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# Friendly Societies Act 1992

## CHAPTER 40

### FRIENDLY SOCIETIES ACT 1992

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### *Status*

- 1 The Commission shall be a body corporate.

### *Tenure of office of member*

- 2 (1) Subject to the provisions of this paragraph, a person...
- 3 No person who has attained the age of 70 years...

### *Remuneration and pensions, etc. for part-time members*

- 4 The Commission shall pay to its part-time members such fees...
- 5 (1) If the Treasury so determine in the case of...

### *Parliamentary disqualification*

- 6 (1) In Part II of Schedule 1 to the House...

### *Staff*

- 7 The Commission may appoint such staff as the chairman of...

### *Proceedings*

- 8 The quorum of the Commission and the arrangements relating to...
- 9 The validity of any proceedings of the Commission shall not...

### *Performance of functions*

- 10 (1) With the exception specified in sub-paragraph (2) below, the...
- 11 The Statutory Instruments Act 1946 shall apply to all powers...
- 12 In Schedule 2 to the Parliamentary Commissioner Act 1967 (which...

### *Instruments*

- 13 The fixing of the common seal of the Commission shall...
- 14 (1) A document purporting to be duly executed under the...

### *Execution of documents in Scotland*

- 15 (1) This paragraph shall have effect as regards the execution...

SCHEDULE 2 — The Activities of a Friendly Society

SCHEDULE 3 — Establishment, Incorporation and Constitution of Incorporated Friendly Societies

### *Requirements for establishment and incorporation*

- 1 (1) Any 7 or more persons may establish a society...
- 2 (1) A registered friendly society may be incorporated under this...
- 3 On registering a society under paragraph 1 or 2 above,...

### *The memorandum*

- 4 (1) The memorandum of an incorporated friendly society shall—

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### *The rules*

- 5 (1) The rules of an incorporated friendly society shall provide...

### *Requirements for alteration of memorandum and rules*

- 6 (1) An incorporated friendly society may in the manner prescribed...

### *Membership*

- 7 A person under 18— (a) may, if the rules do...

### *Liability of members*

- 8 (1) The liability of a member of an incorporated friendly...

### *Name*

- 9 (1) The name of an incorporated friendly society must have...  
10 (1) Every incorporated friendly society shall have its name mentioned...

### *Offences relating to society's name*

- 11 (1) If an incorporated friendly society— (a) fails, within the...

### *Change of registered office*

- 12 (1) An incorporated friendly society may change its registered office...

### *Societies to supply copies of rules etc*

- 13 (1) An incorporated friendly society shall, on demand, give a...

### *Register of members*

- 14 (1) Every incorporated friendly society shall maintain a register of...

### *Inspection of records by members*

- 15 (1) Subject to sub-paragraph (2) below, a member or person...

## SCHEDULE 4 — Incorporation of Registered Friendly Societies: Supplementary

### *Preliminary*

- 1 (1) This Schedule has effect in relation to an incorporated...

### *Schemes under section 6(5)*

- 2 (1) This paragraph applies to a registered society with branches...

### *Effect of incorporation on registered society*

- 3 (1) Subject to the provisions of this Act, the incorporated...  
4 On incorporation of the registered society— (a) a person who...  
5 Any agreement made by the registered society which is in...  
6 It is hereby declared for the avoidance of doubt that—...  
7 (1) The final financial year of the registered friendly society...



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*Effect of incorporation on branches of registered society*

- 8 (1) This paragraph applies where the property, rights and liabilities...  
9 (1) This paragraph applies where the property, rights and liabilities...  
10 (1) This paragraph applies where some of the property, rights...

*Consequences of transfer*

- 11 No transfer effected by section 6 above shall give rise...  
12 (1) The action mentioned in the following provisions of this...

SCHEDULE 5 — Additional Activities of Incorporated Societies

*Introductory*

- 1 An incorporated friendly society may do anything mentioned in the...

*Loans out of separate loan fund*

- 2 (1) An incorporated friendly society may, out of any separate...

*Power to set up funds for purchasing Government Securities*

- 3 (1) An incorporated friendly society may set up and administer...

*Investment of funds in housing association*

- 4 (1) An incorporated friendly society may invest funds of the...

*Accumulation of members' surplus contributions*

- 5 An incorporated friendly society may accumulate at interest, for the...

*Subscriptions to other bodies*

- 6 An incorporated friendly society may subscribe out of its funds...  
7 An incorporated friendly society may contribute to the funds and...

