



Friendly Societies Act 1974

1974 CHAPTER 46

Cancellation and suspension of registration and dissolution

91 Cancellation and suspension of registration.

[^{F1}(1) Subject to the following provisions of this section, the [^{F2}FCA , having consulted the PRA if the society is a PRA -authorised person,] may by notice in writing cancel the registration of a society—

- (a) at the request of the society, if the [^{F3}FCA] thinks fit; or
- (b) if the [^{F3}FCA] is satisfied that—
 - (i) an acknowledgement of registration has been obtained by fraud or mistake;
 - (ii) the society exists for an unlawful purpose;
 - (iii) the society has wilfully and after notice from the [^{F3}FCA] violated any provision of this Act;
 - (iv) the society has ceased to exist; or
 - (v) in the case of a society to which section 37(2) or (3) of the 1992 Act applies, the principal place of business of the society is outside the British Islands.

(1A) The request mentioned in subsection (1)(a) must be evidenced in such way as the [^{F4}FCA] may direct.]

(2) Subject to the following provisions of this section, in any case falling within [^{F5}any of sub-paragraphs (i) to (iv) of subsection (1)(b) above in which the [^{F6}FCA] might cancel the registration of a society, it may by notice in writing],—

- (a) suspend the registration of the society for a term not exceeding three months; and
- (b) from time to time renew any such suspension for the like period.

(3) Subject to subsection (4) below, not less than two months' previous notice in writing specifying briefly the ground of the proposed cancellation or suspension shall be given to a society by the [^{F7}[^{F8}FCA] before the society's] registration is cancelled or suspended.

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- (4) Subsection (3) above shall not apply where the registration of a society is cancelled at its own request or under section 82(5), section 84(3) or section 85(4) above [^{F9}or under any provision of the 1992 Act]; and if before the expiry of the period of notice under subsection (3) above a society duly lodges an appeal under section 92 below, the society's registration shall not be cancelled before the date of determination or abandonment of the appeal.
- (5) Where before the expiry of the period of notice under subsection (3) above of the proposed cancellation of a society's registration the society duly lodges an appeal against the proposed cancellation under section 92 below, the [^{F10}[^{F11}FCA] may by notice in writing] suspend the society's registration from the expiry of that period until the date of the determination or abandonment of the appeal.
- (6) Where the registration of a society has been cancelled or suspended, notice shall forthwith be published in the Gazette and in some newspaper in general circulation in the neighbourhood of the society's registered office.
- (7) Where the registration of a society has been cancelled under subsection (1) above or suspended under subsection (2) or subsection (5) above, then, as the case may require,
- (a) from the time of the cancellation, or
 - (b) from the time of the suspension until the period of that suspension and any renewal of it under subsection (2)(b) above ends (whether on the expiry of that period or on a successful appeal under section 92 below against such a renewal),
- the society shall not be entitled to any of the privileges of this Act as a registered society, but without prejudice to any liability actually incurred by the society (which liability may be enforced against it as if the cancellation or suspension had not taken place).

Textual Amendments

- F1** S. 91(1)(1A) substituted for s. 91(1) (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 35(a)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F2** Words in s. 91(1) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 15(a)** (with Sch. 12)
- F3** Words in s. 91(1) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 15(b)** (with Sch. 12)
- F4** Words in s. 91(1A) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(p) (with Sch. 12)
- F5** Words in s. 91(2) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 35(b)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F6** Words in s. 91(2) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(p) (with Sch. 12)
- F7** Words in s. 91(3) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 35(c)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F8** Words in s. 91(3) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(p) (with Sch. 12)
- F9** Words in s. 91(4) inserted (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 37** (with ss. 7(5) and 93(4)); S.I. 1993/16, art. 2, **Sch. 3**.
- F10** Words in s. 91(5) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 35(d)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**

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F11 Words in s. 91(5) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), Sch. 5 para. 2(1)(a)(2)(p) (with Sch. 12)

Modifications etc. (not altering text)

C1 Ss. 87,91 applied by [Financial Services Act 1986 \(c. 60, SIF 69\)](#), ss. 140, 211(1), **Sch. 11 para. 26(2)(3)**

C2 S. 91(1)(2) extended (1.2.1993 for the purpose of application of Financial Services Act 1986 to incorporated friendly societies and 1.1.1994 for all other purposes) by [1986 c. 60, Sch. 11 para. 26\(2\)](#) as substituted (1.2.1993) by [1992 c. 40, s. 98, Sch. 18, Pt. II para. 16](#) (with ss. 7(5), 93(4)); [S.I. 1993/16, art. 2 Sch. 4](#); [S.I. 1993/2213, art. 2, Sch. 5](#).

