



Friendly Societies Act 1974

1974 CHAPTER 46

Disputes

78 Statement of case and discovery, etc., of documents

- (1) Section 21 of the Arbitration Act 1950 shall not apply to any dispute falling within section 76 above and, notwithstanding anything in any other enactment, the court or the Chief or assistant registrar, or any arbitrator, arbiter or umpire to whom such a dispute is referred under the rules of a registered society or branch, shall not be compelled to state a case on any question of law arising in the dispute but may, at the request of either party, state such a case for the opinion of the High Court or, in Scotland, the Court of Session.
- (2) Where a dispute falling within section 76 above is referred to a magistrates' court, the court may grant to either party such discovery of documents, being, in the case of discovery to be made on behalf of the society or branch, discovery by such officer of the society or branch as the court may determine, as might have been granted by virtue of section 12 of the Arbitration Act 1950 by the Chief or an assistant registrar to whom the dispute had been referred.
- (3) Where a dispute falling within section 76 above has been referred to the assistant registrar for Scotland, the registrar may grant such warrant for the recovery of documents and examination of havers as might be granted by the sheriff.