SCHEDULE 6 — Making of Contracts and Execution of Documents by  
Incorporated Friendly Societies

*England and Wales and Northern Ireland*

- 1 Under the law of England and Wales and Northern Ireland...  
2 (1) The following provisions have effect with respect to the...

*Scotland*

- 3 (1) The following provisions have effect with respect to the...

SCHEDULE 7 — Activities which may be carried on by a Subsidiary of or Body  
Jointly Controlled by an Incorporated Friendly Society

*Activities*

- 1 The establishment and management of personal equity plans within  
the...

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- 1A The establishment and management, or arranging for the establishment and...
- 2 The establishment and management of unit trust schemes within the...
- 3 The carrying on of long-term or general business.
- 4 Arranging for the provision of, or giving advice as to,...
- 5 Arranging for the provision of credit, whether as agents for...
- 6 The provision of fund management services for trustees of pension...
- 7 The administration of estates and the execution of trusts of...
- 8 The provision of executry services (within the meaning of Part...
- 9 The establishment and management of— (a) sheltered housing,
- 10 The provision of administrative services for friendly societies or other...
- 11 The carrying on of a business which is a deposit-taking...
- 12 The carrying on of insurance business which is general business...
- 13 The establishment and management of investment companies with variable capital...
- 14 The establishment and management of companies which are approved as...
- 15 Arranging for the provision of banking services by a UK...

#### SCHEDULE 8 — Provisions supplementary to Section 13

- 1 The provisions of this Schedule explain expressions used in section...
- 2 In section 13(9)(a) and (c) the references to the voting...
- 3 (1) For the purposes of section 13(9)(a) and (c) the...
- 3A (1) A body is to be treated for the purposes...
- 4 Rights which are exercisable only in certain circumstances shall be...
- 5 Rights held by a person in a fiduciary capacity shall...
- 6 Rights held by a person as nominee for another shall...
- 7 Rights attached to shares held by way of security shall...
- 8 Rights shall be treated as held by an incorporated friendly...
- 9 For the purposes of paragraph 7 above rights shall be...
- 10 The voting rights in a body corporate shall be reduced...
- 11 References in any provision of paragraphs 5 to 10 above...

#### SCHEDULE 9 — Nominations by Members of Incorporated Friendly Societies and Related Matters

- 1 (1) Subject to the following provisions of this paragraph, a...
- 2 (1) Subject to sub-paragraph (2) below, on receiving satisfactory proof...
- 3 (1) If any member of an incorporated friendly society entitled...

#### SCHEDULE 10 — Application of Companies Winding Up Legislation to Incorporated Friendly Societies

##### Part I — GENERAL MODE OF APPLICATION

- 1 The enactments which comprise the companies winding up legislation (referred...
- 2 Subject to the following provisions of this Schedule, the enactments...
- 3 (1) Subject to the following provisions of this Schedule, the...
- 4 (1) Where any of the enactments as applied to incorporated...
- 5 Any enactment which specifies a sum altered by order under...

##### Part II — MODIFIED APPLICATION OF INSOLVENCY ACT 1986 PARTS IV AND XII

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*Preliminary*

6 In this Part of this Schedule, Part IV of the...

*Members of a friendly society as contributories in winding up*

7 (1) Section 74 (liability of members) of the Act is...  
8 Sections 75 to 78 and 83 in Chapter I of...  
9 (1) Section 79 (meaning of “contributory”) of the Act does...

*Voluntary winding up*

10 (1) Section 84 of the Act does not apply.  
11 Section 88 shall have effect with the omission of the...  
12 (1) Subsection (1) of section 89 shall have effect as...  
13 Section 90 shall have effect as if for the words...  
14 Sections 95(1) and 96 shall have effect as if the...  
15 In subsection (1) of section 101 (appointment of liquidation  
committee)...  
16 (1) Section 107 (distribution of property) of the Act does...  
17 Sections 110 and 111 (liquidator accepting shares, etc. as  
consideration...

*Winding up by the court*

18 In sections 117 (High Court and county court jurisdiction) and...  
19 Section 122 (circumstances in which company may be wound up...  
20 Section 124 (application for winding up) of the Act does...  
21 (1) In section 125 (powers of court on hearing of...  
22 .....  
23 If, before the presentation of a petition for the winding...  
24 (1) Section 130 of the Act (consequences of winding-up order)...  
25 Section 140 (appointment of liquidator by court in certain  
circumstances)...  
26 In the application of sections 141(1) and 142(1) (liquidation  
committees),...  
27 The conditions which the court may impose under section 147...  
28 Section 154 (adjustment of rights of contributories) of the Act...  
29 In section 165(2) (liquidator’s powers) of the Act, the reference...