92 Appeals against cancellation and suspension of registration.

- (1) A society may appeal, in accordance with subsection (2) below, against—
- (a) the cancellation of its registration (other than as mentioned in section 91(4) above) if the appeal is lodged before the expiry of the period of notice of the proposed cancellation given under subsection (3) of section 91 above; or
 - (b) the renewal under subsection (2)(b) of that section of a suspension of a society's registration, so far as that renewal provides for the suspension to continue more than six months from the original date of suspension.
- (2) An appeal under this section shall lie ^{F12}to the High Court or, in the case of a society whose registered office is situated in Scotland, to the Court of Session.]

Textual Amendments

F12 Words in s. 92(2) substituted for s. 92(2)(a)(b) (17.8.2001 for certain purposes, otherwise 1.12.2001) by [S.I. 2001/2617, arts. 2, 8, 13\(1\), Sch. 3 Pt. I para. 36](#) (with art. 13(3), Sch. 5); [S.I. 2001/3538, art. 2\(1\)](#)

93 Dissolution of societies and branches.

- (1) Subject to the following provisions of this section, a registered society or branch may terminate or be dissolved in any of the following ways, namely—
- (a) upon the happening of any event declared by the rules to be the termination of the society or branch; or
 - (b) ^{F13}by an instrument of dissolution approved by a special resolution of the society or branch;] and, in the case of a branch of a friendly society, with the consent of the central body of the society or in accordance with the society's general rules; or
 - (c) by the award of the ^{F14}FCA or the PRA] under section 95(3) ^{F15}or ^{F16} . . . 95A(1)] below.
- (2) A society which has branches shall not be dissolved except with the consent of the central body of the society.
- (3) If any member of a registered friendly society or branch in respect of which an instrument of dissolution has been registered in accordance with section 94 below, or if any person claiming any relief, annuity or other benefit from the funds of such a society or branch is dissatisfied with the provision made for satisfying his claim, he may within the period of three months referred to in subsection (7) of that section

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[^{F17}][^{F18} make an application to the county court in England and Wales if the chief or any other place of business of that society or branch is situated in England and Wales or may make an application—

within which the chief or any other place of business of that society or branch is situated, and on any [^{F20} application under this subsection] the county court or sheriff][^{F17} make an application to the county court, and on any such application the county court] shall have the same powers in the matter as in regard to the settlement of disputes under this Act.

- (4) If, in the event of a dissolution of a registered friendly society or branch, any approved annuity, as defined in section [^{F21}620(9) of the Income and Corporation Taxes Act 1988], ceases to be paid or any contract for the payment of such an annuity fails in whole or in part, no payment shall be made in respect thereof out of the funds of the society or branch to the annuitant or other person entitled to the benefit of the contract, but any sum which, but for this provision, would have been paid to him shall be applied in purchasing for the benefit of the annuitant an annuity (for the like term and subject to the like conditions against surrender, commutation or assignment) from a person lawfully carrying on in the United Kingdom a business of granting annuities on human life.

