
Status: Point in time view as at 01/02/1993.

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MAKING OF CONTRACTS AND EXECUTION OF DOCUMENTS BY INCORPORATED FRIENDLY SOCIETIES

Scotland

- 3 (1) The following provisions have effect with respect to the execution of documents by an incorporated friendly society under the law of Scotland.
- (2) For any purpose other than those mentioned in sub-paragraph (3) below, a document is validly executed by an incorporated friendly society if it is signed on behalf of the society by a member of the committee of management or by the secretary of the society 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 under the law of Scotland, a document is validly executed by an incorporated friendly society if it is subscribed on behalf of the society by—
- (a) 2 members of the committee of management of the society;
 - (b) a member of that committee and the secretary of the society; or
 - (c) 2 persons authorised to subscribe the document on behalf of the society,
- notwithstanding that such subscription is not attested by witnesses and the document is not sealed with the society's common seal.
- (4) A document which bears to be executed by an incorporated friendly society in accordance with sub-paragraph (3) above is, in relation to such execution, a probative document.
- (5) Notwithstanding any other provision of this paragraph, an incorporated friendly society need not have a common seal.
- (6) For the purposes of any enactment providing for a document to be executed by an incorporated friendly society by affixing its common seal or referring (in whatever terms) to a document so executed, a document signed or subscribed on behalf of the society by—
- (a) 2 members of the committee of management of the society;
 - (b) a member of the committee and the secretary of the society; or
 - (c) 2 persons authorised to subscribe the document on behalf of the society,
- shall have effect as if executed under the common seal of the society.
- (7) In this paragraph “enactment” includes an enactment contained in a statutory instrument.
- (8) Sub-paragraphs (2) and (3) above are—

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- (a) without prejudice to any other method of execution of documents by incorporated friendly societies permitted by any enactment or rule of law; and
- (b) subject to any other enactment making express provision, in relation to incorporated friendly societies, as to the execution of a particular type of document.

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Changes to legislation:

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