

Right Hon. Sir J. G. Ward.

FRIENDLY SOCIETIES CONSOLIDATION.

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A BILL INTITLED

Title. AN ACT to amend the Law relating to Friendly and certain other Societies.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Friendly Societies Consolidation Act, 1908, and it shall come into operation on the first day of January, nineteen hundred and nine.

Interpretation.

2. In this Act, if not inconsistent with the context,—
“Amendment of rule” includes a new rule, and a resolution rescinding a rule:

“Branch” means any number of the members of a society, under the control of a central body, having a separate fund administered by themselves or by a committee of

officers appointed by themselves, and bound to contribute to a fund under the control of a central body:

5 "Committee" and "committee of management" mean the directing body of a society or branch, by whatever name that body is known:

"Land" includes any interest in land:

"Meeting" includes (where the rules of a society or branch so allow) a meeting of delegates appointed by members:

10 "Minister" means the Minister of the Crown having for the time being the charge of the administration of this Act:

"Officer" includes any trustee, treasurer, secretary, or member of the committee of management of a society or branch, and any person appointed by the society or branch to sue and be sued on its behalf:

15 "Persons claiming through a member" includes the executors, administrators, and assigns of a member, and also his nominee where nomination is allowed:

"Prescribed" means prescribed by this Act or by regulations made thereunder:

20 "Property" means all property, whether real or personal (including books and papers):

"Registered society" or "registered branch" means a society or branch registered or deemed to be registered under this Act:

25 "Registrar" means the Registrar of Friendly Societies, and, where the Deputy Registrar of Friendly Societies is lawfully acting, includes the Deputy Registrar:

"Regulations" means regulations made by the Governor under the authority of this Act:

30 "Secretary" means the officer appointed by a society or branch to act in that capacity, or the clerk or person who keeps the books and accounts of the society or branch.

Registry Office and Officers.

35 3. (1.) The Governor shall from time to time, by warrant under his hand, appoint some fit person to be the Registrar of Friendly Societies, and such person may hold the office of Registrar in conjunction with any other office which the Governor deems to be not incompatible therewith.

Appointment of Registrar and Deputy Registrar.

40 (2.) The Governor may in like manner from time to time appoint some fit person to be Deputy Registrar of Friendly Societies, with power to act for the Registrar when and so long as so authorised by the Minister.

45 (3.) On the occurrence from any cause of a vacancy in the office of Registrar, and so long as such vacancy continues, the Deputy Registrar shall have and may exercise all the powers, duties, and functions of the Registrar.

50 (4.) The fact of the Deputy Registrar exercising any power, duty, or function of the Registrar shall be conclusive proof of his authority so to do, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorising him so to do.

Appointment of
Revising Barrister.

4. (1.) The Governor shall from time to time appoint a barrister of the Supreme Court (hereinafter called "the Revising Barrister") whose duty it shall be to peruse the rules and amendments of rules of every society or branch registered under this Act.

(2.) At any time during the absence from New Zealand or the incapacity of the Revising Barrister the Governor may authorise any other barrister of the Supreme Court to act temporarily in the place of the said Revising Barrister. No authority so given shall be questioned in any Court, and every such authority shall continue until revoked by the Governor.

Appointment of
Actuary.

5. (1.) The Governor shall from time to time appoint some fit and proper person skilled in the business of an actuary to be the Actuary of Friendly Societies under this Act. The person so appointed is hereinafter referred to as "the Actuary."

(2.) If the Governor thinks fit, he may appoint the same person, if duly qualified, to be both the Registrar and the Actuary of Friendly Societies, or to be both the Deputy Registrar and the Actuary of Friendly Societies.

(3.) At any time during the absence from New Zealand or the incapacity of the Actuary the Governor may authorise any other person skilled in the business of an actuary to act temporarily in the place of the Actuary. No authority so given shall be questioned in any Court, and every such authority shall continue until revoked by the Governor.

Appointment of
Auditors.

6. The Governor shall from time to time appoint such fit and proper persons to be Auditors for the purposes of this Act, as are required for the efficient administration of this Act.

Appointment of
as-istants to
Registrar or
Actuary.

7. The Governor may from time to time appoint such assistants skilled in the business of an accountant as are from time to time required for the discharge of the duties imposed on the Registrar or Actuary by this Act.