Textual Amendments

- F13** Words in s. 93(1)(b) substituted (1.2.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 38\(a\)](#) (with [ss. 7\(5\)](#) and [93\(4\)](#)); [S.I. 1993/16](#), art. 2, [Sch. 3](#) (with art. 11).
- F14** Words in s. 93(1)(c) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 16](#) (with [Sch. 12](#)).
- F15** Words in s. 93(1)(c) inserted (28.4.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 38\(b\)](#) (with [ss. 7\(5\)](#) and [93\(4\)](#)); [S.I. 1993/1186](#), art. 2(3), [Sch. 3](#).
- F16** Words in s. 93(1)(c) repealed (17.8.2001 for certain purposes, otherwise 1.12.2001) by [S.I. 2001/2617](#), arts. 2, 8, [13\(1\)\(2\)](#), [Sch. 3 Pt. I para. 37\(b\)](#), [Sch. 4](#) (with art. [13\(3\)](#), [Sch. 5](#)); [S.I. 2001/3538](#), art. [2\(1\)](#).
- F17** Words in s. 93(3) substituted (N.I.) (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. [106\(2\)](#), [Sch. 1 para. 70\(1\)](#) (with [Sch. 8 para. 1](#)); [S.R. 2016/387](#), art. 2(k) (with art. 3).
- F18** Words in s. 93(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. [61\(3\)](#), [Sch. 9 para. 84\(3\)\(a\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11).
- F19** Words in s. 93(3) substituted (28.4.1993 to the extent that it introduces paragraphs (a) and (b) into section 93(3) and 1.1.1994 to the extent that it introduces paragraph (c) into section 93(3)) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 38\(c\)](#) (with [ss. 7\(5\)](#) and [93\(4\)](#)); [S.I. 1993/1186](#), art. 2(3), [Sch. 3](#); [S.I. 1993/3226](#), art. 2, [Sch. 2](#).
- F20** Words in s. 93(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. [61\(3\)](#), [Sch. 9 para. 84\(3\)\(b\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11).
- F21** Words substituted by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 844, [Sch. 29 para. 32](#).

94 Instrument of dissolution.

- (1) The provisions of this section apply where a registered society or branch is dissolved as mentioned in paragraph (b) of section 93(1) above.
- (2) The instrument of dissolution shall specify—
- (a) the liabilities and assets of the society or branch in detail;

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- (b) the number of members and the nature of their interests in the society or branch;
 - (c) the claims of creditors, if any, and the provision to be made for their payment; and
 - (d) unless stated in the instrument of dissolution to be left to the award of the [^{F22}FCA or the PRA], the intended appropriation or division of the funds and property of the society or branch.
- (3) Alterations in the instrument of dissolution may be made with the like consents as are required by section 93(1)(b) above for the dissolution of the society or branch, testified in the same manner.
- (4) The instrument of dissolution shall be sent to the [^{F23}FCA] accompanied by a statutory declaration made by one of the trustees or by three members and the secretary of the society or branch that the provisions of this Act have been complied with.
- [^{F24}(4A) If the society or branch is a PRA-authorized person, a copy of the instrument and declaration sent to the FCA under paragraph (4) shall be sent to the PRA.]
- (5) The instrument of dissolution shall not, in the case of a registered friendly society or branch, direct or contain any provision for a division or appropriation of the funds of the society or branch, or any part thereof, except for the purpose of carrying into effect the objects of the society or branch as declared in the rules thereof, unless the claim of every member or person claiming any relief, annuity or other benefit from the funds of the society or branch is first duly satisfied or adequate provisions are made for satisfying those claims.
- (6) The instrument of dissolution and any alterations thereto shall be registered in like manner as an amendment of the rules of the society or branch and shall be binding upon all the members of the society or branch.
- (7) The [^{F25}FCA] shall cause a notice of the dissolution to be advertised ^{F26}. . . in the Gazette and in some newspaper in general circulation in the neighbourhood of the registered office of the society or branch; and unless—
- (a) within three months from the date of the Gazette in which that advertisement appears a member or other person interested in or having any claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch, and
 - (b) that dissolution is set aside accordingly,
- the society or branch shall be legally dissolved from the date of the advertisement, and the requisite consents to the instrument of dissolution shall be deemed to have been duly obtained without proof of the signatures thereto.

Textual Amendments

- F22** Words in s. 94(2)(d) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 17\(2\)](#) (with Sch. 12)
- F23** Words in s. 94(4) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 2\(1\)\(a\)\(2\)\(q\)](#) (with Sch. 12)
- F24** S. 94(4A) inserted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 17\(3\)](#) (with Sch. 12)
- F25** Words in s. 94(7) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 2\(1\)\(a\)\(2\)\(q\)](#) (with Sch. 12)

Status: Point in time view as at 31/10/2016.

