



# [<sup>F1</sup>Co-operative and Community Benefit Societies Act (Northern Ireland) 1969]<sup>F2</sup>

## CHAPTER 24

### CO-OPERATIVE AND COMMUNITY BENEFIT SOCIETIES ACT (NORTHERN IRELAND) 1969

#### PART I

##### SOCIETIES WHICH MAY BE REGISTERED

- 1 Societies which may be registered.
- 1A Meaning of “registered society”

#### PART II

##### REGISTERED SOCIETIES

##### REGISTRATION OF SOCIETIES

- 2 Registration of society.
- 3 Registration to effect incorporation of society with limited liability.
- 4 Existing societies deemed to be registered.

##### NAME AND MAXIMUM SHAREHOLDING

- 5 Name of society.
- 6 Maximum shareholding in society.

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## OPERATIONS OF REGISTERED SOCIETY

### 7 Carrying on of banking by societies.

#### *Capacity of society and power of committee to bind it*

- 7A Capacity of society not limited by its rules
- 7B Power of committee to bind society
- 7C No duty to enquire as to capacity of society or authority of committee
- 7D Transactions with committee members and other persons in excess of powers
- 7E Definitions relating to section 7D

## PROVISIONS AS TO RULES

- 8 Acknowledgment of registration of rules.
- 9 Amendment of registered rules.
- 10 Rules as to fund for purchase of government securities.
- 11 Rules of agricultural, horticultural or forestry society.
- 12 Supplementary provisions as to rules.
- 13 Rules to bind members.
- 14 Provision of copies of rules.

## CANCELLATION, SUSPENSION OR REFUSAL OF REGISTRATION OF SOCIETY OR RULES

- 15 Cancellation of registration of society.
- 16 Suspension of registration of society.
- 17 Appeal from refusal, cancellation or suspension of registration of society or rules.

## MEMBERSHIP AND SPECIAL PROVISIONS AFFECTING MEMBERS

- 18 Bodies corporate as members of society.
- 19 Members under age of 18
- 20 Advances to members.
- 21 Remedy for debts from members.
- 22 Nomination to property in society.
- 23 Proceedings on death of nominator.
- 24 Provision for small payments on death.
- 25 Payments in respect of mentally incapable persons.
- 26 Validity of payment to persons apparently entitled.

## CONTRACTS, PROPERTY, ETC., OF SOCIETY

- 27 Promissory notes and bills of exchange.
- 28 Contracts.
- 28A Purported contracts, deeds and obligations
- 28B Common seal

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- 28C Execution of documents
- 28D Power of society to have official seal for use abroad
- 28E Effect of use of official seal
- 28F Authorisation of use of official seal
- 29 Charges on assets of registered societies.
- 30 Holding of land.
- 31 Investments.
- 32 Proxy voting by societies.
- 33 Discharge of mortgages.
- 34 Receipt on payment of moneys secured to a society.

#### ACCOUNTS, ETC.

- 35 Books of account, etc.
- 36 Form in which books of account may be kept.
- 36A Year of account (existing societies)
- 36B Year of account (new registrations)
- 37 General provisions as to accounts and balance sheets of registered societies.
- 37A Publication of accounts and balance sheets of registered societies.
- 38 Obligation to appoint auditors.
- 38A Power of registered societies to disapply section 38.
- 39 Re-appointment and removal of qualified auditors.
- 40 Provisions as to resolutions relating to appointment and removal of auditors.
- 41 Meaning of qualified auditor
- 42 Restrictions on appointment of auditors.
- 43 Auditors' report and right of access to books and to attend and be heard at meetings.
- 43A Duty to obtain accountant's reports where section 38 applied.
- 43B Rights of person appointed under section 43A(2).
- 43C Registrar's power to require accounts for past years to be audited.
- 44 Remuneration of qualified auditors.
- 45 Group accounts.
- 46 Exemption from requirements in respect of group accounts.
- 47 Meaning of "subsidiary" .
- 48 Annual returns.
- 49 Display of latest balance sheet.

#### OFFICERS, RECEIVERS, ETC.

- 50 Security by officers.
- 51 Duty of officers of society to account.
- 52 Duties of receiver or manager of society's property.

#### REGISTERS, BOOKS, ETC.

- 53 Register of members and officers.
- 54 Restriction on inspection of books.
- 55 Inspection of books by members, etc.

