
STATUTORY INSTRUMENTS

1991 No. 2293

FRIENDLY SOCIETIES

The Friendly Societies Act 1984 (Guernsey) Order 1991

Made - - - - *16th October 1991*

Coming into force - - *16th November 1991*

At the Court of Saint James, the 16th day of October 1991

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 25th day of September 1991 to delegate to the six counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now therefore, His Royal Highness The Prince Andrew, Duke of York and His Royal Highness The Prince Edward, being authorised thereto by the said Letters Patent, and in pursuance of section 4(3) of the Friendly Societies Act 1984(1), and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered as follows:

1. This Order may be cited as the Friendly Societies Act 1984 (Guernsey) Order 1991 and shall come into force on 16th November 1991.
2. It is hereby directed that sections 1 and 2 of the Friendly Societies Act 1984 shall extend to the Bailiwick of Guernsey with the adaptations and modifications specified in the Schedule to this Order.

G.I. de Deney
Clerk of the Privy Council

SCHEDULE

Article 2

ADAPTATIONS AND MODIFICATIONS TO SECTIONS 1 AND 2 OF THE FRIENDLY SOCIETIES ACT 1984 AS EXTENDED TO THE BAILIWICK OF GUERNSEY

1.—(1) Subject to sub-paragraph (2) below, any reference to an enactment shall be construed as a reference to that enactment as it has effect in the Bailiwick of Guernsey.

(2) References to the Income and Corporation Taxes Act 1970(2) are to that Act as it has effect in the United Kingdom.

2. In section 1(4), for the words “subsections (3)(a) and (3A)” there shall be substituted the words “subsection (3)”.

3. For section 2 there shall be substituted the following section:

“2. —

(1) Section 64 of the Friendly Societies Act 1974(3) (maximum benefits) shall have effect, and be deemed always to have had effect, with the modifications in subsections (2) and (3) below.

(2) In subsection (1) (financial limits)—

- (a) the words from the beginning to “through” shall be omitted;
- (b) for the words “receive from” there shall be substituted the words “have at any time outstanding contracts with”;
- (c) after the words “United Kingdom)” there shall be inserted the words “for the assurance of”; and
- (d) paragraphs (c) and (d) (the taxable business limits) shall be omitted.

(3) In subsection (2) (matters to be disregarded in applying the limits) in paragraph (a) (bonus or addition declared upon assurance of a gross sum or annuity)—

- (a) after the word “addition” there shall be inserted the words “which either is”; and
- (b) at the end there shall be added the words “or accrues upon such an assurance by reference to an increase in the value of any investments”.

(4) In consequence of the modifications in subsection (2) above, the following provisions shall cease to have effect—

- (a) subsections (3) to (5) of section 64 of the Friendly Societies Act 1974;
- (b) the definition of “mortgage protection policy” in subsection (8) of that section; and
- (c) section 65(1) of that Act.

(5) In subsection (6) of section 64 of the Friendly Societies Act 1974 (statutory declaration as to total entitlement under existing contracts) for the words “to which that member or person is entitled from” there shall be substituted the words “assured under outstanding contracts entered into by that member with any”.

(6) With respect to any time prior to the coming into force of any of the enactments referred to in subsections (2) and (3) above, the like modifications as are made to that enactment by those subsections shall be deemed always to have been made to any earlier enactment the provisions of which are re-enacted in the enactment so referred to.”.

(2) 1970 c. 10; section 333(2) of this Act referred to in section 1(2) has been repealed with savings by Schedule 27, Part V, to the Finance Act 1985 (c. 54) and section 337(2) of this Act referred to in section 1(5) has been repealed and replaced by the Income and Corporation Taxes Act 1988 (c. 1) (section 466(1)).

(3) 1974 c. 46.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends sections 1 and 2 of the Friendly Societies Act 1984 to the Bailiwick of Guernsey, with the adaptations and modifications specified in the Schedule to the Order. Sections 1 and 2 of the 1984 Act modify the effect of certain provisions of the Friendly Societies Act 1974 which extends to the Bailiwick of Guernsey subject to the adaptations and modifications specified in Part II of the Schedule to the Friendly Societies (Channel Islands) Order 1975 (S.I.[1975/419](#)).