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F26 Words in s. 94(7) repealed (1.12.2001) by S.I. 2001/3649, art. 189

95 Dissolution by award.

- (1) On receipt of an application under this section relating to a registered society or branch and after giving not less than one month’s notice in writing to the society or branch, the [F27[F28 appropriate authority] may appoint one or more competent persons to conduct an investigation on its behalf into] the affairs of the society or branch.
- (2) An application under this section shall be made in writing under the hands of the like proportion or number of members and, in the case of a society with branches with the like consent, as are required for the making of an application under section 90 above and shall—
 - (a) state that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured; and
 - (b) set forth the grounds on which the insufficiency is alleged; and
 - (c) request an investigation into the affairs of the society or branch with a view to the dissolution thereof.
- (3) Subject to subsection (4) below, if upon an investigation under this section it appears that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured to be given by the society or branch, the [F29 appropriate authority] may, if [F30:it] considers it expedient to do so, award that the society or branch be dissolved and its affairs wound up, and where such an award is made the [F29 appropriate authority] shall direct in what manner the assets of the society or branch shall be divided or appropriated.
- [F31(3A) The PRA must consult the FCA before making an award and direction under subsection (3).]
- (4) Where the [F32 appropriate authority] makes an award under subsection (3) above [F30:it] may suspend the operation thereof for such period as [F30:it] may deem necessary to enable the society or branch to make such alterations and adjustments of contributions and benefits as will in [F30:its] judgment prevent the necessity of the award of dissolution coming into operation; and where within that period the society makes such alterations and adjustments the [F32 appropriate authority] may cancel the award.
- [F33(5)
- (6) Within twenty-one days after the making of an award of dissolution of a society or branch, the [F34 appropriate authority] shall cause notice of the award of dissolution to be advertised in the Gazette and in some newspaper in general circulation in the neighbourhood of the registered office of the society or branch; and unless—
 - (a) within three months from the date on which that advertisement appears, a member or other person interested in or having any claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch consequent upon the award, and
 - (b) the dissolution is set aside accordingly,
 the society or branch shall be legally dissolved from the date of the advertisement, and the requisite consents to the application under this section shall be deemed to have been duly obtained without proof of the signatures thereto.

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- (7) The expenses of every investigation and award under this section and of advertising every notice of dissolution shall be paid out of the funds of the society or branch before any other appropriation thereof is made.

Textual Amendments

- F27** Words in s. 95(1) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 39(a)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F28** Words in s. 95(1) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 18(2)** (with Sch. 12)
- F29** Words in s. 95(3) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 18(2)** (with Sch. 12)
- F30** Words in s. 95(3)(4) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 39(c)(d)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F31** S. 95(3A) inserted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 18(3)** (with Sch. 12)
- F32** Words in s. 95(4) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 18(2)** (with Sch. 12)
- F33** S. 95(5) repealed (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1)(2), Sch. 3 Pt. I para. 39(e), **Sch. 4** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F34** Words in s. 95(6) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 18(2)** (with Sch. 12)

Modifications etc. (not altering text)

- C3** By Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 39** (with ss. 7(5) and 93(4)); S.I. 1993/1186, art. 2, **Sch. 3**, it is provided that s. 95 shall cease to have effect (28.4.1993) in relation to registered friendly societies.

^{F35} 95A Dissolution of registered friendly societies and branches by award.

- (1) Subject to subsection (2) below, if upon an investigation under section 65 of the 1992 Act it appears to the ^{F36}appropriate authority—
- that the funds of a registered friendly society or of a registered branch of such a society are insufficient to meet the existing claims on them, or
 - that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured to be given by the society or branch,
- the ^{F36}appropriate authority may, if it considers it expedient to do so, award that the society or branch be dissolved and its affairs wound up; and where such an award is made the ^{F36}appropriate authority shall direct in what manner the assets of the society or branch shall be divided or appropriated.

