



# Friendly Societies Act 1992

## 1992 CHAPTER 40

### PART IV

#### AUTHORISATION OF FRIENDLY SOCIETIES' BUSINESS

##### *Powers of Commission in relation to authorised societies*

#### **39 Power to direct application for fresh authorisation**

- (1) If, with respect to an authorised friendly society, the Commission has reason to believe—
  - (a) that the society's business is being, or will in the future be, conducted—
    - (i) in a way that may not adequately protect the interests of members of the society; or
    - (ii) so as not to comply with the requirements of this Act which relate to the business for which the society's authorisation was granted; or
  - (b) that by reason of any increase in the volume of its long term or its general business it is appropriate for the society's affairs to be re-examined;it may by notice direct the society to make within such period as is specified in the notice an application under section 32 above for fresh authorisation.
- (2) The period so specified shall not be shorter than 3 nor longer than 6 months beginning with the date of the notice; but the Commission may, on representations being made to it, extend or further extend the period within which the application is to be made.
- (3) A notice under subsection (1) above shall state the grounds on which the Commission decided to give the direction.
- (4) The business covered by, and the conditions imposed on, a society's fresh authorisation need not be the same as that covered by, or those imposed on, the previous one.
- (5) If the Commission refuses to grant fresh authorisation, it may specify in the notice of its refusal a date for the expiry of the current authorisation; and the authorisation shall expire on that date.

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*Status: This is the original version (as it was originally enacted).*

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- (6) The making of an application for fresh authorisation shall not preclude the Commission, at any time while the application is pending, from exercising any power under this Part of this Act in relation to the society; but if it gives a direction under section 41 below, the proceedings on the application shall abate.