



# Co-operative and Community Benefit Societies Act (Northern Ireland) 1969

## 1969 CHAPTER 24

### PART II

#### REGISTERED SOCIETIES

*[<sup>F1</sup>Capacity of society and power of committee to bind it*

#### **[<sup>F1</sup>7A Capacity of society not limited by its rules**

- (1) The validity of an act done by a registered society shall not be called into question on the ground of lack of capacity by reason of anything in the society's registered rules.
- (2) A member of a registered society may bring proceedings to restrain the doing of an act which but for subsection (1) would be beyond the society's capacity, but no such proceedings shall lie in respect of an act to be done in fulfilment of a legal obligation arising from a previous act of the society.
- (3) It shall remain the duty of the members of the committee of a registered society to observe any limitations on their powers flowing from the society's registered rules; and action by the members of the committee which but for subsection (1) would be beyond the society's capacity may only be ratified by the society by special resolution.
- (4) A resolution ratifying such action shall not affect any liability incurred by a member of the committee or any other person, and relief from any such liability may only be agreed to separately by special resolution.
- (5) Section 7D shall have effect notwithstanding this section.
- (6) In this section "special resolution" means a resolution passed by not less than three-fourths of such members of the society as (being entitled to do so) vote in person, or by proxy where the society's rules allow proxies, at a general meeting of which not less than 21 days' notice, specifying the intention to propose the resolution, has been duly given according to those rules.

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**Changes to legislation:** There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969, Section 7A. (See end of Document for details)

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(7) A copy of every special resolution for the purposes of this section signed by the chairman of the meeting at which the resolution was passed and countersigned by the secretary of the society shall be sent to the registrar and registered by <sup>F2</sup>it ; and until that copy is so registered the special resolution shall not take effect.]

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| <p><b>F1</b> Ss. 7A-7E and preceding cross heading inserted (1.7.2006) by <a href="#">Industrial and Provident Societies (Northern Ireland) Order 2006 (S.I. 2006/314 (N.I. 3))</a>, arts. 1(3), 4; S.R. 2006/242, <a href="#">art. 2</a></p> <p><b>F2</b> Word in <a href="#">s. 7A(7)</a> substituted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by <a href="#">The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323)</a>, art. 1, <a href="#">Sch. 2 para. 4</a> (with art. 3)</p> |
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**Changes to legislation:**

There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969, Section 7A.