) shall not be disentitled to registry by reason of any rule for or practice of dividing any part of the funds thereof if the rules of the society contain distinct provision for meeting all claims upon the society existing at the time of division before any such division takes place.

### **16 Registry of societies assuring annuities**

A society assuring a certain annuity shall not be entitled to registry, unless the tables of contributions for the assurance, certified by the actuary to the National Debt Commissioners, or by some actuary approved by the Treasury, who has exercised the profession of actuary for at least five years, are sent to the registrar with the application for registry.