



# Credit Unions Act 1979

## 1979 CHAPTER 34

### *General and miscellaneous*

#### **31 Interpretation, etc.**

(1) In this Act—

[<sup>F1</sup> “ the 2014 Act ” means the Co-operative and Community Benefit Societies Act 2014; ]

<sup>F2</sup> . . .

[<sup>F3</sup> “body corporate” includes a partnership regarded as a legal person under the law of the country or territory in which it was established;]

“charitable”, in the application of this Act to Scotland, shall be construed in the same way as in the Income Tax Acts;

[<sup>F4</sup> “ civil partner ” includes former civil partner [<sup>F5</sup> and reputed civil partner ] ; ]

[<sup>F6</sup> “corporate member”, in relation to a credit union, has the meaning assigned to it by section 5A above;]

“credit union”, except in the expression “Northern Ireland credit union”, means a society registered under [<sup>F7</sup> the 2014 Act ] by virtue of section 1 above;

[<sup>F8</sup> “interest-bearing share” has the meaning assigned to it by section 7A(6) above;]

“the 1965 Act” means the Industrial and Provident Societies Act 1965;

“non-qualifying member”, in relation to a credit union, has the meaning assigned to it by sections 5(5) and 21(4) above;

<sup>F9</sup> . . .

[<sup>F10</sup> “partnership” means a partnership not regarded as a legal person under the law of the country or territory in which it was established;]

“relative”, in relation to any person, means any of the following—

(a) his spouse [<sup>F11</sup> or civil partner ];

(b) any lineal ancestor, lineal descendant, brother, sister, aunt, uncle, nephew, niece or first cousin of his or his spouse [<sup>F11</sup> or civil partner ];

and

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(c) the spouse <sup>F11</sup> or civil partner ] of any relative within paragraph (b) above;

and for the purpose of deducing any such relationship an illegitimate child or step-child shall be treated as <sup>F12</sup> the legitimate child of the relationship in question ];

“spouse” includes former spouse and reputed spouse; and

<sup>F13</sup> . . .

<sup>F14</sup>(1A) In this Act, references to a deposit or accepting deposits must be read with—

- (a) section 22 of the 2000 Act;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.]

(2) <sup>F15</sup> Sections 141, 143 to 146, 148 and 149 of the 2014 Act ] (supplementary provisions as to recovery of costs, fees, regulations, documents <sup>F16</sup> . . . and general interpretation provisions) shall apply for the purposes of this Act as they apply for the purposes of that Act.

(3) In its application to credit unions <sup>F17</sup> the 2014 Act ] shall have effect subject to the provisions of this Act and with the omission of the following provisions (which are replaced by, or are inconsistent with, provisions of this Act), that is to say <sup>F18</sup> sections 22, 24, 26, 27, 32, 33 and 34 and paragraph 6 of Schedule 3. ]

<sup>F19</sup>(4) <sup>F20</sup> The following provisions of the 2014 Act ] (which are replaced by, or are inconsistent with, provisions of the 2000 Act) do not apply to credit unions<sup>F21</sup>—

- (a) section 67(1) (society with withdrawable share capital not to carry on the business of banking);
- (b) sections 77 and 78 (year of account);
- (c) section 81 (duty to display latest balance sheet);
- (d) section 89 (annual returns);
- (e) section 90 (duty to provide copy of annual return).]

#### Textual Amendments

- F1** Words in s. 31(1) inserted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 16\(2\)\(a\)](#) (with Sch. 5)
- F2** Definition of “authorised bank” in s. 31(1) omitted (2.7.2002) by virtue of [S.I. 2002/1501, arts. 1\(1\), 2\(20\)\(a\)\(i\)](#)
- F3** Words in s. 31(1) inserted (8.1.2012) by [The Legislative Reform \(Industrial and Provident Societies and Credit Unions\) Order 2011 \(S.I. 2011/2687\), arts. 1\(1\)\(b\), 15\(5\)\(a\)](#) (with arts. 25, 26)
- F4** Words in s. 31(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(10\)\(b\), Sch. 27 para. 61\(2\)](#); [S.I. 2005/3175, art. 2\(2\)](#)
- F5** Words in s. 31(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(Overseas Relationships and Consequential, etc. Amendments\) Order 2005 \(S.I. 2005/3129\), art. 1, Sch. 4 para. 4](#)
- F6** Words in s. 31(1) inserted (8.1.2012) by [The Legislative Reform \(Industrial and Provident Societies and Credit Unions\) Order 2011 \(S.I. 2011/2687\), arts. 1\(1\)\(b\), 15\(5\)\(b\)](#) (with arts. 25, 26)
- F7** Words in s. 31(1) inserted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 16\(2\)\(b\)](#) (with Sch. 5)
- F8** Words in s. 31(1) inserted (8.1.2012) by [The Legislative Reform \(Industrial and Provident Societies and Credit Unions\) Order 2011 \(S.I. 2011/2687\), arts. 1\(1\)\(b\), 19\(2\)](#) (with arts. 25, 26)

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- F9** Words in s. 31(1) omitted (1.4.2013) by virtue of The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 6 para. 16** (with Sch. 12)
- F10** Words in s. 31(1) inserted (8.1.2012) by The Legislative Reform (Industrial and Provident Societies and Credit Unions) Order 2011 (S.I. 2011/2687), arts. 1(1)(b), **15(5)(c)** (with arts. 25, 26)
- F11** Words in s. 31(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(10)(b), **Sch. 27 para. 61(3)(a)**; S.I. 2005/3175, art. 2(2)
- F12** Words in s. 31(1) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(10)(b), **Sch. 27 para. 61(3)(b)**; S.I. 2005/3175, art. 2(2)
- F13** Definition of “statutory maximum” in s. 31(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV**.
- F14** S. 31(1A) substituted (2.7.2002) by S.I. 2002/1501, **arts. 1(1), 2(20)(b)**
- F15** Words in s. 31(2) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(3)** (with Sch. 5)
- F16** Words in s. 31(2) repealed (1.12.2001) by S.I. 2001/2617, arts. 2(b), 13(1)(2), Sch. 3 Pt. IV para. 289(b), **Sch. 4** (with art. 13(3)); S.I. 2001/3538, **art. 2(1)**
- F17** Words in s. 31(3) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(4)(a)** (with Sch. 5)
- F18** Words in s. 31(3) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(4)(b)** (with Sch. 5)
- F19** S. 31(4) inserted (2.7.2002) by S.I. 2002/1501, **arts. 1(1), 2(20)(c)**
- F20** Words in s. 31(4) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(5)(a)** (with Sch. 5)
- F21** S. 31(4)(a)-(e) inserted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 16(5)(b)** (with Sch. 5)

**Modifications etc. (not altering text)**

- C1** S. 31(1) extended (1.1.1993) by S.I. 1992/3218, reg. 82(1), **Sch. 10 Pt. I para. 9**

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**Changes to legislation:**

There are currently no known outstanding effects for the Credit Unions Act 1979, Section 31.