



Industrial and Provident Societies Act 1965 (repealed)

1965 CHAPTER 12

Miscellaneous and general

69 Remuneration of county court registrars.

Registrars of county courts shall be remunerated for any duties to be performed by them under this Act in such manner as the Treasury may with the consent of the Lord Chancellor from time to time direct.

^{F1}70

Textual Amendments

F1 S. 70 repealed (1.12.2001) by [2000 c. 8, ss. 338\(3\), 432\(3\)](#), [Sch. 18 Pt. IV para. 20](#), [Sch. 22](#); [S.I. 2001/3538, art. 2\(1\)](#)

[^{F2}70A Fees for inspection or copying of documents.

Before the Authority allows any person to inspect any document held by it in connection with this Act, or provides any person with a copy of any such document (or part of such document), it may charge that person a reasonable fee.]

Textual Amendments

F2 S. 70A inserted (1.12.2001) by [S.I. 2001/2617, arts. 2\(b\), 13\(1\)](#), [Sch. 3 Pt. III para. 234](#) (with [art. 13\(3\), Sch. 5](#)); [S.I. 2001/3538, art. 2\(1\)](#)

71 ^{F3}

Status: Point in time view as at 24/01/2013.

Changes to legislation: There are currently no known outstanding effects for the Industrial and Provident Societies Act 1965 (repealed), Cross Heading: Miscellaneous and general. (See end of Document for details)

Textual Amendments

F3 S. 71 repealed (1.12.2001) by [S.I. 2001/3649](#), [arts. 1](#), 181(1)

72 ^[F4] **Form, delivery and evidence of documents**

^[F5]Every return and other document required for the purposes of this Act shall be made in such form, shall contain such particulars and shall be ^[F4]delivered] in such manner as the Authority may direct and the Authority shall register and record those documents with such observations thereon (if any) as it considers appropriate.]

^[F6](2) Any document bearing the seal or stamp of the Authority shall be received in evidence without further proof.

(3) Any document purporting to have been signed by a person authorised to do so on behalf of the Authority, and every document purporting to be signed by any inspector under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.

(4) In subsections (2) and (3), “document” means any document issued, received or created by the Authority (or, as the case may be, by any inspector under this Act) for the purposes of or in connection with this Act, the Industrial and Provident Societies Act 1967 or the Friendly and Industrial and Provident Societies Act 1968.]

Textual Amendments

F4 S. 72 heading and word in s. 72(1) substituted (12.4.2011) by [Mutual Societies \(Electronic Communications\) Order 2011](#) (S.I. 2011/593), [arts. 1\(1\)](#), [26\(1\)](#)

F5 Words in s. 72 substituted (1.12.2001) for s. 72(1) by [S.I. 2001/3649](#), [arts. 1](#), 182

F6 S. 72(2)(3)(4) (1.12.2001) by [S.I. 2001/2617](#), [arts. 2\(b\)](#), 13(1), [Sch. 3 Pt. III para. 235](#) (with [art. 13\(3\)](#), [Sch. 5](#)); [S.I. 2001/3538](#), [art. 2\(1\)](#)

Modifications etc. (not altering text)

C1 Ss. 67, 70, 71, 72–74 applied by [Credit Unions Act 1979](#) (c. 34, SIF 55:3), [s. 31\(2\)](#)

C2 S. 72 extended by [Industrial and Provident Societies Act 1967](#) (c. 48), [s. 7\(2\)](#)

^[F7]72A. **Form etc. of electronic documents sent to the Authority**

(1) The Authority may impose requirements as to the form, authentication and manner of delivery of documents sent electronically to the Authority under this Act.

(2) As regards authentication of a document sent to the Authority electronically, the Authority may—

- (a) require the document to be authenticated by a particular person or a person of a particular description;
- (b) specify the means of authentication;
- (c) require the document to contain or be accompanied by the name or registered number of the society to which it relates (or both).

(3) As regards the manner of delivery of a document sent electronically, the Authority may specify requirements as to the hardware and software to be used, and technical

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specifications (for example, matters relating to protocol, security, anti-virus protection or encryption).