*Winding up: general*

30 Section 187 (power to make over assets to employees) of...  
31 (1) In section 201 (dissolution: voluntary winding up) of the...  
32 In section 205 (dissolution: winding up by the court) of...

*Penal provisions*

33 Sections 216 and 217 of the Act (restriction on re-use...  
34 (1) Sections 218 and 219 (prosecution of delinquent officers) of...  
35 (1) Where a report is made to the prosecuting authority...

*Preferential debts*

36 Section 387 (meaning in Schedule 6 of “the relevant date”)...

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### Part III — MODIFIED APPLICATION OF INSOLVENCY (NORTHERN IRELAND) ORDER 1989

#### *Preliminary*

37 In this Part of this Schedule, Part V of the...

#### *Members of a friendly society as contributories in winding up*

38 (1) Article 61 (liability of members) of the Order is...  
39 Articles 62 to 65 and 69 of the Order (miscellaneous...  
40 (1) Article 13 (meaning of “contributory”) of the Order does...

#### *Voluntary winding up*

41 (1) Article 70 of the Order does not apply.  
42 Article 74 shall have effect with the omission of the...  
43 (1) Paragraph (1) of Article 75 shall have effect as...  
44 Article 76 shall have effect as if for the words...  
45 Article 81(1) and 82 shall have effect as if the...  
46 In paragraph (1) of Article 87 (appointment of liquidation committee)...  
47 (1) Article 93 (distribution of property) of the Order does...  
48 Articles 96 and 97 (liquidator accepting shares, etc. as consideration...

#### *Winding up by the High Court*

49 Article 102 (circumstances in which company may be wound up...  
50 Article 104 (application for winding up) of the Order does...  
51 (1) In Article 105 (powers of High Court on hearing...  
52 Article 106 (power of court, between petition and winding-up order,...  
53 If, before the presentation of a petition for the winding...  
54 (1) Article 110 of the Order (consequences of winding-up order)...  
55 Article 119 (appointment of liquidator by High Court in certain...  
56 In the application of Article 120(1) (liquidation committees), of the...  
57 The conditions which the High Court may impose under Article...  
58 Article 132 (adjustment of rights of contributories) of the Order...  
59 Article 140(2) (liquidator’s powers) of the Order, the reference to...

#### *Winding up: general*

60 Article 158 (power to make over assets to employees) of...  
61 (1) In Article 166 (dissolution: voluntary winding up) of the...  
62 In Article 169 (dissolution: winding up by the High Court)...

#### *Penal provisions*

63 Articles 180 and 181 of the Order (restriction on re-use...  
64 (1) Articles 182 and 183 (prosecution of delinquent officers) of...  
65 (1) Where a report is made to the prosecuting authority...

#### *Preferential debts*

66 Article 347 (meaning in Schedule 4 of “the relevant date”)...

### Part IV — SUPPLEMENTARY

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*Dissolution of incorporated friendly society after winding up*

- 67 (1) Where an incorporated friendly society has been wound up...  
68 (1) Sections 654 to 658 of the Companies Act 1985...

*Insolvency rules and fees*

- 69 (1) Rules may be made under— (a) section 411 of...

SCHEDULE 11 — Committee of Management: Supplementary  
Part I — ELIGIBILITY AND RETIREMENT OF COMMITTEE MEMBERS

*Preliminary*

- 1 (1) This Part of this Schedule applies in relation to...

*Eligibility to be elected committee member*

- 2 Subject to paragraph 3 below, paragraph 7 of Schedule 3...  
3 (1) The rules of the society may require the members...

*Eligibility to be co-opted committee member*

- 4 No person may be co-opted as a member of the...

*Notice to society of age of committee member*

- 5 (1) A person who holds office as, or is to...

*Retirement of elected committee members*

- 6 (1) A member of the committee shall retire from office—...

*Retirement of co-opted members*

- 7 (1) A person who is co-opted as a member of..

Part II — DEALINGS WITH MEMBERS OF COMMITTEE OF MANAGEMENT

- 8 (1) Sections 312 (payment for loss of office etc) and...  
9 (1) The following provisions of the Building Societies Act 1986—...

*Requisite particulars where no adoption of this Part*

- 10 Where the business associate of the society or branch provides...  
11 Where the business associate of the society or branch provides...  
12 Where the business associate of the society or branch arranges...

