
STATUTORY INSTRUMENTS

1993 No. 1186 (C.23)

FRIENDLY SOCIETIES

The Friendly Societies Act 1992
(Commencement No. 5 and Savings) Order 1993

Made - - - - 22nd April 1993

The Treasury, in exercise of the powers conferred on them by section 126(2) of the Friendly Societies Act 1992⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Friendly Societies Act 1992 (Commencement No. 5 and Savings) Order 1993.

(2) In this Order—

“the 1974 Act” means the Friendly Societies Act 1974⁽²⁾;

“the 1992 Act” means the Friendly Societies Act 1992;

“central office” has the meaning given to that term in section 119(1) of the 1992 Act;

“Chief Registrar” means the Chief Registrar of friendly societies;

“collecting society” has the meaning given to that term in section 1(1A) of the Industrial Assurance Act 1923⁽³⁾;

“Commission” means the Friendly Societies Commission established under section 1 of the 1992 Act;

“Commissioner” means the Industrial Assurance Commissioner.

Days appointed

2.—(1) The provisions of the 1992 Act specified in column 1 of Schedule 1 to this Order (which relate to the matters mentioned in column 2 of the Schedule) shall come into force for the purposes specified in column 3 of the Schedule on 28 April 1993.

(1) 1992 c. 40.

(2) 1974 c. 46.

(3) 13 and 14 Geo. 5 c.8; section 1(1A) was inserted by sections 97 and 99 of, and Part II of Schedule 6 to the Companies Act 1967 (c. 81).

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(2) The provisions of the 1992 Act specified in column 1 of Schedule 2 to this Order (which relate to the matters mentioned in column 2 of the Schedule) shall come into force on 28 April 1993 for all remaining purposes⁽⁴⁾.

(3) The provisions of the 1992 Act specified in column 1 of Schedule 3 to this Order (which relate to the matters mentioned in column 2 of the Schedule) shall come into force generally on 28 April 1993.

Savings

3. Notwithstanding the substitution by paragraph 11 of Schedule 19 to the 1992 Act of “the relevant authority” for “the Commissioner” in subsection (1) of section 39 of the Industrial Assurance Act 1923, it shall remain an offence under section 39(1) of the Industrial Assurance Act 1923 for a collecting society to contravene or fail to comply with any direction by the Commissioner.

Nicholas Baker

Tim Kirkhope

Two of the Lords Commissioners of Her
Majesty’s Treasury

22nd April 1993

(4) The provisions were brought into force partially by S.I. 1993/16 (c.1).

SCHEDULE 1

Article 2

PROVISIONS OF THE 1992 ACT COMING INTO FORCE
FOR ALL SPECIFIED PURPOSES ON 28 APRIL 1993

<i>(1)</i> <i>Provisions of the Act</i>	<i>(2)</i> <i>Subject matter of provisions</i>	<i>(3)</i> <i>Purposes</i>
So much of Part I of Schedule 22 as is specified in the Appendix to this Schedule	Repeals	Repeal of provisions of the Financial Services Act 1986 in relation to incorporated friendly societies

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APPENDIX

REPEALS TAKING EFFECT FOR SPECIFIED PURPOSES ON 28 APRIL 1993

Schedule 1

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
1986 c. 60.	Financial Services Act 1986.	<p>In section 139, subsections (3) and (4) and in subsection (5) the words “and section 77 of the said Act of 1974” and “and section 65 of the Friendly Societies Act (Northern Ireland) 1970”.</p> <p>In section 207(1), the definition of “registered friendly society”.</p> <p>In Schedule 11, in paragraph 1, in the definition beginning “a member society” the words from “and for the purposes” onwards, in paragraph 26, in subparagraph (1), the figure “(1)”, and subparagraph (3), paragraph 27, in paragraph 38(1)(a) the word “registered” and paragraph 43.</p> <p>In Schedule 15, in paragraph 14(1) the word “registered” and in paragraph 14(3), the words “registered”, “or as the case may be, the Friendly Societies Act (Northern Ireland) 1970”, “or as the case may be, section 70 of the said Act of 1970” and “or, as the case may be, section 75 of the said Act of 1970”.</p>

