



Friendly Societies Act 1992

1992 CHAPTER 40

PART VIII

AMALGAMATIONS, TRANSFERS OF ENGAGEMENTS AND CONVERSION OF FRIENDLY SOCIETIES INTO COMPANIES

Supplementary

92 Compensation for loss of office

- (1) Subject to subsection (3) below, the terms of—
- (a) an amalgamation under section 85 above,
 - (b) a transfer of engagements of a friendly society under section 86 above, or
 - (c) a conversion under section 91 above,
- may include provision for compensation for loss of office or diminution of emoluments attributable to the amalgamation, transfer or conversion to be paid by a participating friendly society to or in respect of any of the persons mentioned in subsection (2) below.
- (2) Those persons are—
- (a) the officers of the society which is to pay the compensation;
 - (b) in the case of an amalgamation or transfer, the officers of any other participating society;
 - (c) in the case of a transfer, the officers of any other person participating in the transfer; and
 - (d) the appointed actuary (if any) of any society participating in the amalgamation or transfer.
- (3) Any such provision as is mentioned in subsection (1) above must be approved by the society which is to pay the compensation by a special resolution separate from any resolution approving the other terms of the amalgamation, transfer or conversion.

(4) If compensation which has not been authorised in accordance with subsection (3) above is received by an officer, it shall be repaid.

(5) In this section—

“compensation” includes the provision of benefits in kind;

“loss of office” includes, in relation to an officer of an incorporated friendly society holding office by virtue of his position in the society in a subsidiary of the society or body jointly controlled by the society, the loss of that office; and

“participating society”, in relation to an amalgamation or transfer, means a friendly society participating in the amalgamation or transfer and, in relation to the conversion of a friendly society, that society.