*Requisite particulars on adoption of this Part*

- 13 Where the business associate of the society or branch provides...  
14 Where the business associate of the society or branch provides...  
15 Where the business associate of the society or branch provides...

*Power to prescribe bands*

- 16 (1) The Commission, with the consent of the Treasury, may...

SCHEDULE 12 — Meetings and Resolutions

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*Annual general meeting*

- 1 (1) Every friendly society and registered branch shall in each...
- 2 (1) A meeting to be held as the annual general...
- 3 (1) If a friendly society or registered branch fails to...

*Notice for calling meetings*

- 4 (1) A meeting of a friendly society or registered branch...

*Members' entitlement to vote on resolutions*

- 5 (1) Subject to sub-paragraph (2) below, any provision in the...

*Right to demand a poll*

- 6 (1) Any provision contained in the rules of a friendly...

*Special resolutions*

- 7 (1) No resolution of a friendly society shall be passed...

*Postal ballots*

- 8 (1) The rules of a friendly society or registered branch...

*Resolutions requiring special notice*

- 9 (1) Where by any provision of this Act special notice...

SCHEDULE 13 — Authorisation: Supplementary Provisions  
Part I — APPLICATIONS FOR AUTHORISATION

*Preliminary*

- 1 (1) In this Part of this Schedule “application” means an...

*Procedure for granting authorisation*

- 2 (1) An application shall be made in such manner as...
- 3 (1) If on an application the Commission proposes to impose...

*Offences in connection with application*

- 4 (1) A friendly society which furnishes any information or makes...

*Terms of authorisation: supplementary*

- 5 (1) On granting authorisation to a friendly society the Commission...

Part II — IMPOSITION OF CONDITIONS AND WITHDRAWAL OF  
AUTHORISATION

*Preliminary*

- 6 (1) In this Part of this Schedule “the society” means—...

*Imposition of conditions*

- 7 (1) If the Commission proposes to impose conditions, it shall...

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- 8 (1) This paragraph applies where the Commission has decided to...

*Imposition of conditions on appeal*

- 9 (1) The modifications of the provisions of paragraphs 7 and...

*Procedure for withdrawing authorisation*

- 10 (1) Subject to sub-paragraph (6) below, if the Commission proposes...

- 11 (1) On giving a direction in relation to a friendly...

*Non-receipt of notice by officer*

- 12 The non-receipt by an officer of a friendly society or...

[SCHEDULE 13A TO — SUPERVISION OF CONTROLLERS OF FRIENDLY  
1992 ACT] SOCIETIES TO WHICH SECTION 37(2) OR (3) APPLIES

*Approval of person proposing to become controller*

- 1 (1) No person shall become a controller of a friendly...

*Approval of acquisition of notifiable voting rights*

- 2 (1) No person who is a controller of a friendly...

*Provisions supplementing paragraphs 1 and 2*

- 3 (1) This paragraph applies where a person who proposes—

*Notice of objection where requisite notice not given*

- 4 (1) This paragraph applies where a person—

*Notices imposing conditions*

- 5 (1) This paragraph applies where either— (a) paragraph 3 above...

*Objection to existing controller*

- 6 (1) Where it appears to the Commission, as respects a...

*Restrictions etc. as respects voting rights*

- 7 (1) This paragraph applies where a person—

*Notification of changes of controller*

- 8 (1) A person who becomes or ceases to be—

[SCHEDULE 13B TO — RECOGNITION IN OTHER EEA STATES OF FRIENDLY  
1992 ACT] SOCIETIES TO WHICH SECTION 37(2) OR (3) APPLIES  
PART I — FRIENDLY SOCIETIES CARRYING ON BUSINESS ETC, IN  
OTHER MEMBER STATES

*Requirements for carrying on insurance business*

- 1 (1) A friendly society to which section 37(2) or (3)...

- 2 (1) A friendly society to which section 37(2) or (3)...

*Status: Point in time view as at 01/01/1998.*

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- 3 (1) A friendly society to which section 37(2) or (3)...

*Requisite details for purposes of paragraphs 1 to 3*

- 4 (1) The requisite EC details for the purposes of paragraphs...

*Requirements for providing insurance*

- 5 (1) A friendly society to which section 37(2) or (3)...

- 6 (1) A friendly society to which section 37(2) or (3)...

*Requisite details for purposes of paragraphs 5 and 6*

- 7 The requisite details for the purposes of paragraphs 5 and...