Mode and terms
of appointments.
1886, No. 33,
sec. 4.

8. All persons appointed under the foregoing provisions of this Act shall hold office during the pleasure of the Governor, and shall be exempt from the provisions of section four of the Civil Service Act, 1908.

Office of Registrar.

9. The Registrar shall have his office at such place as the Governor from time to time appoints, and all documents required by this Act to be sent to the Registrar shall be sent to the said office.

Returns and
statements to be
furnished by
Registrar.

10. (1.) The Registrar shall, with the approval of the Minister, from time to time—

(a.) Prepare and cause to be circulated, for the use of societies, model forms of accounts and balance-sheets:

(b.) Collect from the returns under this Act and from other sources, and publish and circulate, either generally or in any particular district, or otherwise make known, such information on the subject of the statistics of life and sickness, and the application thereof to the business of friendly societies, and such particulars of their returns and valuations, and such other information useful to the members of or to persons interested in friendly or other societies registered or capable of being registered under this Act, as the Registrar from time to time thinks fit:

(c.) Cause to be constructed and published tables for the payment of sums of money on death, or during sickness or old age, or on any other contingency forming the subject of an assurance authorised under this Act and appearing to be calculable.

(2.) The Registrar shall every year make to the Minister a report of his proceedings, and of the principal matters transacted by him, during the year preceding, and the Minister shall lay the report before Parliament.

Registration of Societies.

11. (1.) The following societies may be registered under this Act, namely:—

What societies may be registered under this Act.

(a.) Societies (herein called "friendly societies") established to provide by voluntary subscriptions of the members thereof, with or without the aid of donations,—

(i.) For the relief or maintenance of the members, their husbands, wives, children, fathers, mothers, brothers or sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, or in old age (that is to say, any age after fifty years), or in widowhood, or for the relief or maintenance of orphan children of members during minority; or

(ii.) For insuring money to be paid on the birth of a member's child, or on the death of a member, or for the funeral expenses of the husband, wife, or child of a member, or of the widow of a member, or, in the case of Jews, for the payment of a sum of money during the period of confined mourning; or

(iii.) For the relief or maintenance of members when travelling in search of employment, or when in distressed circumstances; or

(iv.) For providing medical or surgical attendance, relief, or requisites for the members, their husbands, wives, children, fathers, mothers, brothers or sisters, nephews or nieces, or wards being orphans; or

(v.) For the endowment of members or nominees of members at any age; or

(vi.) For the insurance against fire to any amount not exceeding fifteen pounds of the tools or implements of the trade or calling of the members:

(b.) Societies (herein called "benevolent societies") for any benevolent or charitable purpose:

(c.) Societies (herein called "working-men's clubs") for purposes of social intercourse, mutual helpfulness, mental and moral improvement, and rational recreation:

(d.) Societies (herein called "fidelity guarantee societies") for guaranteeing the fidelity of officers and servants of friendly societies.

(2.) No friendly society which contracts with any person for the assurance of an annuity exceeding fifty pounds, or of a gross sum exceeding two hundred pounds, shall be registered under this Act.

(3.) A society shall not be registered under this Act unless it consists of seven persons at least.

Application for registration to be accompanied by rules.

12. (1.) For the purpose of registration there shall be sent to the Registrar an application to register the society, signed by seven members and the secretary, and at least two copies of the rules, together with a list of the names of the secretary and of every trustee or other officer intended to be authorised to sue and be sued on behalf of the society. 5

(2.) The rules of the society so sent shall, according to the class in which the society is to be registered, contain provisions in respect of the several matters mentioned in the *Second* Schedule to this Act. 10

(3.) If the list is signed by the secretary and every trustee and other officer named therein, it shall on the registration of the society be evidence that the persons so named have been duly appointed.

Two societies not to be registered under identical or nearly identical names.

13. A society shall not be registered under a name identical with that under which any other existing society is registered, or so nearly resembling that name as to be likely, or in any name likely, in the opinion of the Registrar, to deceive the members or the public as to its nature or its identity; and no society shall change its name without the sanction of the Registrar as hereinafter provided. 15 20

Society may provide for division of funds in certain cases.