SCHEDULE 2

Article 2

PROVISIONS OF THE 1992 ACT COMING INTO FORCE
FOR ALL REMAINING PURPOSES ON 28 APRIL 1993

<i>(1)</i> <i>Provisions of the Act</i>	<i>(2)</i> <i>Subject matter of provisions</i>
Sections 51 to 54 and section 56	Powers of Commission
Section 57	Covering of risks situated in another Member State
Sections 62 to 64	Information
Sections 65 to 67	Inspection etc
Section 98, to the extent that it relates to the provisions of Part I of Schedule 18 set out below	Financial services
Section 100, to the extent that it relates to any provision of Part I of Schedule 19 set out below	Industrial assurance
In Part I of Schedule 18, paragraph 3	Amendment to the Financial Services Act 1986
In Part I of Schedule 19, paragraphs 2(2), 3, 4, 5(1)(a), (b), (d) and (e), 5(2)(a), 11, 13, 15 and 16	Amendments to the Industrial Assurance Act 1923

SCHEDULE 3

Article 2

PROVISIONS OF THE 1992 ACT COMING INTO FORCE GENERALLY ON 28 APRIL 1993

<i>(1)</i> <i>Provisions of the Act</i>	<i>(2)</i> <i>Subject matter of provisions</i>
In Schedule 16, paragraphs 3, 34, 35, 36, 38(b), 38(c) (to the extent that it introduces paragraphs (a) and (b) into section 93(3)), 39, 40 and 41.	Amendment of the Friendly Societies Act 1974
So much of Part I of Schedule 22 as is specified in the Appendix to this Schedule	Repeals

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APPENDIX

REPEALS TAKING EFFECT GENERALLY ON 28 APRIL 1993

Schedule 3

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
1974 c. 46.	Friendly Societies Act 1974.	Section 6(2). In section 16, the words “society or” in each place they appear. Section 88. Section 89. Section 106.
1948 c. 39.	Industrial Assurance Act 1948.	Section 17A(2).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 28 April 1993 in relation to incorporated friendly societies the provisions of the Friendly Societies Act 1992 listed in Schedule 1, namely certain repeals of the Financial Services Act 1986, following the bringing into force for incorporated friendly societies of amendments to the Financial Services Act 1986 in the Friendly Societies Act 1992 by the Friendly Societies Act 1992 (Commencement No. 3 and Transitional Provisions) Order 1993 (S.I.1993/16/(C.1)). This Order also brings into force on 28 April 1993 for all remaining purposes the provisions of the Friendly Societies Act 1992 listed in Schedule 2. These provisions, which concern the regulatory powers of the Friendly Societies Commission and amendments to the Industrial Assurance Act 1923, were brought into force for friendly societies incorporated under the 1992 Act by the Friendly Societies Act 1992 (Commencement No. 3 and Transitional Provisions) Order 1993 and are hereby brought into force for friendly societies registered under the Friendly Societies Act 1974. The Order furthermore brings into force generally on 28 April 1993 the provisions of the Friendly Societies Act 1992 listed in Schedule 3, which amend the regulatory framework for friendly societies registered under the 1974 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Friendly Societies Act 1992 have been brought into force by Commencement Orders made before the date of this Order:

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 4, Schedule 1, sections 116 to 119, sections 121 to 123 and section 126.	8.6.92	1992/1325
Section 84, section 120 (partially) and Schedule 21 (partially).	1.1.93	1992/3117
Sections 27 to 30 (partially), sections 31 to 43 (partially), sections 44 to 57 (partially), sections 58 to 61, sections 62 to 67 (partially), sections 68 to 79 (partially), sections 80 to 83 (except section 82(5)), section 95 (partially), section 100 (partially), section 114, section 120(2) (partially), Schedules 11 to 13 (partially), Schedule 14 (except paragraph 7) (partially), Schedule 16 (partially), Schedule 19 (partially) and Schedule 22 (partially).	13.1.93	1993/16
Sections 5 to 26, subsections (1) to (4) of section 93, section 94, section 95 (partially), section 98 (partially), section 99, section 100 (partially), sections 101 to 113, section 115, section 120 (partially), section 125, Schedule 2, Schedule 3 (except paragraph 9(2)), Schedules 4 to 10, Schedule 16 (partially), Schedule 18 (partially), Schedule 19 (partially), Schedule 20, Schedule 21 (partially) and Schedule 22 (partially).	3.2.93	1993/16
Section 120(2) (partially) and Schedule 22 (partially).	3.2.93	1993/197