

1967 No. 1310

INDUSTRIAL AND PROVIDENT SOCIETIES**The Industrial and Provident Societies Regulations 1967**

<i>Made</i> - - -	1st September 1967
<i>Laid before Parliament</i>	12th September 1967
<i>Coming into Operation</i>	14th September 1967

The Treasury, in exercise of the powers conferred upon them by sections 70(1) and 71(1) of the Industrial and Provident Societies Act 1965(a) as applied by section 7(2) of the Industrial and Provident Societies Act 1967(b) and by the said section 71(1) as extended by sections 1(4) and 5(1) of the said Act of 1967 and sections 65(8), 77(3) and 80(6) of the Companies Act 1967(c) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Industrial and Provident Societies Regulations 1967 and shall come into operation on 14th September 1967.

2.—(1) In these Regulations—

“Central Office” means the central office established under Section 1 of the Friendly Societies Act 1896(d);

“Assistant Registrar” means the Assistant Registrar of Friendly Societies for Scotland appointed under Section 1 of the said Act of 1896;

“the Act” means the Industrial and Provident Societies Act 1967;

“the Schedule” means the Schedule to these Regulations.

(2) The Interpretation Act 1889(e) shall apply to these Regulations as it applies to the interpretation of an Act of Parliament.

3. Every application to the Central Office for the recording of a charge for the purpose of section 1(1) of the Act shall be made in Form AI set out in the Schedule and a copy of the instrument which creates or is evidence of the charge shall be annexed to the application.

4. Every copy of an instrument annexed to the application referred to in the preceding regulation and every copy of an instrument delivered to the Assistant Registrar pursuant to section 4(1) of the Act shall be authenticated by a certificate endorsed thereon that it is a true copy, which certificate shall be signed by an officer of the society which executed the charge, or a person interested in the charge otherwise than on behalf of the society, or a solicitor acting on behalf of the society or of some person so interested, and shall state the capacity in which he has signed it.

5. Every application to the Central Office in Form AI and every copy of an instrument delivered to the Assistant Registrar pursuant to section 4(1) of the Act shall be accompanied by a fee of £1.

(a) 1965 c. 12.

(b) 1967 c. 48.

(c) 1967 c. 81.

(d) 1896 c. 25.

(e) 1889 c. 63.

6. The acknowledgments referred to in sections 1(3)(a) and 4(3)(a) of the Act shall be respectively in Form AJ and Form AK set out in the Schedule.

7. Notices may be given to the Central Office of any release relating to or of any partial or complete satisfaction of a charge in respect of which an application has been made to the Central Office for the purposes of Section 1(1) of the Act, and such notices shall be in Form AL or Form AM set out in the Schedule.

8. Notices may be given to the Assistant Registrar of any release relating to or of any partial or complete satisfaction of a floating charge created by an instrument a copy of which has been delivered to the Assistant Registrar pursuant to section 4(1) of the Act, and such notices shall be in Form AN or Form AO set out in the Schedule.

9. A statutory declaration in Form AP set out in the Schedule shall be annexed to every notice in Form AL, Form AM, Form AN or Form AO.

10. Paragraph (2) of regulation 12 of the Industrial and Provident Societies Regulations 1965(a) (which specifies the documents of which the file kept by the appropriate registrar for each society registered by him shall consist) shall be amended by—

- (a) inserting after the words “these Regulations” the words “or required for the purposes by the Industrial and Provident Societies Act 1967”; and
- (b) adding at the end of the said paragraph the words “together with documents deposited by the society with the appropriate registrar in pursuance of Section 77 of the Companies Act 1967 and any notice of the imposition on the society of a requirement or of a variation or rescission thereof served on him in pursuance of sections 65(6) or 80(5) of that Act”.

1st September 1967.

*E. Alan Fitch,
Harry Gourlay,*

Two of the Lords Commissioners
of Her Majesty's Treasury.

(a) S.I. 1965/1995 (1965 III, p. 5882).

SCHEDULE

Form AI

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Application for recording of a charge for the purposes of section 1 of the said Act

Name of Society.....Limited

Register No.....R

To the Central Office

Application is hereby made for the recording of the charge on assets of the above-named society which is created or is evidenced by an instrument dated 19 and made between , a certified true copy of which is annexed hereto.