*Requirement to notify cessation of business etc.*

- 8 A friendly society to which section 37(2) or (3) above...

PART II — FRIENDLY SOCIETIES PROVIDING INSURANCE IN EFTA STATES

*Notification to Commission*

- 9 (1) Where a friendly society to which section 37(2) or...

*Issue of certificates by Commission*

- 10 (1) A friendly society to which section 37(2) or (3)...

PART III — FRIENDLY SOCIETIES PROVIDING INSURANCE IN THE UNITED KINGDOM THROUGH OVERSEAS BRANCHES IN OTHER EEA STATES

- 11 (1) Where a friendly society to which section 37(2) or...

PART IV — SUPPLEMENTAL

*Offences*

- 12 (1) A friendly society to which section 37(2) or (3)...

*Interpretation*

- 13 (1) In this Schedule— (a) references in Part I to...

[SCHEDULE 13C TO — INFORMATION FOR MEMBERS OF FRIENDLY SOCIETIES 1992 ACT] TO WHICH SECTION 37(2) OR (3) APPLIES

*Information before contract of long term insurance*

- 1 (1) Subject to sub-paragraph (2) below, this paragraph applies to...

*Information during contract of long term insurance*

- 2 (1) This paragraph applies where a friendly society to which...

*Information before contract of general insurance*

- 3 (1) This paragraph applies to a contract entered into by...

- 4 (1) This paragraph applies to a contract entered into by...



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*Supplemental*

5 A friendly society which fails to comply with any provision...

SCHEDULE 14 — Auditors: Appointment, Tenure, Qualifications and Remuneration

*Appointment*

- 1 (1) The first auditors of a friendly society or registered...
- 2 The committee of management, or the society or branch in...
- 3 (1) If at any annual general meeting of a friendly...

*Eligibility for appointment*

- 4 (1) Subject to paragraph 7 below, a person is eligible...
- 5 (1) A person is ineligible for appointment as an auditor...

*Appointment of partnerships*

- 6 (1) The following provisions apply to the appointment as auditor...

*Cases in which auditor need not be a member of a recognised supervisory body*

- 7 (1) A person who is not a member of a...

*Effect of ineligibility*

- 8 (1) No person shall act as an auditor under this...

*Power of Commission to require second audit*

- 9 (1) Where a person appointed auditor under this Schedule was,...

*Removal of auditors*

- 10 (1) A friendly society or registered branch may by ordinary...

*Rights of auditors who are removed or not re-appointed*

- 11 (1) Special notice is required for a resolution at a...

*Resignation of auditors*

- 12 (1) An auditor of a friendly society or registered branch...

*Rights of resigning auditors*

- 13 (1) This paragraph applies where an auditor's notice of resignation...

*Statement by person ceasing to hold office*

- 14 (1) Where an auditor of a friendly society or registered...

*Offences of failing to comply with paragraph 14*

- 15 (1) If a person ceasing to hold office as auditor...

*Remuneration of auditors*

- 16 (1) The remuneration of auditors appointed by a friendly society...

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*Remuneration of auditors or their associates for non-audit work*

17 (1) The Commission may make provision by regulations for securing...

SCHEDULE 15 — Amalgamations, Transfers of Engagements and Conversion:  
Supplementary

Part I — PROVISION OF INFORMATION TO MEMBERS

*Statements relating to amalgamations and transfers*

1 (1) A friendly society which desires— (a) to amalgamate under...  
2 (1) The matters of which a statement required by paragraph...

*Statements relating to conversion of society into company*

3 (1) A friendly society which desires to convert into a...  
4 The statement referred to in paragraph 3 above shall be...

Part II — CONFIRMATION BY COMMISSION

*Applications for confirmation*

5 (1) An application by a friendly society for confirmation by...  
6 (1) Where a friendly society applies for confirmation of an...  
7 After the date specified in the notice in pursuance of...

*Confirmation by Commission: General*

8 (1) Where an application is duly made for confirmation by...  
9 (1) Subject to sub-paragraph (3) below, the Commission shall not...  
10 (1) Where the Commission would be precluded—

*Confirmation of amalgamations*

11 The Commission shall not confirm an amalgamation unless it is...

*Confirmation of transfers of engagements*

12 The Commission shall not confirm a transfer unless it is...  
13 (1) The Commission shall not confirm a transfer in any...  
14 The Commission shall not confirm a transfer of any engagements...  
15 (1) This paragraph applies to any transfer of engagements (other...  
15A (1) This paragraph applies to any transfer of engagements (other...  
16 The Commission shall not confirm a transfer to a friendly...

