



Friendly Societies Act 1896

1896 CHAPTER 25

CONSEQUENCES OF REGISTRY

23 Subscriptions not recoverable at law

Save as provided by section thirty-one of this Act, the subscription of a person being or having been a member of a registered society or branch, shall not be recoverable at law.

24 Registered office

- (1) Every registered society and branch shall have a registered office to which all communications and notices may be addressed, and shall send to the registrar notice of the situation of that office, and of every change therein.
- (2) In the case of a branch the notice shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.

25 Appointment of trustees

- (1) Every registered society and branch shall have one or more trustees.
- (2) The trustees shall be appointed at a meeting of the society or branch, and by a resolution of a majority of the members present and entitled to vote thereat.
- (3) The society or branch shall send to the registrar a copy of every resolution appointing a trustee, signed by the trustee so appointed, and by the secretary of the society or branch.
- (4) The same person shall not be secretary or treasurer of a registered society or branch, and a trustee of that society or branch.
- (5) In the case of a branch the copy of the "resolution shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

26 Audit

- (1) Every registered society and branch shall once at least in every year submit its accounts for audit either to one of the public auditors appointed as in this Act mentioned, or to two or more persons appointed as the rules of the society or branch provide.
- (2) The auditors shall have access to all the books and accounts of the society or branch, and shall examine the annual return mentioned in this Act, and verify the annual return with the accounts and vouchers relating thereto, and shall either sign the annual return as found by them to be correct, duly vouched, and in accordance with law, or specially report to the society or branch in what respects they find it incorrect, unvouched, or not in accordance with law.

27 Annual returns

- (1) Every registered society and branch shall once in every year, not later than the thirty-first day of May, send to the registrar a return (in this Act called the annual return) of the receipts and expenditure, funds, and effects of the society or branch as audited.
- (2) The annual return must—
 - (a) show separately the expenditure in respect of the several objects of the society or branch; and
 - (b) be made out to the thirty-first day of December then last inclusively; and
 - (c) state whether the audit has been conducted by a public auditor appointed as by this Act provided, and by whom, and, if by persons other than a public auditor, state the name, address, and calling or profession of every such person, and the manner in which, and the authority under which, he is appointed.
- (3) The society or branch shall, together with the annual return, send a copy of any special report of the auditors.
- (4) In the case of a branch the annual return shall be sent to the registrar through an officer appointed in that behalf by the society of which the branch forms part

28 Quinquennial valuation

- (1) Every registered society and branch shall, except as in this section provided, once at least in every five years either—
 - (a) cause its assets and liabilities to be valued by a valuer to be appointed by the society or branch and send to the registrar a report on the condition of the society or branch; or
 - (b) send to the registrar a return of the benefits assured and contributions receivable from all the members of the society or branch, and of all its funds and effects, debts and credits, accompanied by such evidence in support thereof as the chief registrar prescribes.
- (2) If the society or branch sends to the registrar such report as aforesaid, the report must—
 - (a) be signed by the valuer; and
 - (b) state the address and calling or profession of the valuer ; and
 - (c) contain an abstract to be made by the valuer of the results of his valuation, together with a statement containing such information with respect to the benefits assured and the contributions receivable by the society or branch, and of its funds and effects, debts and credits, as the registrar may require.

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- (3) If the society or branch sends to the registrar such return as aforesaid he shall cause the assets and liabilities of the society or branch to be valued and reported on by some actuary, and shall send to the society or branch a copy of the report and an abstract of the results of the valuation.
- (4) Provided that this section shall not apply to—
 - (a) a benevolent society, working-men's club, cattle insurance society or branch thereof; or
 - (b) a specially authorised society or branch unless it is so directed in the authority for registering that society or branch.
- (5) Provided also that the chief registrar may, with the approval of the Treasury, dispense with the provisions of this section in respect of societies or branches to whose purposes or to the nature of whose operations he may deem those provisions inapplicable.

29 Copy of last balance sheet

Every registered society and branch shall keep a copy of the last annual balance sheet, and of the last quinquennial valuation, together with any special report of the auditors, always hung up in a conspicuous place at the registered office of the society or branch.

30 Public auditors and valuers

- (1) For the purpose of audits and valuations to be made under this Act the Treasury may appoint public auditors and valuers and may determine the rates of remuneration to be paid by societies and branches for the services of those auditors and valuers ; but the employment of those auditors and valuers shall not be compulsory.
- (2) The Treasury may out of money to be provided by Parliament pay to the public auditors and valuers such remuneration (if any) as the Treasury may allow.

31 Registered cattle insurance and other societies

- (1) The rules of a registered cattle insurance society or branch, and of such specially authorised societies or branches thereof as the Treasury may allow to take the benefit of this section, shall bind the society or branch and the members thereof, and all persons claiming through them respectively, to the same extent as if each member had subscribed his name and affixed his seal thereto, and there were in the rules contained a covenant on the part of himself, his heirs, executors, and administrators, to conform to the rules subject to the provisions of this Act.
- (2) All sums of money payable by a member to such society or branch as aforesaid shall be deemed to be a debt due from the member to the society or branch, and shall be recoverable as such in the county court of the district in which the member resides.