



Friendly Societies Act 1974

1974 CHAPTER 46

Disputes

79 Reference of disputes to court otherwise than under rules

- (1) Where no decision is made on a dispute within forty days after application to the registered society or branch in question for a reference under its rules then, subject to subsection (2) below, any person, society or branch such as is mentioned in paragraphs (a) to (e) of section 76(1) above who is a party to the dispute may apply to the county court or a magistrates' court or, in Scotland, to the sheriff, and the court to which application is so made may hear and determine the matter in dispute.
- (2) In the case of a society with branches, the period of forty days referred to in subsection (1) above shall not begin to run until application has been made in succession to all the bodies entitled to determine the dispute under the rules of the society or branch, but the rules of the society or branch shall not require a greater delay than three months between each successive determination of a dispute by the bodies entitled under the rules to determine the dispute.
- (3) The provisions of this section also apply where the rules of a registered society, or the rules of a registered branch, contain no direction as to disputes.
- (4) In this section "dispute" means a dispute falling within section 76 above.