*Rights of policy holders*

16A (1) This paragraph applies where the Commission confirms a transfer...  
16B (1) This paragraph applies where the Commission confirms a transfer...

*Effect of failure to comply with relevant requirements*

17 A failure to comply with a relevant requirement of this...

*Interpretation*

18 (1) In this Part of this Schedule expressions used which...

SCHEDULE 16 — Amendments of 1974 Act

*Status: Point in time view as at 01/01/1998.*

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- 1 The 1974 Act shall be amended as follows.
- 2 (1) In subsection (1) of section 4—
- 3 Section 6(2) shall cease to have effect.
- 4 In section 7, in subsection (1)— (a) for the words...
- 5 In section 13(1), for the words from “except” to the...
- 6 (1) For section 15 there shall be substituted the following...
- 7 In section 21, for the words “sum not exceeding 10p”...
- 8 After section 23 there shall be inserted the following section—...
- 9 For section 24 there shall be substituted the following section—...
- 10 For section 26 there shall be substituted the following section—...
- 11 Sections 27 and 28 shall cease to have effect.
- 12 Sections 29 to 45 shall cease to have effect in...
- 13 In section 35, after subsection (5) there shall be inserted...
- 14 In section 40, after subsection (2) there shall be added...
- 15 (1) In section 46, in subsection (1), paragraphs (a) and...
- 16 In section 49— (a) in paragraph (b), for “ £200”...
- 17 In section 50, after subsection (2) there shall be inserted...
- 18 (1) In section 51— (a) at the end of subsection...
- 19 In section 53, for subsection (1) there shall be substituted...
- 20 In section 55, at the end of subsection (4) there...
- 21 After section 57 there shall be inserted the following section—...
- 22 After section 63 there shall be inserted the following section—...
- 23 After section 65 there shall be inserted the following sections—...
- 24 Sections 70 to 75 shall cease to have effect.
- 25 (1) Section 76 shall be amended as follows.
- 26 Section 77 shall cease to have effect.
- 27 In section 78(1), after the words “Act 1950” there shall...
- 28 In section 80— (a) in subsection (1), at the beginning...
- 29 (1) Section 82 (amalgamation and transfer of engagements) shall be...
- 30 .....
- 31 Section 84 shall cease to apply to registered friendly societies....
- 32 After section 84 there shall be inserted the following section—...
- 33 In section 86— (a) in subsection (1), at the beginning...
- 34 For section 87 there shall be substituted the following section—...
- 35 Sections 88 and 89 shall cease to have effect.
- 36 Section 90 shall cease to have effect in relation to...
- 37 In section 91(4), after the words “section 85(4) above” there...
- 38 In section 93— (a) in subsection (1)(b), for the words...
- 39 Section 95 shall cease to have effect in relation to...
- 40 In section 96, after the words “section 95(3)” there shall...
- 41 In section 97, in subsection (1)(b) after the words “section...
- 42 In section 98— (a) in subsection (1)(g), for the words...
- 43 In section 100(a), at the end there shall be added...
- 44 In section 102— (a) after “1980” there shall be inserted...
- 45 Section 106 shall cease to have effect.
- 46 In section 107, after subsection (2) there shall be inserted...
- 47 In section 110(2), after the word “Act” there shall be...
- 48 In section 111(1)— (a) in the definition of “collecting society”...
- 49 Section 115 shall cease to have effect.
- 50 In section 117(3), after the words “extends to” there shall...
- 51 (1) In paragraph 3 of Schedule 2—
- 52 After Schedule 6 there shall be inserted the following Schedule—...

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SCHEDULE 17 — Amendments of Policyholders Protection Act 1975

- 1 (1) In section 1 (the Policyholders Protection Board), in subsection...
- 2 After section 3 there shall be inserted the following section—...
- 3 (1) Section 4 (protection confined to insurance under qualifying policies...
- 4 In the heading preceding section 5 (duties of the Board...
- 5 After section 5 there shall be inserted the following section—...
- 6 (1) In section 8 (general policies other than compulsory policies),...
- 7 After section 8 there shall be inserted the following section—...
- 8 (1) In section 10 (long term policies), in subsection (1)...
- 9 In section 11 (special provision for future benefits under long...
- 10 After section 11 there shall be inserted the following section—...
- 11 At the end of section 16 (companies in financial difficulties)...
- 12 In section 17 (special provision with respect to long term...
- 13 In section 18(1)(a) (definition of “general business expenditure”), for the...
- 14 At the end of section 19 there shall be inserted...
- 15 .....
- 16 In section 25 (application of surplus funds by the Board),...
- 17 At the end of section 27 (disclosure of documents and...
- 18 (1) Section 32 (interpretation) shall be amended as follows.
- 19 (1) In Schedule 3 (additional provisions with respect to levies...

