

Status: Point in time view as at 01/12/2003.

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

SCHEDULES

SCHEDULE 10

APPLICATION OF COMPANIES WINDING UP LEGISLATION TO INCORPORATED FRIENDLY SOCIETIES

PART IV

SUPPLEMENTARY

Dissolution of incorporated friendly society after winding up

- 67 (1) Where an incorporated friendly society has been wound up voluntarily, it is dissolved as from 3 months from the date of the placing in the public file of the society of the return of the final meetings of the society and its creditors made by the liquidator under—
- (a) section 94 or 106 of the ^{M1}Insolvency Act 1986 (as applied to incorporated friendly societies), or on such other date as is determined in accordance with section 201 of that Act; or
 - (b) Article 80 or 92 of the ^{M2}Insolvency (Northern Ireland) Order 1989 (as so applied), or on such other date as is determined in accordance with Article 166 of that Order.
- (2) Where an incorporated friendly society has been wound up by the court, it is dissolved as from 3 months from the date of the placing in the public file of the society of the liquidator's notice under—
- (a) section 172(8) of the ^{M3}Insolvency Act 1986 (as applied to incorporated friendly societies) or on such other date as is determined in accordance with section 205 of that Act; or
 - (b) Article 146(7) of the Insolvency (Northern Ireland) Order 1989 (as so applied) or on such other date as is determined in accordance with Article 169 of that Order.

Marginal Citations

- M1** 1986 c. 45.
M2 S.I. 1989/2405 (N.I.19)
M3 1986 c. 45.

- 68 (1) Sections 654 to 658 of the ^{M4}Companies Act 1985 or Articles 605 to 609 of the ^{M5}Companies (Northern Ireland) Order 1986 (provisions as to corporate property as bona vacantia), shall have the same effect in relation to the property of a dissolved incorporated friendly society (whether dissolved under section 20 above or following

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its winding up) as they have in relation to the property of a dissolved company, but with the following modifications.

- (2) Paragraph 3(1) above shall apply to those sections for the purpose of their application to incorporated friendly societies.
- (3) Subsection (2) of section 654 and subsections (1) and (3) of section 655 apply without the words “or 653”; and the references in those subsections to section 651 shall have effect as references to section 25 above.
- (4) Paragraph (2) of Article 605 and paragraph (1) of Article 606 apply without the words “or 604”; and the references in those paragraphs to Article 602 shall have effect as references to section 25 above.

Marginal Citations

M4 1985 c. 6.

M5 S.I. 1986/1032 (N.I.6)

Insolvency rules and fees

- 69 (1) Rules may be made under—
- (a) section 411 of the Insolvency Act 1986; or
 - (b) Article 359 of the Insolvency (Northern Ireland) Order 1989,
- for the purpose of giving effect, in relation to incorporated friendly societies, to the provisions of the applicable winding up legislation.
- (2) An order made by the competent authority under section 414 of the Insolvency Act 1986 may make provision for fees to be payable under that section in respect of proceedings under the applicable winding-up legislation and the performance by the official receiver or the Secretary of State of functions under it.
 - (3) An order made by the competent authority under Article 361 of the Insolvency (Northern Ireland) Order 1989 may make provisions for fees to be payable under that section in respect of proceedings under the applicable winding-up legislation and the performance by the official receiver in Northern Ireland or the Department of Economic Development in Northern Ireland of functions under it.

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