
Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, Part IV. (See end of Document for details)

SCHEDULES

SCHEDULE 10

APPLICATION OF COMPANIES WINDING UP LEGISLATION TO INCORPORATED FRIENDLY SOCIETIES

PART IV

SUPPLEMENTARY

Dissolution of incorporated friendly society after winding up

- 67 (1) Where an incorporated friendly society has been wound up voluntarily, it is dissolved as from 3 months from the date of the placing in the public file of the society of the return of the final meetings of the society and its creditors made by the liquidator under—
- (a) section 94 or 106 of the ^{M1}Insolvency Act 1986 (as applied to incorporated friendly societies), or on such other date as is determined in accordance with section 201 of that Act; or
 - (b) Article 80 or 92 of the ^{M2}Insolvency (Northern Ireland) Order 1989 (as so applied), or on such other date as is determined in accordance with Article 166 of that Order.
- (2) Where an incorporated friendly society has been wound up by the court, it is dissolved as from 3 months from the date of the placing in the public file of the society of the liquidator's notice under—
- (a) section 172(8) of the ^{M3}Insolvency Act 1986 (as applied to incorporated friendly societies) or on such other date as is determined in accordance with section 205 of that Act; or
 - (b) Article 146(7) of the Insolvency (Northern Ireland) Order 1989 (as so applied) or on such other date as is determined in accordance with Article 169 of that Order.

Marginal Citations

- M1** 1986 c. 45.
M2 S.I. 1989/2405 (N.I.19)
M3 1986 c. 45.

- 68 [^{F1}(1) Sections 1012 to 1023 and 1034 of the Companies Act 2006 (property of dissolved company) apply in relation to the property of a dissolved incorporated friendly society (whether dissolved under section 20 or following its winding up) as they apply in relation to the property of a dissolved company.]

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- (2) Paragraph 3(1) above shall apply to those sections for the purpose of their application to incorporated friendly societies.
- [^{F2}(3) Any reference in those sections to restoration to the register shall be read as a reference to the effect of an order under section 25 of this Act.]

Textual Amendments

- F1** Sch. 10 para. 68(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 133(7)(b)(i)** (with art. 10)
- F2** Sch. 10 para. 68(3) substituted for Sch. 10 para. 68(3)(4) (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 133(7)(b)(ii)** (with art. 10)

Insolvency rules and fees

- 69 (1) Rules may be made under—
- (a) section 411 of the Insolvency Act 1986; or
 - (b) Article 359 of the Insolvency (Northern Ireland) Order 1989,
- for the purpose of giving effect, in relation to incorporated friendly societies, to the provisions of the applicable winding up legislation.
- (2) An order made by the competent authority under section 414 of the Insolvency Act 1986 may make provision for fees to be payable under that section in respect of proceedings under the applicable winding-up legislation and the performance by the official receiver or the Secretary of State of functions under it.
- (3) An order made by the competent authority under Article 361 of the Insolvency (Northern Ireland) Order 1989 may make provisions for fees to be payable under that section in respect of proceedings under the applicable winding-up legislation and the performance by the official receiver in Northern Ireland or the Department of Economic Development in Northern Ireland of functions under it.

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