SCHEDULE 18 — Amendments of Financial Services Act 1986

Part I — AMENDMENTS OF PROVISIONS OTHER THAN SCHEDULE 11

- 1 The following section shall be substituted for section 23— Friendly...
- 2 In section 113 (periodical fees), for subsection (3) there shall...
- 3 In section 141 (indemnity schemes), in subsection (2), for the...
- 4 In section 179 (restrictions on disclosure of information), in subsection...
- 5 In section 180 (exceptions from restrictions on disclosure), in subsection...
- 6 In section 204(1) (service of notices), for the words from...
- 7 In section 207(1) (interpretation), the following definitions shall be inserted...
- 8 In section 210(3) (expenses and receipts), for the words from...
- 9 (1) In the following provisions of Schedule 14 (restriction of...

Part II — AMENDMENTS OF SCHEDULE 11

- 10 (1) Subject to paragraph 11 below, for each of the...
- 11 (1) In paragraph 1, in the definition of “a recognised...
- 12 In paragraph 3(1)— (a) for the word “his” there shall...
- 13 In paragraph 4(2), for the words “the Friendly Societies Act...
- 14 In paragraph 7(1), for the words “himself alter, its rules”...
- 15 In paragraph 13A(6), for the word “his” there shall be...
- 16 In paragraph 26, for sub-paragraph (2) there shall be substituted...
- 17 In paragraph 28(6), for the word “his” there shall be...
- 18 In paragraph 29, in sub-paragraph (1)— (a) in paragraph (a)...
- 19 After paragraph 31 there shall be inserted the following paragraph—...
- 20 (1) In paragraph 37, in sub-paragraph (1), for the words...
- 21 After paragraph 40 there shall be inserted the following paragraph—...
- 22 For paragraph 45 there shall be substituted the following paragraph—...

SCHEDULE 19 — Industrial Assurance

*Status: Point in time view as at 01/01/1998.*

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## Part I — GREAT BRITAIN

### *Industrial Assurance Act 1923*

- 1 The Industrial Assurance Act 1923 shall be amended as follows...
- 2 (1) In section 1, for subsection (1A) there shall be...
- 3 In section 10, for subsection (1) there shall be substituted...
- 4 In section 11, in subsection (2), for the word “Commissioner”...
- 5 (1) In the following provisions— (a) section 10(3),
- 6 In section 17, for subsections (1) and (2) there shall...
- 7 For section 23 there shall be substituted the following section—...
- 8 In section 26, for subsection (1) there shall be substituted...
- 9 For section 32 there shall be substituted the following section—...
- 10 For section 33 there shall be substituted the following section—...
- 11 In section 39, in subsection (5), for the word “Commissioner”...
- 12 In section 45(1) after the definition of “collector” there shall...

### *Industrial Assurance and Friendly Societies Act 1948*

- 13 In section 8(2) of the Industrial Assurance and Friendly Societies...
- 14 In section 13(1) of that Act— (a) for the word...
- 15 In section 17A(1) of that Act, for the words “Industrial...”
- 16 In section 23(1) of that Act— (a) at the end...

#### Part II — NORTHERN IRELAND

- 17 The Industrial Assurance (Northern Ireland) Order 1979 shall be amended...
- 18 (1) In Article 2, in paragraph (2), for the definitions...
- 19 In Article 4(2), for the word “Registrar” there shall be...
- 20 In the following provisions— (a) Article 4(2),
- 21 In Article 12, for paragraph (1) there shall be substituted...
- 22 In Article 13(1), for the word “registered” there shall be...
- 23 In Article 14, after paragraph (2) there shall be inserted...
- 24 (1) Article 18 shall be amended as follows.
- 25 For Article 29 there shall be substituted the following Article—...
- 26 In Article 32, for paragraph (1) there shall be substituted...
- 27 For Article 36 there shall be substituted the following Article—...
- 28 For Article 37 there shall be substituted the following Article—...
- 29 (1) In Article 46, in paragraph (2) for the word...
- 30 In Schedule 3, in paragraph 10, in paragraph (d) of...
- 31 In Schedule 4— (a) in paragraph 1(a) for the words...
- 32 (1) In Schedule 5, in paragraph 5(1), for the word...