- (4) The power conferred by this section does not authorise the Authority to require documents to be delivered electronically.
- (5) Requirements imposed under this section must not be inconsistent with requirements imposed by this Act or any other enactment with respect to the form, authentication and delivery of the document concerned.
- (6) In this section, a document is sent electronically if it is sent by electronic means or in electronic form.]

Textual Amendments

F7 S. 72A inserted (12.4.2011) by [Mutual Societies \(Electronic Communications\) Order 2011 \(S.I. 2011/593\)](#), arts. 1(1), **26(2)**

Modifications etc. (not altering text)

C3 S. 72A applied by 1968 c. 55, s. 14A (as inserted (12.4.2011) by [Mutual Societies \(Electronic Communications\) Order 2011 \(S.I. 2011/593\)](#), arts. 1(1), **26(4)**)

F873

Textual Amendments

F8 S. 73 repealed (1.12.2001) by [S.I. 2001/2617](#), arts. 2(b), 13(1)(2), Sch. 3 Pt. III para. 236, **Sch. 4** (with art. 13(3), Sch. 5); [S.I. 2001/3538](#), **art. 2(1)**

74 Interpretation—general.

[^{F9}(1)] In this Act, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

“^{M1}Act of 1893”, means the Industrial and Provident Societies Act 1893;

“amendment”, in relation to the rules of a registered society, includes a new rule, and a resolution rescinding a rule, of the society;

[^{F10}“the Authority” means the Financial Services Authority;]

“committee”, in relation to a society, means the committee of management or other directing body of the society;

“[^{F11}the Companies Acts” means the Companies Acts as defined in section 2(1) of the Companies Act 2006 or any law for the like purposes in force in any of the Channel Islands and includes corresponding earlier Acts or laws;]

[^{F12} “ electronic address ” means any number or address used for the purposes of sending or receiving documents or information by electronic means.]

“ Gazette ”, in relation to a registered society, means such one or more of the following as may be appropriate in the circumstances of the case, that is to say—

- (a) the London Gazette if the society’s registered office is situated, [^{F13}or the society carries on business], in England, Wales or the Channel Islands;

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- (b) the Edinburgh Gazette if the society's registered office is situated, [^{F13}or the society carries on business], in Scotland;
- (c) the Belfast Gazette if the society's rules are recorded in Northern Ireland;
- “ heritable security ” has the same meaning as in the ^{M2} Conveyancing (Scotland) Act 1924 except that it includes a security constituted by *ex facie* absolute disposition or assignation;
- “ land ” includes hereditaments and chattels real, and in Scotland, heritable subjects of whatever description;
- “ meeting ”, in relation to a society, includes, where the rules of that society so allow, a meeting of delegates appointed by members;
- “ officer ”, in relation to a registered society, includes any treasurer, secretary, member of the committee, manager or servant of the society other than a servant appointed by the society's committee, but does not include an [^{F14}auditor appointed by the society in accordance with the requirements of the ^{M3} Friendly and Industrial and Provident Societies Act 1968] ;
- “ persons claiming through a member ”, in relation to a registered society, includes the heirs, executors or administrators and assignees of a member and, where nomination is allowed, his nominee;
- “ prescribed ” means prescribed by regulations under section 71 of this Act;
- “ property ” includes all real, personal or heritable and moveable estate, including books and papers;
- “ registered ” in relation to the name or an office of a society means for the time being registered under this Act;
- “ registered rules ”, in relation to a registered society, means the rules of the society registered or deemed to be registered under this Act as for the time being in force after any amendment thereof so registered;
- “ registered society ” means, subject to section 76 of this Act, a society registered or deemed to be registered under this Act.

[^{F15}(2) Any reference in this Act to the seal of the Authority is a reference to the seal provided for in regulations made under section 109(1)(b) of the Friendly Societies Act 1974 (and not to the Authority's common seal), and any reference to a document sealed by the Authority is a reference to a document sealed with that seal.]