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- 56 Inspection of books by order of registrar.
- 57 Production of documents and provision of information for certain purposes.
- 58 Appointment of inspectors and calling of special meetings.

#### AMALGAMATIONS, TRANSFERS OF ENGAGEMENTS AND CONVERSIONS

- 59 Amalgamation of societies.
- 60 Transfer of engagements between societies.
- 61 Conversion into, or transfer of engagements to, company.
- 62 Conversion of company into registered society.
- 63 Saving for rights of creditors.

#### DISSOLUTION OF SOCIETY

- 64 Dissolution of registered society on winding up .
- 65 Power of registrar to petition for winding-up.
- 66 Liability of members in winding-up.
- 66A Dissolution of a society by an instrument of dissolution
- 67 Instrument of dissolution.

#### SPECIAL RESTRICTION ON DISSOLUTION, ETC.

- 68 Restriction on dissolution or cancellation or registration of society.

#### DISPUTES, OFFENCES AND LEGAL PROCEEDINGS

- 69 Decision of disputes.
- 70 General offences by societies, etc.
- 71 Offences by societies to be also offences by officers, etc.
- 72 Continuing offences.
- 73 Punishment of fraud or misappropriation.
- 74 Penalty for falsification.
- 75 Institution of proceedings.
- 76 Recovery of costs, etc.
- 77 Application of Part II to credit unions.

#### PT III (SS. 78-96) REP. BY 1985 NI 12

Pt III (ss. 78-96) rep. by 1985 NI 12

### PART IV

#### MISCELLANEOUS AND GENERAL

- 97 Regulations.
- 98 Form, deposit and evidence of documents.
- 98A Form etc of electronic documents

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- 98B Power of registrar to impose requirements as to form etc of electronic documents
- 98C Fees for inspection and copying of documents
- 99 Exercise of functions of registrar.
- 100 Annual reports by registrar.
- 101 Interpretation.
- 102 Great Britain societies.
- 103 Repeals, savings and transitional provisions.
- 104 Short title and commencement.

## SCHEDULES

### SCHEDULE 1 — MATTERS TO BE PROVIDED FOR IN SOCIETY'S RULES PART I — INDUSTRIAL AND PROVIDENT SOCIETIES. . .

- 1 The name of the society, which shall comply with the requirements of section 5.
- 2 The objects of the society.
- 3 The place which is to be the registered office of the society to which all...
- 4 The terms of admission of the members, including any society or company investing funds in...
- 5 The mode of holding meetings, the scale and right of voting, and the mode of...
- 6 The appointment and removal of a committee, by whatever name, and of managers or other...
- 7 Determination in accordance with section 6 of the maximum amount of the interest in the...
- 8 Determination whether the society may contract loans or receive moneys on deposit subject to the...
- 9 Determination whether the shares or any of them shall be transferable, and provision for the...
- 10 Provision for the audit of accounts.
- 11 Determination whether and, if so, how members may withdraw from the society, and provision for...
- 12 The mode of application of profits of the society.
- 13 If the society is to have a common seal, provision for its custody and use.
- 14 Determination whether and, if so, by what authority, and in what manner, any part of...

### SCHEDULE 2 — FORM OF STATEMENT BY SOCIETY CARRYING ON BANKING

- 1 Capital of the society on 1st January or 1st July last previous:— (a) nominal amount...
- 2 Liabilities of the society on the same date:— (a) on judgments; (b) on speciality; (c)...
- 3 Assets of the society on the same date:— (a) government securities (stating them); (b) bills...

### SCHEDULE 3 — FORM OF RECEIPT ON MORTGAGE, ETC. Members of the Committee Secretary

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SCHEDULE 4 — FORMS OF BOND FOR OFFICERS OF SOCIETY

FORM A — KNOW ALL MEN BY THESE PRESENTS, THAT WE, A.B., OF ONE OF THE OFFICERS...

FORM B — KNOW ALL MEN BY THESE PRESENTS THAT I , OF , IN THE COUNTY...

and \*If no words are struck out in the bond or condition, strike out these...

SCHEDULE 5 — TRANSITIONAL PROVISIONS

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....

— Schedule 6—Repeals

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**Changes and effects yet to be applied to :**

- s. 38A(6) words substituted by [2008 c. 12 \(N.I.\) Sch. 8 para. 2](#)