14. A society (other than a benevolent society or a working-men's club) shall not be disentitled to registration by reason of any rule for or practice of dividing any part of the funds thereof, if the rules thereof contain distinct provision for satisfying, before any division takes place, all claims on the society existing at the time of division. 25

Actuary to certify as to adequacy of contributions before registration.

15. (1.) A society shall not be registered until the rates of contributions for sickness, death, superannuation, and annuity benefits, as set out in the rules submitted with the application for registration, are certified as adequate by the Actuary of Friendly Societies or by some other actuary who is approved by the Governor, and who has exercised the profession of an actuary for at least five years. Every such certificate shall be in the form numbered (1) in the *First* Schedule hereto or to the like effect. 30

(2.) The Registrar may, if he thinks fit in the exercise of his discretion, exempt wholly or in part from the requirements of this section any society transacting business in respect of which he deems those requirements to be inapplicable. 35

(3.) Every exemption so granted and the extent thereof shall be stated by the Registrar in the acknowledgment of registration of the society. 40

Particulars of increase of contributions or decrease of benefits to be stated in rules.

16. No society shall be registered if any contributions provided by its rules for sickness, death, superannuation, or annuity benefits are of such a nature that they may increase in amount or frequency at any future time, or if any such benefits are of such a nature that they may decrease at any future time, unless the rules explicitly state to the satisfaction of the Registrar the particulars of that increase or decrease in such a manner that any intending member of the society may be apprised exactly of the amount of contribution he will be called upon to pay and the benefits for which he will be insured, in each successive year. 45 50

Rules to be submitted to Revising Barrister.

17. (1.) On receiving the copies of the rules as aforesaid the Registrar shall forthwith transmit one copy to the Revising Barrister.

(2.) If the Revising Barrister is of opinion that the objects of the society and the rules thereof are consistent with the requirements of this Act and the law of New Zealand, he shall give his certificate accordingly in the form numbered (2) in the *First* Schedule hereto or to the like effect.

Duties of Revising Barrister.

(3.) If the Revising Barrister is of opinion that the objects of the society, or any of them, or any of the rules, are repugnant to or inconsistent with this Act or with the law of New Zealand, he shall notify his opinion in writing to the Registrar, specifying in what particulars the rules or other matters are repugnant or inconsistent as aforesaid; and the Registrar shall thereupon return the rules to the secretary of the society, with a copy of the objections made by the Revising Barrister, and the society may thereupon transmit amended rules, signed as before required, or, if possible, comply with any requirements of this Act which were previously disregarded.

18. (1) When the rules of a society have been certified by the Revising Barrister in manner aforesaid, the Registrar, on being satisfied that the society has complied with the provisions of this Act as to registration, shall issue to the society an acknowledgment of registration in the form numbered (3) in the *First* Schedule hereto or to the like effect, specifying the designation of the society according to the classification hereinbefore set forth, and shall publish in the *Gazette* a notice of the registration of the society.

Acknowledgment of registration.

(2.) If the Registrar refuses to register the society, whether because of the refusal of the Revising Barrister to certify the rules of the society or for any other reason save the refusal of the Actuary to certify the contributions as adequate, the society may appeal from that refusal of registration to the Supreme Court.

Appeal from refusal to register.

(3.) If the refusal of registration is overruled on appeal, the rules of the society shall thereupon be certified by the Revising Barrister (unless his certificate has been already given), and an acknowledgment of registration shall forthwith be given to the society by the Registrar.

(4.) Every such appeal shall be by way of motion, on notice to the Registrar, for an order directing the Registrar to register the society.

19. An acknowledgment of registration shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registration of the society has been suspended or cancelled.

Acknowledgment to be conclusive evidence of registration.

Societies with Branches.

20. (1.) Subject to the provisions hereinafter contained, all the provisions hereinbefore contained with respect to the registration of a society shall apply to the registration of any branch of a society, and for this purpose all references to a society in those provisions shall be read as being references to a branch.

Registration of branches.

(2.) When a registered society has branches, the society shall not be entitled to any of the privileges of this Act in respect of any branch unless that branch is registered in accordance with the provisions hereinafter contained.

Application for registration of society to include application for registration of branches mentioned therein.

21. (1.) Where a society has branches, an application for the registration of the society shall be deemed to be also an application for the registration of each of those branches.