Textual Amendments

- F9** S. 74 re-numbered as s. 74(1) (1.12.2001) by S.I. 2001/2617 , arts. 2(b) , 13(1) , **Sch. 3 Pt. III para. 237** (with art. 13(3) , Sch. 5) ; S.I. 2001/3538 , **art. 2(1)**
- F10** Definition in s. 74(1) inserted (1.12.2001) by S.I. 2001/2617 , arts. 2(b) , 13(1) , **Sch. 3 Pt. III para. 237(a)** (with art. 13(3) , Sch. 5) ; S.I. 2001/3538 , **art. 2(1)**
- F11** Words in s. 74(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. 14(11)** (with art. 10)
- F12** Words in s. 74(1) inserted (12.4.2011) by [Mutual Societies \(Electronic Communications\) Order 2011](#) (S.I. 2011/593), arts. 1(1), **27(1)**
- F13** Words in paragraphs (a) and (b) in definition in s. 74(1) substituted (1.12.2001) by S.I. 2001/2617 , arts. 2(b) , 13(1) , **Sch. 3 Pt. III para. 237(b)** (with art. 13(3) , Sch. 5) ; S.I. 2001/3538 , **art. 2(1)**
- F14** Words substituted by [Friendly and Industrial and Provident Societies Act 1968](#) (c. 55) , **Sch. 1 para. 11**
- F15** S. 74(2) inserted (1.12.2001) by S.I. 2001/2617 , arts. 2(b) , 13(1) , **Sch. 3 Pt. III para. 237(c)** (with art. 13(3) , Sch. 5) ; S.I. 2001/3538 , **art. 2(1)**

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Modifications etc. (not altering text)

C4 Ss. 67, 70, 71, 72–74 applied by [Credit Unions Act 1979 \(c. 34, SIF 55:3\)](#), s. 31(2)

Marginal Citations

M1 1893 c. 39 .

M2 1924 c. 27 .

M3 1968 c. 55 .

[^{F16}**74A. Meaning of “electronic form”, “by electronic means” etc.**

- (1) The following provisions apply for the purposes of this Act.
- (2) A document or information is sent in electronic form if it is sent—
 - (a) by electronic means (for example, by email or fax), or
 - (b) by any other means while in electronic form (for example, sending a disk in the post).References to electronic copy have a corresponding meaning.
- (3) A document or information is sent by electronic means if it is—
 - (a) sent initially and received at its destination by means of electronic equipment for the processing (which expression includes digital compression) or storage of data, and
 - (b) entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.References to “electronic means” have a corresponding meaning.
- (4) A document or information sent in electronic form must be sent in a form, and by a means, that the sender reasonably considers will enable the recipient—
 - (a) to read it, and
 - (b) to retain a copy of it.
- (5) For the purposes of this section, a document or information can be read only if—
 - (a) it can be read with the naked eye, or
 - (b) to the extent that it consists of images (for example photographs, pictures, maps, plans or drawings), it can be seen with the naked eye.
- (6) The provisions of this section apply whether the provision of this Act uses the word “send” or uses other words (such as “deliver”, “furnish”, “issue”, “produce”, “provide” or “supply”) to refer to the sending of a document or information.]

Textual Amendments

F16 S. 74A inserted (12.4.2011) by [Mutual Societies \(Electronic Communications\) Order 2011 \(S.I. 2011/593\)](#), arts. 1(1), 27(2)

75 Channel Islands.

- (1) Subject to any express provision of this Act with respect to the Channel Islands, this Act in its application to those Islands shall have effect subject to such adaptations and modifications as Her Majesty may by Order in Council specify.

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- (2) Any Order in Council under the foregoing subsection may be varied or revoked by a subsequent Order in Council so made.

Extent Information

E1 By s. 78(2) it is provided that this Act extends to the Channel Islands but does not extend to Northern Ireland

76 Northern Ireland societies.

- (1) Where, in the case of any society for the time being registered under the law for the time being in force in Northern Ireland for purposes corresponding to those of this Act, copies of that society's rules so registered have been sent to the [^{F17}Authority to be recorded by it and have been so recorded, then, for the purposes of the operation of this Act in Great Britain and the Channel Islands], references to a registered society in such, but such only, of the provisions of this Act as are specified in subsection (2) of this section shall, subject to subsection (3) of this section include a reference to that society, and for the purposes of those provisions that society, those rules and any amendment of those rules registered and recorded as aforesaid shall in that area be deemed to be a society, rules or an amendment duly registered under this Act by the [^{F18}Authority].
- (2) The provisions of this Act referred to in the foregoing subsection are sections 2(2), 3, 5(4), (6) and (7), 6(1)(a), 7(1)(b), (2), (3) and (6), 10(1)(a), 13(3), 14, 15, 16(1)(a)(i), 19(2), 22, [^{F19}26 to 29, 29B to 29D,] 30, 31(b), 32 to 36, 41, 42, 44(5), 45(1), 50, 51, 52(5), 54, 60 to 62, 64 to 66 and 72.

