



Friendly Societies Act 1974

1974 CHAPTER 46

Investment, funds and property

55 Power of the Public Trustee to hold securities of certain friendly societies and branches.

- (1) Notwithstanding anything in section 54 above any part of the funds of a friendly society [^{F1}which is registered by the [^{F2}FCA] and the registered office of which is situated in England and Wales,] or of any branch of such a society, and any stocks, shares or securities held by or on behalf of such a society or branch, may be transferred to the Public Trustee if, and only if,—
 - (a) the Public Trustee agrees to the transfer, and
 - (b) rules of the society or branch are, or have been, made for the purpose.
- (2) The Public Trustee shall invest, in accordance with the rules, any funds so transferred to him and shall pay the interest on any stocks, shares or securities acquired by or transferred to him in pursuance of this section to the trustees of the society or branch, and shall, if and when the trustees so require, transfer the capital of the stocks, shares or securities to them, or realise the same and transfer the proceeds to them.
- (3) The Public Trustee shall be completely exonerated from any liability in relation to any stock, shares or securities held by him in pursuance of this section, and no action shall lie against the Public Trustee in respect of any such stock, shares or securities provided that he acts in accordance with the provisions of this section.
- (4) This section does not extend to Scotland [^{F3}or Northern Ireland].

Textual Amendments

- F1** Words in s. 55(1) substituted (17.8.2001 for certain purposes and otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 13(1), **Sch. 3 Pt. I para. 22** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F2** Words in s. 55(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. 2(1)(a)(2)(i) (with Sch. 12)

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 55. (See end of Document for details)

F3 Words in s. 55(4) inserted (1.1.1994) by Friendly Societies Act 1992 (c. 40), s. 95, **Sch. 16 para. 20** (with ss. 7(5) and 93(4)); S.I. 1993/3226, art. 2, **Sch. 2**.

Changes to legislation:

There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 55.