(2.) On the application for the registration of any such society there shall be lodged with the Registrar—

(a.) A list giving the name of every branch, and of the place where the registered office of every branch is situated :

(b.) If any branch is to have trustees or officers authorised to sue and be sued on its behalf, other than the trustees or officers authorised to sue and be sued on behalf of the society, a list of the names of all such trustees or officers, distinguishing the branches for which they are authorised to sue and be sued :

(c.) If the rules of all the branches (herein called "branch rules") are or are intended to be identical, a statement to that effect, and copies of those rules :

(d.) If the branch rules are not or are not intended to be identical, a statement to that effect, and copies of all branch rules :

(e.) If any branch is not to have any rules other than the rules of the society, a statement to that effect.

(3.) No such society shall be registered if any branch thereof is incapable of being registered at the same time.

(4.) When the Registrar issues to any such society an acknowledgment of the registration thereof, he shall at the same time issue to each branch which is mentioned in the said application, and which has fulfilled all the requirements of registration, an acknowledgment of the registration of that branch in the form numbered (4) in the *First* Schedule hereto or to the like effect, and this acknowledgment shall be conclusive evidence that the branch therein mentioned is duly registered, unless it is proved that the registration of that branch or of the society to which that branch belongs has been suspended or cancelled.

Application by society for registration of new branch.

22. (1.) When a new branch of a registered society is established, the society shall send to the Registrar an application for the registration of that branch signed by the secretary of the branch and by three members thereof, and countersigned by the secretary of the society.

(2.) The application shall contain—

(a.) A notice of the establishment of the branch, and of the place where its registered office is situated :

(b.) If the branch is to have trustees or officers authorised to sue and be sued on its behalf other than the trustees or officers authorised to sue and be sued on behalf of the society, a list of the names of those trustees or officers :

(c.) A statement whether or not the rules of the branch are identical with those of the other branches of the society, and, if not so, copies of the rules of the branch :

(d.) If the branch is not to have any rules other than the rules of the society, a statement to that effect.

(3.) Thereupon the Registrar shall, with the necessary modifications, take the same proceedings as upon an application for the

registration of a society, and if he is satisfied that all requirements for the registration of the branch have been fulfilled, he shall issue to the branch an acknowledgment of registration thereof, which shall be in the same form and shall have the same effect as an
5 acknowledgment of the registration of a branch under the provisions of section *twenty-one* of this Act.

(4.) Every application under this section shall be made within three months after the establishment of the branch, but no such application shall be invalid because made after the expiration of
10 that period.

(5.) If any new branch continues in existence for more than three months without an application being made for its registration, or for more than three months after an application for its registration has been refused, every officer of the branch, or of the society of which it
15 is a branch, shall be guilty of a continuing offence against this Act so long as the branch remains in existence and unregistered.

23. A body which, having been a branch of a registered society, has wholly seceded from or been expelled from that society shall not thereafter use the name of that society or any name implying that it
20 is a branch thereof, or the number by which it was designated as such branch.

Registered name or number not to be used by branch after secession or expulsion from society.

Rules of Societies and Branches.

24. (1.) No amendment of a rule made by a registered society or branch shall be valid until the same has been registered under this
25 Act; for which purpose copies of the same, signed by three members and the secretary of the society or branch, shall be sent to the Registrar.

Registration of amendments of rules.

(2.) All amendments of rules shall be submitted for the perusal of the Revising Barrister in the manner provided by section *sixteen*
30 hereof as to rules transmitted to the Registrar upon an application for registration of a society.

25. (1.) Where the Registrar is satisfied, on receiving the certificate of the Revising Barrister to that effect, that any amendment of a rule is not contrary to the provisions of this Act, and is also satisfied
35 that the amendment has been duly made in accordance with the constitution of the society or branch, he shall issue to the society or branch an acknowledgment of the registration of the same in the form numbered (5) in the *First Schedule* hereto, and this acknowledgment shall be conclusive evidence that the amendment is duly registered.

Acknowledgment of such registration.

40 (2.) An appeal shall lie from the Registrar's refusal to register an amendment of a rule in like manner as from his refusal to register a society.