[^{F20}(2A) In section 29A(1) of this Act—

- (a) the reference to a registered society includes a reference to a society registered under the law for the time being in force in Northern Ireland for purposes corresponding to those of this Act; and
- (b) the reference to this Act includes a reference to that law.]
- (3) Nothing in this section shall confer any power or impose any obligation or liability with respect to the taking or refraining from taking of, or a failure to take, any action outside Great Britain and the Channel Islands; and in the application of section 45(1) of this Act by virtue of this section the reference therein to this Act shall be construed as a reference to the law for the time being in force in Northern Ireland for purposes corresponding to those of this Act.
- (4) In relation to any society for the time being registered as mentioned in subsection (1) of this section, Article 22 of the ^{M4}Government of Ireland (Companies, Societies, &c.) Order 1922 shall have effect as if the words from “a society registered in Northern Ireland” to “United Kingdom, and” and the words “both in their application to the United Kingdom exclusive of Northern Ireland and” were omitted.

Extent Information

E2 By s. 78(2) it is provided that this Act extends to the Channel Islands but does not extend to Northern Ireland

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Textual Amendments

- F17** Words in s. 76(1) substituted (1.12.2001) by S.I. 2001/2617, arts. 2(b), 13(1), **Sch. 3 Pt. III para. 238(a)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F18** Word in s. 76(1) substituted (1.12.2001) by S.I. 2001/2617, arts. 2(b), 13(1), **Sch. 3 Pt. III para. 238(b)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F19** Words in s. 76(2) substituted (20.10.2003) by Co-operatives and Community Benefit Societies Act 2003 (c. 15), **ss. 5(6)**, 7(1); S.I. 2003/2678, art. 2(2)
- F20** S. 76(2A) inserted (20.10.2003) by Co-operatives and Community Benefit Societies Act 2003 (c. 15), **ss. 4(2)**, 7(1); S.I. 2003/2678, art. 2(2) (with art. 2(3))

Modifications etc. (not altering text)

- C5** S. 76 excluded by **Credit Unions Act 1979** (c. 34, SIF 55:3), **s. 32(1)**

Marginal Citations

- M4** S.R. & O. 1922 No. 184.

77 Repeals and savings.

- (1) **F21**
- (2) Without prejudice to section 4 of this Act, any regulations, application or notice made or given and any other thing whatsoever done under or in pursuance of any of the enactments repealed by this Act shall be deemed for the purposes of this Act to have been made, given or done, as the case may be, under or in pursuance of the corresponding provision of this Act; and anything begun under any of the said enactments may be continued under this Act as if begun under this Act.
- (3) So much of any document as refers expressly or by implication to any enactment repealed by this Act shall, if and so far as the context permits, be construed as referring to this Act or the corresponding enactment therein.
- (4) Nothing in section 4 of this Act or in this section shall be taken as affecting the general application of section 38 of the ^{M5} Interpretation Act 1889 with regard to the effect of repeals.

Textual Amendments

- F21** S. 77(1), Sch. 5 repealed by **Statute Law (Repeals) Act 1974** (c. 22), **Sch. 1 Pt. XI**

Marginal Citations

- M5** 1889 c. 63.

78 Short title, extent and commencement.

- (1) This Act may be cited as the Industrial and Provident Societies Act 1965.
- (2) This Act extends to the Channel Islands but does not extend to Northern Ireland.
- (3) This Act shall come into operation on such day as Her Majesty may by Order in Council appoint.

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Modifications etc. (not altering text)

C6 1.1.1966 appointed under s. 78(3) by [S.I. 1965/2051](#)

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