Signature (*)
Full name and address of signatory
Capacity in which signatory signs

Date.....

* This Application is required to be signed by an officer of the society or by a person interested in the charge otherwise than on behalf of the society or by a solicitor acting on behalf of the society or of some person so interested.

Form AJ

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Acknowledgment of application for recording of a charge for the purposes of section 1 of the said Act

Name of Society.....Limited

Register No.....R

The application dated 19 , for the recording of a charge on assets of the above-named society which was created or evidenced by an instrument dated 19 and made between , a certified true copy of which was annexed thereto, was delivered to the Central Office on 19 .

[Seal of Central Office]

Date.....

Form AK

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Acknowledgment of delivery of copy of an instrument creating a floating charge pursuant to section 4(1) of the said Act

Name of Society.....Limited

Register No.....R (s)

A certified true copy of an instrument creating a floating charge on assets of the above-named society dated 19 and made between

on was delivered to me at 19 . *

*State time of delivery.

Signature of Assistant Registrar of Friendly Societies for Scotland

Date.....

Form AL

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Notice of release relating to a charge pursuant to regulation 7 of the Industrial and Provident Societies Regulations 1967

Name of Society.....Limited

Register No.....R

To the Central Office

The above-named society hereby gives notice that the property of which short particulars are set out below has been released from the charge of which application to record was delivered to the Central Office on 19 .

Short particulars of the property no longer charged:—

Signed on behalf of the Society

..... Secretary

Date.....

Form AM

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Notice of partial or complete satisfaction of a charge pursuant to regulation 7 of the Industrial and Provident Societies Regulations 1967

Name of Society.....Limited

Register No.....R

To the Central Office

The above-named society hereby gives notice that the charge of which application to record was delivered to the Central Office on 19 was * satisfied on 19 to the extent of £....., the debt for which the charge was given having been partly paid or satisfied. *wholly satisfied on 19 , the debt for which the charge was given having been paid or satisfied.

*Delete as necessary.

Signed on behalf of the Society

..... Secretary

Date.....

Form AN

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Notice of release relating to a floating charge pursuant to regulation 8 of the Industrial and Provident Societies Regulations 1967

Name of Society.....Limited

Register No.....R (s)

To the Assistant Registrar of Friendly Societies for Scotland

The above-named society hereby gives notice that the property of which short particulars are set out below has been released from the floating charge which was created by the instrument a certified true copy of which was delivered to you at * on 19 .

* State time as stated on acknowledgment of delivery.

Short particulars of the property or undertaking no longer charged:—

Signed on behalf of the Society
.....
Secretary

Date.....

Form AO

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Notice of partial or complete satisfaction of a floating charge pursuant to regulation 8 of the Industrial and Provident Societies Regulations 1967

Name of Society.....Limited

Register No.....R (s)

To the Assistant Registrar of Friendly Societies for Scotland

The above-named society hereby gives notice that the floating charge which was created by the instrument a certified true copy of which was delivered to you at * on 19 was †satisfied on 19 to the extent of £..... the debt for which the charge was given having been partly paid or satisfied.

†wholly satisfied on 19 , the debt for which the charge was given having been paid or satisfied.

† Delete as necessary.

Signed on behalf of the Society
.....
Secretary

Date.....

Form AP

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967

Statutory Declaration pursuant to regulation 9 of the Industrial and Provident Societies Regulations 1967

Name of Society.....Limited

Register No.....

We,of
 a member of the Committee of Management [or, a director]
 of.....Limited and.....
 ofthe secretary
 thereof do solemnly and sincerely declare that the particulars contained in the
 Notice annexed hereto are true to the best of our knowledge, information and
 belief. And we make this solemn declaration conscientiously believing the same
 to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at.....the.....day
 of.....one thousand nine hundred and
before me }
 A Commissioner for Oaths*

*or Notary Public or Justice of the Peace.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe the procedure and forms to be used, and the fees to be paid, in connection with (1) the recording of charges created by English and Welsh societies, and (2) floating charges created by Scottish societies, under the Industrial and Provident Societies Act 1967. The Regulations also amend the Industrial and Provident Societies Regulations 1965 in such a way that the Forms prescribed by these Regulations and any notices or documents served or delivered pursuant to sections 65(6), 77 or 80(5) of the Companies Act 1967 are included in the appropriate society's file, which is available for public inspection.