## SCHEDULE 20 — Law Applicable to Certain Contracts of Insurance

### Part I — GENERAL MODE OF APPLICATION

#### *General rules as to applicable law*

- 1 (1) Where the person (“the person insured”) who has entered...

#### *Applicable law in the absence of choice*

- 2 (1) The choice referred to in paragraph 1 above must...

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*Mandatory rules*

- 3 (1) The fact that in the cases referred to in...

*Supplementary provisions*

- 4 (1) Where a member State includes several territorial units, each...  
5 (1) Subject to the preceding provisions of this Part of...  
Part II — LONG TERM BUSINESS BY SOCIETIES TO WHICH SECTION 37(2)  
APPLIES

*General rules as to applicable law*

- 6 The law applicable to the contract of insurance is the...  
7 Where the person who has entered into the contract of...

*Mandatory rules*

- 8 Nothing in this Part of this Schedule restricts the application...

*Supplementary provisions*

- 9 (1) Where a member State includes several territorial units, each...  
10 (1) Subject to the preceding provisions of this Part of...

SCHEDULE 21 — Amendments

Part I — AMENDMENTS OF ENACTMENTS

*Loan Societies Act 1840*

- 1 The duty of the Chief Registrar to lay before Parliament...

*National Savings Bank Act 1971*

- 2 In sections 10 (disputes) and 11 (fees on reference of...  
3 In section 27 of that Act for the definition beginning...

*National Debt Act 1972*

- 4 For section 5 of the National Debt Act 1972 there...

*Solicitors Act 1974*

- 5 (1) Section 23 of the Solicitors Act 1974 (preparation of...

*Insurance Companies Act 1982*

- 6 (1) In section 49 of the Insurance Companies Act 1982,...

*Companies Act 1985*

- 7 (1) In section 449 of the Companies Act 1985 (provision...

*Company Directors Disqualification Act 1986*

- 8 After section 22A of the Company Directors Disqualification Act  
1986...

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*Banking Act 1987*

9 In section 84(1) of the Banking Act 1987 (disclosure of...

*Income and Corporation Taxes Act 1988*

10 In section 461 of the Income and Corporation Taxes Act...

*Companies Act 1989*

11 In section 87 of the Companies Act 1989 (disclosure of...

*Tribunals and Inquiries Act 1992*

12 .....  
13 .....  
14 .....  
15 .....  
16 .....

*Trade Union and Labour Relations (Consolidation) Act 1992*

17 .....

*Social Security Contributions and Benefits (Northern Ireland) Act 1992*

18 In section 171(2) of the Social Security Contributions and Benefits...  
19 (1) In Schedule 1 to that Act, in paragraph 10(2)—...

Part II — AMENDMENTS OF NORTHERN IRELAND LEGISLATION

*Parliamentary Commissioner Act (Northern Ireland) 1969*

20 .....

*Industrial and Provident Societies Act (Northern Ireland) 1969*

21 In section 101(1) of the Industrial and Provident Societies Act...

*Social Security Pensions (Northern Ireland) Order 1975*

22 In Article 67(1) of the commref NUM="M845">Social Security  
Pensions (Northern...  
23 In Article 67(4) of that Order for the words “Friendly...

*Statutory Rules (Northern Ireland) Order 1979*

24 In Article 7(5) of the Statutory Rules (Northern Ireland) Order...  
25 In Part I of Schedule 1 to that Order, for...

*Housing (Northern Ireland) Order 1981*

26 In Article 114 of the Housing (Northern Ireland) Order 1981,...

*Property (Discharge of Mortgage by Receipt)(Northern Ireland) Order 1983*

27 In Article 3(10) of the Property (Discharge of Mortgage by...

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*Credit Unions (Northern Ireland) Order 1985*

- 28 In Article 2(2) of the Credit Unions (Northern Ireland) Order...  
29 After Article 2 there shall be inserted the following Article—...

*Companies (Northern Ireland) Order 1986*

- 30 (1) In Article 442 of the Companies (Northern Ireland) Order...

*Companies (Northern Ireland) Order 1989*

- 31 After Article 2 of the Companies (Northern Ireland) Order 1989...

SCHEDULE 22 — Repeals

Part I — GENERAL

Part II — NORTHERN IRELAND LEGISLATION



**Status:**

Point in time view as at 01/01/1998.

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