^{F37}[The PRA must consult the FCA before making an award or a direction under subsection (1).]

- (2) Where the ^{F38}appropriate authority makes an award under this section, it may suspend the operation thereof for such period as it may deem necessary to enable the society or branch to make such alterations and adjustments of contributions and benefits as will in its judgment prevent the necessity of the award of dissolution coming into operation; and where within that period the alterations and adjustments are made, the ^{F38}appropriate authority may cancel the award.

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F³⁹(3)

- (4) Within twenty-one days after the making of an award under this section, the [F⁴⁰appropriate authority] shall cause notice of the award to be advertised in the Gazette and in some newspaper in general circulation in the neighbourhood of the registered office of the society or branch; and unless—
- (a) within three months from the date on which that advertisement appears, a member or other person interested or having any claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch consequent upon the award, and
 - (b) the dissolution is set aside accordingly,
- the society or branch shall be legally dissolved from the date of the advertisement.
- (5) The expenses of every award, and of advertising every notice, under this section shall be paid out of the funds of the society or branch before any other appropriation thereof is made.]

Textual Amendments

- F35** S. 95A inserted (28.4.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 39](#) (with ss. 7(5) and 93(4)); [S.I. 1993/1186](#), art. 2, [Sch. 3](#).
- F36** Words in s. 95A(1) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 19\(2\)](#) (with Sch. 12)
- F37** S. 95A(1A) inserted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 19\(3\)](#) (with Sch. 12)
- F38** Words in s. 95A(2) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 19\(2\)](#) (with Sch. 12)
- F39** S. 95A(3) repealed (17.8.2001 for certain purposes, otherwise 1.12.2001) by [S.I. 2001/2617](#), arts. 2, 8, 13(1)(2), [Sch. 3 Pt. I para. 40\(b\)](#), [Sch. 4](#) (with art. 13(3), Sch. 5); [S.I. 2001/3538](#), [art. 2\(1\)](#)
- F40** Words in s. 95A(4) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 19\(2\)](#) (with Sch. 12)

Modifications etc. (not altering text)

- C4** S. 95A applied (24.5.1993) by [S.I. 1993/1187](#), [reg. 3](#).

96 Finality of awards for dissolution or distribution of funds.

Every award under section 95(3) [F⁴¹or 95A(1)] above shall, without appeal, be final and conclusive on—

- (a) the society or branch in respect of which the award is made; and
- (b) all members of that society or branch; and
- (c) all other persons having any claim on the funds of that society or branch;

and every such award shall be enforced in the same manner as a decision on a dispute under this Act.

Textual Amendments

- F41** Words in s. 96 inserted (28.4.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para.40](#) (with ss. 7(5) and 93(4)); [S.I. 1993/1186](#), art. 2, [Sch. 3](#).

Status: Point in time view as at 31/10/2016.

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97 Notice of proceedings or order to set aside dissolution.

- (1) Where any person takes proceedings to set aside the dissolution of a society or branch, he shall give notice of the proceedings to the [^{F42}FCA and, if the society or branch is a PRA-authorised person, the PRA] not later than the expiry of whichever of the following periods first expires, namely,—
 - (a) the period of seven days after the commencement of the proceedings; and
 - (b) the period of three months referred to in section 94(7)(a) above or, as the case may require, section 95(6)(a) [^{F43}or 95A(4)(a)] above.
- (2) Where an order is made setting aside the dissolution of a society or branch, the society or branch shall give notice of the order to the [^{F42}FCA and, if the society or branch is a PRA-authorised person, the PRA] within seven days after the order is made.

Textual Amendments

- F42** Words in s. 97 substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 20](#) (with [Sch. 12](#))
- F43** Words in s. 97(1)(b) inserted (28.4.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para. 41](#) (with ss. 7(5) and 93(4)); [S.I. 1993/1186](#), art. 2, [Sch. 3](#).

Status:

Point in time view as at 31/10/2016.

Changes to legislation:

There are currently no known outstanding effects for the Friendly Societies Act 1974, Cross
Heading: Cancellation and suspension of registration and dissolution.