



Friendly Societies Act 1974

1974 CHAPTER 46

Miscellaneous

111 Interpretation

(1) In this Act, unless a contrary intention appears,—

" amendment of rule " includes a new rule and a resolution rescinding a rule;

" annual return " shall be construed in accordance with section 43 above;

" branch " means any number of the members of a society, under the control of a central body, having a separate fund administered by themselves or by a committee or officers appointed by themselves, and bound to contribute to a fund under the control of a central body;

" the central registration area " has the meaning assigned to it by section 4(2) above ;

" collecting society " has the same meaning as in the Industrial Assurance Act 1923 ;

" committee " means the committee of management or other directing body of a society or branch;

" the Companies Acts " means the Companies Acts 1948 to 1967 and any earlier enactment for the like purposes which has been repealed ;

" exempt society " and " exempt branch " shall be construed in accordance with section 31 (4) above ;

" Gazette ", in relation to a registered society or branch, means—

(a) the London Gazette if the registered office of the society or branch is situated in the central registration area;

(b) the Edinburgh Gazette if the registered office of the society or branch is situated in Scotland;

" land " includes any interest in land and, in Scotland, heritable subjects of whatever description;

" meeting " includes, where the rules of a society or branch so allow, a meeting of delegates appointed by members;

Status: This is the original version (as it was originally enacted).

" officer " includes any trustee, treasurer, secretary, or member of the committee of management of a society or branch or any person appointed by the society or branch to sue and be sued on its behalf;

" persons claiming through a member " includes the nominees of the member where nomination is allowed;

" property " extends to all property, whether real or personal, including books and papers and (in Scotland) to all heritable and moveable estate;

" proposal ", in relation to an insurance, includes an application for an insurance;

" qualified actuary " has the meaning assigned to it by section 9(3) above;

" registered ", in relation to a society or branch, means registered under this Act or any other enactment (whether similar in extent to this Act or not) which at any time before the commencement of this Act made provision for registration similar to that made by this Act;

" signed ", in relation to a body corporate means sealed; and

" Treasury regulations " means any regulations made and approved by the Treasury and in force under this Act.

- (2) Any reference in this Act to a particular type of society shall be construed in accordance with section 7(1) above.
- (3) Any reference in this Act to the registrar for a registration area shall be construed—
 - (a) in relation to the central registration area as a reference to the central office; and
 - (b) in relation to Scotland as a reference to the assistant registrar for Scotland; and any reference in this Act to the registrar, in relation to a society or branch, is a reference to the registrar for the registration area in which the registered office of the society or branch is for the time being, or is to be.
- (4) In this Act " year of account " in relation to a registered society or branch, means, with respect to the year in which it is first registered, the period beginning with the date of registration and ending with 31st December of that year and, in any other case, a period of twelve months ending with 31st December; and—
 - (a) " the current year of account ", in relation to the appointment of an auditor or auditors, means the year of account in which the question of that appointment arises; and
 - (b) " the preceding year of account " means the year of account immediately preceding the current year of account.
- (5) In the application of this Act to Scotland " heritable security " means any security capable of being constituted over any interest in land by disposition or assignation of that interest in security of any debt, and of being recorded in the Register of Sasines.
- (6) Without prejudice to section 115 below, references in this Act to a registered society or branch shall not include a society or branch registered in Northern Ireland.
- (7) Except in so far as the context otherwise requires, any reference in this Act to any other enactment shall be taken as referring to that enactment as amended by or under any other enactment, including this Act.