

Status: Point in time view as at 01/01/1998.

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

THE FRIENDLY SOCIETIES COMMISSION

Commencement Information

II Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Status

1 The Commission shall be a body corporate.

Commencement Information

I2 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Tenure of office of member

- 2
- (1) Subject to the provisions of this paragraph, a person shall hold and vacate office as a member or the chairman or deputy chairman of the Commission in accordance with the terms of the instrument appointing him to that office.
 - (2) A person may at any time resign office as a member or the chairman or deputy chairman of the Commission by giving the Treasury a signed notice stating that he resigns that office.
 - (3) When a member becomes or ceases to be the chairman or deputy chairman, the Treasury may vary the terms of his appointment so as to alter the date on which he is to vacate office as a member.
 - (4) If the chairman or deputy chairman ceases to be a member, he shall cease to be the chairman or deputy chairman, as the case may be.
 - (5) If the Treasury are satisfied—
 - (a) that a member has been absent from meetings of the Commission for a period longer than three consecutive months without the permission of the Commission, or
 - (b) that a member has become bankrupt or made an arrangement with or granted a trust deed for his creditors, or
 - (c) that a member's estate has been sequestrated, or
 - (d) that a member is incapacitated by physical or mental illness, or

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(e) that a member is otherwise unable or unfit to discharge the functions of his office,

the Treasury may declare his office as a member vacant, and shall notify the declaration in such manner as they think fit; and thereupon the office shall become vacant.

Commencement Information

I3 [Sch. 1](#) wholly in force at 8.6.1992 see [s. 126\(2\)](#) and [S.I. 1992/1325](#), [art. 2\(b\)](#).

3 No person who has attained the age of 70 years is eligible to be or to remain a part-time member of the Commission.

Commencement Information

I4 [Sch. 1](#) wholly in force at 8.6.1992 see [s. 126\(2\)](#) and [S.I. 1992/1325](#), [art. 2\(b\)](#).

Remuneration and pensions, etc. for part-time members

4 The Commission shall pay to its part-time members such fees for services and such allowances in respect of expenses as may be determined by the Treasury.

Modifications etc. (not altering text)

C1 [Sch. para. 4](#): functions of the Treasury transferred to the Minister (1.4.1995) by [S.I. 1995/269](#) art. 3, [Sch. para. 20](#)

Commencement Information

I5 [Sch. 1](#) wholly in force at 8.6.1992 see [s. 126\(2\)](#) and [S.I. 1992/1325](#), [art. 2\(b\)](#).

5 (1) If the Treasury so determine in the case of any person who is or has been a part-time member of the Commission, the Commission shall pay or make arrangements for the payment of such pensions to or in respect of that person as the Treasury may determine.

(2) Where a person who is a part-time member of the Commission ceases to be a member otherwise than on the expiry of his term of office and it appears to the Treasury that there are special circumstances which make it right for that person to receive compensation, the Treasury may direct the Commission to make to that person a payment of such amount as the Treasury may determine.

Modifications etc. (not altering text)

C2 [Sch. para. 5](#): functions of the Treasury transferred to the Minister (1.4.1995) by [S.I. 1995/269](#) art. 3, [Sch. para. 20](#)

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Commencement Information

I6 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Parliamentary disqualification

- 6 (1) In Part II of Schedule 1 to the ^{M1}House of Commons Disqualification Act 1975 (bodies of which all members are disqualified under that Act) there shall be inserted at the appropriate place the entry: “ The Friendly Societies Commission ”.
- (2) A corresponding amendment shall be made in Part II of Schedule 1 to the ^{M2}Northern Ireland Assembly Disqualification Act 1975.

Commencement Information

I7 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Marginal Citations

M1 1975 c. 24.

M2 1975 c. 25.

Staff

- 7 The Commission may appoint such staff as the chairman of the Commission thinks fit, subject to the approval of the Treasury as to numbers and as to terms and conditions of service.

Commencement Information

I8 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Proceedings

- 8 The quorum of the Commission and the arrangements relating to its meeting shall be such as the Commission may determine.

Commencement Information

I9 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

- 9 The validity of any proceedings of the Commission shall not be affected by any vacancy among the members or by any defect in the appointment of a member.

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Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, SCHEDULE 1. (See end of Document for details)

Commencement Information

I10 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Performance of functions

10 (1) With the exception specified in sub-paragraph (2) below, the Commission may authorise any member or members of the Commission to perform on behalf of the Commission such of the Commission's functions (including the power conferred by this paragraph) as are specified in the authorisation.

(2) The Commission shall not delegate any power exercisable by statutory instrument.

Commencement Information

I11 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

11 The ^{M3}Statutory Instruments Act 1946 shall apply to all powers of the Commission of making statutory instruments under this Act as if the Commission were a Minister of the Crown.

Commencement Information

I12 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Marginal Citations

M3 1946 c. 36.

12 In Schedule 2 to the ^{M4}Parliamentary Commissioner Act 1967 (which lists the departments etc. subject to investigation under that Act) there shall be inserted in the appropriate place in alphabetical order the words " Friendly Societies Commission "

Commencement Information

I13 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Marginal Citations

M4 1967 c. 13.

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Instruments

- 13 The fixing of the common seal of the Commission shall be authenticated by the signature of the chairman or deputy chairman or by some other person authorised by the Commission to act for that purpose.

Commencement Information

I14 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

- 14 (1) A document purporting to be duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (2) A document purporting to be signed on behalf of the Commission shall be received in evidence and shall, unless the contrary is proved, be deemed to be so signed.

Commencement Information

I15 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

Execution of documents in Scotland

- 15 (1) This paragraph shall have effect as regards the execution of documents in Scotland.
- (2) For any purpose other than those mentioned in sub-paragraph (3) below, a document is validly executed by the Commission if it is signed on its behalf by the chairman or deputy chairman or by a person authorised to sign the document on its behalf.
- (3) For the purposes of any enactment or rule of law relating to the authentication of documents, a document is validly executed by the Commission if it is subscribed on its behalf by being executed in accordance with the provisions of sub-paragraph (2) above.
- (4) A document which bears to have been executed by the Commission in accordance with sub-paragraph (3) above shall, in relation to such execution, be a probative document if—
- (a) the subscription of the document bears to have been attested by at least one witness; or
 - (b) the document bears to be sealed with the seal of the Commission.

Commencement Information

I16 Sch. 1 wholly in force at 8.6.1992 see s. 126(2) and S.I. 1992/1325, art. 2(b).

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