
STATUTORY INSTRUMENTS

1994 No. 657

FRIENDLY SOCIETIES

The Friendly Societies (General Charge and Fees) (Amendment) Regulations 1994

<i>Made</i>	- - - -	<i>8th March 1994</i>
<i>Laid before Parliament</i>		<i>9th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Treasury, in exercise of the powers conferred on them by sections 2(2) and 114(2) of the Friendly Societies Act 1992⁽¹⁾ and section 104(1) of the Friendly Societies Act 1974⁽²⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Friendly Societies (General Charge and Fees) (Amendment) Regulations 1994 and shall come into force on 1st April 1994.

Interpretation

2. In these Regulations “the principal Regulations” means the Friendly Societies (General Charge and Fees) Regulations 1993⁽³⁾.

Amendments to the principal Regulations

3. After regulation 3 of the principal Regulations insert the following regulations—

“**3A.** A friendly society which was an incorporated friendly society on 31st December 1993 shall pay to the Commission, with respect to the accounting year beginning on 1st April 1994, the sum of £16,000.

3B. A friendly society which is an incorporated friendly society on the operative date of 1994, other than a society to which regulation 3A applies, shall pay to the Commission, with respect to the accounting year beginning on 1st April 1994, a sum determined in accordance with Schedule 1 to these Regulations using the value of the friendly society’s specified income for the relevant year.”

(1) 1992 c. 40.
(2) 1974 c. 46.
(3) S.I.1993/547.

4. In paragraph 1 of Schedule 1 to the principal Regulations, for the sum “£14,000”, wherever occurring, substitute the sum “£16,000”.

5. For Schedule 2 to the principal Regulations substitute the following schedule—

“SCHEDULE 2

Regulation 5

FEES PAYABLE FOR CENTRAL OFFICE, CHIEF
REGISTRAR OR COMMISSION FUNCTIONS

<i>Nature of application/function</i>	<i>Fee Payable</i>
1. For the incorporation of a friendly society and the registration of the friendly society’s memorandum and rules	£410
2. For the registration of a branch	£150
3. For authorisation under section 32 of the 1992 Act	£515
4. For authorisation under section 33 of the 1992 Act	£155
5. For the registration of an annual return (except where the society or branch concerned has by written notice sent to the central office irrevocably elected to pay the fees specified in paragraph 6 of this Schedule)—	£70
(a) in the case of an annual return for a year of account ended on or before 31st December 1993—	
(i) where it relates to a society	
(ii) where it relates to a branch	£25
(b) in the case of an annual return for any subsequent year of account—	£75
(i) where it relates to a society	
(ii) where it relates to a branch	£26
6. The fees specified in this paragraph shall be payable where the society or branch concerned has by notice made an election under paragraph 5 of this Schedule—	£250
(a) for the acknowledgment or registration of an amendment of rules (including approval of name in the case of an amendment effecting a change of name of a society registered under the 1974 Act or branch)—	
(i) if the amendment substitutes an entire set of rules for the existing set of rules (except as	

<i>Nature of application/function</i>	<i>Fee Payable</i>
provided in paragraph 15 of this Schedule)—	
(A) where made by a society	
(B) where made by a branch	£80
(ii) if the amendment does not substitute an entire set of rules for the existing set of rules—	£115
(A) where made by a society	
(B) where made by a branch	£37
(b) for the acknowledgment of registration of a notice of change in the situation of the registered office—	£33
(A) of a society	
(B) of a branch	£20
(c) for a receipt issued in respect of a notice of appointment of trustee or trustees—	£33
(A) of a society	
(B) of a branch	£20
(d) for the acknowledgment or registration of a change of name of an incorporated friendly society	£170
(e) for the acknowledgment or registration of an alteration of the memorandum of an incorporated friendly society	£115
7. For the registration of a special resolution—	£85
(1) where the special resolution relates to an amalgamation or a transfer of engagements	
(2) where the special resolution relates to a conversion	£175
8. For the appointment of an inspector or calling of a special meeting	£195
9. For a registration of an instrument of dissolution or alteration therein	£95
10. For an award for dissolution where the matter is settled without a hearing or upon one hearing without an adjournment	£50

<i>Nature of application/function</i>	<i>Fee Payable</i>
11. Where for an award of dissolution more than one hearing is required or where the hearing is adjourned— the same fee as where the matter is settled upon one hearing without adjournment and in addition for every hearing after the first and for every adjournment	£50
12. For a direction for division or appropriation of the assets of a society—	20% of that value
(a) where the value of the assets is £1,000 or less,	
(b) where the value of the assets exceeds £1,000,	£200 with an additional £10 for every £100 or part thereof in excess of £1,000
13. For an investigation into the affairs of a society or branch with a view to an award of dissolution thereof	£790
14. For every document (except as otherwise provided) required to be signed by a Registrar, or to bear the seal of the Central Office, not chargeable with any other fee, provided that such fee shall not be paid by a society or branch which has not by notice elected as in paragraph 6 of this Schedule	£23
15. For the registration of an amendment of rules of a society registered as a working men's club, being a substitution of an entire set of rules for the existing set of rules, where the entire set of rules is in the form of model rules and where the application for registration is made through and endorsed by the association or body which has sponsored the rules contained in the said model	£140
16. For the confirmation of a transfer of engagements	£175
17. For the registration of a copy of an instrument of transfer of engagements	£175
18. For the registration of a scheme under section 6(5) of the 1992 Act	£155

