



# Co-operative and Community Benefit Societies Act 2014

## 2014 CHAPTER 14

### PART 11

#### MISCELLANEOUS AND GENERAL

##### *Determination of disputes*

#### **137 Determination of disputes in accordance with a society's rules**

- (1) If a registered society's rules give directions as to the way in which relevant disputes are to be determined, a relevant dispute is to be determined in the way directed by the rules (subject to the following provisions of this section).
- (2) "Relevant dispute" means a dispute between a registered society or an officer of a registered society and—
  - (a) a member,
  - (b) a person aggrieved who ceased to be a member not more than 6 months previously ("a relevant former member"),
  - (c) a person claiming through a member or relevant former member, or
  - (d) a person claiming under the society's rules.
- (3) Any dispute which would, under the rules, fall to be determined by the FCA or PRA is to be referred to the county court (or, in Scotland, to the sheriff) for determination.
- (4) In England and Wales, any dispute which would, under the rules, be referred to justices is to be determined by a magistrates' court (subject to subsection (6)).
- (5) In Scotland, any dispute which would, under the rules, be referred to justices, a justice of the peace court or a court of summary jurisdiction is to be determined by the sheriff.
- (6) If the parties to the dispute consent, the dispute may be determined—
  - (a) in England and Wales, by the county court;

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*Status: This is the original version (as it was originally enacted).*

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(b) in Scotland, by the sheriff.

(7) Neither subsection (1) nor the society's rules prevents a person, in accordance with the Financial Ombudsman scheme, from having a complaint dealt with under the scheme before or instead of being determined in the way directed by the rules.