6. For Schedule 3 to the principal Regulations substitute the following schedule—

“SCHEDULE 3

Regulation 6

<i>Facility sought</i>	<i>Fee Payable</i>
1. the inspection on any particular day of documents relating to a single society or branch	£4.50
2. or the provision of a copy of the whole of or an extract from any document—	£1.50
(a) where the copy is not certified as a true copy of a document in the custody of the Registrar—	
(i) where the copy does not exceed 5 pages, or for the first 5 pages of a copy which exceeds 5 pages	
(ii) for every page of a copy after the fifth page	£0.30
where the copy is certified as provided in subparagraph (a) above (as an addition to whatever fee would be payable if the copy were not so certified)	£5.00
4.50	
for sending by post any copy, or copies, so provided, in addition to any fee payable under paragraph (a) and (b) above	

8th March 1994

Tim Wood
Timothy Kirkhope
Two of the Lords Commissioners of Her Majesty's Treasury

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Friendly Societies (General Charge and Fees) Regulations 1993, which provide for the general charge to be paid by a friendly society towards the expenses of the Friendly Societies Commission, by raising the maximum charge payable from £14,000 to £16,000 and imposing a charge of £16,000 for a society which incorporated during 1993. The charge is levied with respect to the Commission's accounting year beginning on 1st April of each year and for the year 1994-95 is expected to raise £0.55 million. A friendly society (subject to a requirement to pay a minimum of £150 or a maximum of £16,000) is required to pay a sum equal to 0.22% of its specified income, as indicated by its contributions from members and interest on investments reported in its annual return submitted for the previous year. Those societies which incorporated during 1993 would on the basis of this formula have to pay the maximum. The annual return forms are prescribed by the Chief Registrar under section 43(6) of the 1974 Act and are available from the Registry of Friendly Societies at 15 Great Marlborough St., London, W1V 2AX.

These Regulations also replace Schedules 2 and 3, the effect of which is to increase generally by about 3% the fees to be paid for matters transacted under the Friendly Societies Act 1974 or the Friendly Societies Act 1992. Fees for the inspection or copying of documents held by the Central Office have been increased to a rounded figure. They were not increased last year. New fees are introduced for certain functions (numbered 6(d), 6(e) and 16 to 18 in the new Schedule 2) to be performed under the Friendly Societies Act 1992.

A review of the cost of compliance with these Regulations has been undertaken and the resulting compliance cost assessment may be purchased from the Secretary, Friendly Societies Commission, 15 Great Marlborough Street, London W1V 2AX.

COMPLIANCE COST ASSESSMENT

The Friendly Societies (General Charge and Fees) (Amendment) Regulations 1994

The purpose and benefit of the Regulations

1. The activities of friendly societies are supervised by the Friendly Societies Commission under the Friendly Societies Act 1974 and the Friendly Societies Act 1992. The general charge and fees for particular functions are levied so that the annual revenue of the Commission should be sufficient to meet its expenses taking one year with another. The Central Office of the Registry of Friendly Societies charges fees for registration and associated changes. It also charges the public for inspection and copying of documents.

2. These regulations amend the basis and amounts of the charges and fees levied.

Societies Affected

3. Friendly societies are supervised by the Friendly Societies Commission and are required to pay a general charge. They and other societies registered under the friendly societies legislation are liable to pay a fee for registration and for changes in rules, registered offices etc.

Compliance Cost

4. These regulations, in themselves, do not put any significant administrative burden on friendly societies. Compliance simply requires the charges and fees to be paid, normally by making out a cheque.

5. Fees and the general charge are reviewed annually and regulations are made to amend those for the previous year.

6. The burden of compliance with the new regulations is therefore the increase in the fees and general charge:

- (a) The minimum general charge of 150 is the same as in 1993-94 financial year.
- (b) The maximum general charge payable by a society has been increased from £14,000 to £16,000.
- (c) The remaining societies pay a charge of 0.22% of their total income (i.e. the same percentage as last year).

7. During a transitional period of a number of years, the general charge will be gradually increased in order to fully recover costs. In 1994-95 total charges of about £550,000 are to be collected (i.e. about 10% more than 1993-94). The impact of the increased charges depends on the level of income of societies. Societies paying the minimum charge will pay the same as last year.

8. The fees for Commission and Central Office functions have been increased by about 3%. Inspection and copying fees have been increased to a rounded figure (e.g. from £4.00 to £4.50 (an increase of 12.5%)). The inspection/copying fees were not increased last year (i.e. 1st April 1993).

Monitoring Costs

9. Annual accounts showing the costs of the Friendly Societies Commission and the amounts received as fees and charges will be published in its annual report to Parliament.