26. (1.) If in the opinion of the Registrar any amendment of a rule affects or may affect the adequacy of the contributions of the
45 society or branch for the benefits assured thereby, the amendment shall not be registered until the Actuary of Friendly Societies, or some other actuary who is approved by the Governor and has practised the profession of an actuary for not less than five years, has certified in writing in the form numbered (6) in the *First Schedule* hereto or to
50 the like effect that the amendment does not adversely affect the adequacy of the contributions of the society or branch.

Certificate of Actuary on amendment of rules.

(2.) Nothing in this section shall apply to any society or branch so far as it has been exempted, on registration, from the requirements of section *fifteen* hereof.

(3.) The Registrar may, if he thinks fit in his discretion, exempt any society or branch from the requirements of this section in respect of any particular amendment, if he considers that those requirements are inapplicable to the kind of business to which the amendment relates. 5

Amendment not to be registered if amended rules contrary to section 16.

Amended rules to comply with requirements of Second Schedule.

27. No amendment of a rule shall be registered if the rules as so amended would by reason of the provisions of section *sixteen* hereof prevent the society or branch from being registered. 10

28. No amendment of the rules of a society or branch shall be registered unless the rules as so amended contain all the provisions that would be required in such rules, in accordance with the *Second* Schedule hereto, on an application for the registration of the society or branch. 15

Society may be registered notwithstanding connection with body outside New Zealand.

29. (1.) The registration of a society or branch, or of an amendment of the rules of a society or branch, shall not be refused because the rules of the society or branch or the amendments of those rules express or imply any subordination of the society or branch to the central body of the same order outside New Zealand, or contain any reference to the general rules of the said order: 20

Provided that in any such case the application for registration shall be accompanied by copies of the said general rules.

(2.) Where provision is made in those general rules for any of the matters specified in the *Second* Schedule hereto, the society or branch shall be deemed to have sufficiently complied with section *twelve* hereof if reference is made in the rules of the society or branch to the general rule or rules making that provision. 25

(3.) Nothing in this section shall have the effect of giving force to any such general rule that is contrary to any of the provisions of this Act. 30

Society or branch to supply copies of rules on payment therefor.

30. A copy of the rules of a registered society or branch shall be delivered by the society or branch to every person on demand, on payment of a sum not exceeding *one* shilling. 35

Duties and Obligations of Societies and Branches.

Registered offices of society and branch.

31. (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. 40

(2.) In the case of a branch the notice shall be sent to the Registrar under the hand of the secretary of the society of which the branch forms part.

Appointment of trustees.

32. (1.) Every registered society and branch shall have one or more trustees, who shall from time to time be appointed by a resolution of a majority of the members present personally or by proxy (where proxies are allowed by the rules) at a meeting of the society or branch and entitled to vote thereat. 45

(2.) The same person shall not be secretary, treasurer, or auditor of a registered society or branch and a trustee of that society or branch. 50

(3.) The society or branch shall send to the Registrar a copy of every resolution appointing a trustee signed by the trustee appointed and by the secretary of the society or branch.

(4.) In the case of a branch the copy of the resolution shall be sent to the Registrar under the hand of the secretary of the society of which the branch forms part.

33. (1.) Every registered society and branch shall once in every year, before the first day of March, send to the Registrar a general statement (in this Act called "the annual return") of the income and expenditure of the society or branch during the year ending on the close of the thirty-first day of December then last, and of the funds and effects of the society or branch on the said thirty-first day of December.

Society and branch to furnish to Registrar annual return of income and expenditure.

(2.) Every such annual return shall show separately the expenditure on the several objects of the society or branch.

(3.) In the case of a friendly society, or branch thereof, the annual return shall be accompanied by a list of the members admitted during the year as aforesaid, giving the full name of each, together with the date of his birth, the date of entry, and contributions payable for benefits, and the periods of sickness, deaths, and other contingencies on account of which benefits are given by the society or branch during the year as aforesaid specifying the members in respect of whom such sickness, deaths, or contingencies have been experienced, and such other information as the Registrar from time to time prescribes.

(4.) In the case of a branch the annual return and list aforesaid shall be sent to the Registrar under the hand of the secretary of the society of which the branch forms part.

(5.) Every such annual return shall before being sent to the Registrar be audited by two or more auditors appointed in accordance with the rules of the society or branch, who shall have and exercise in respect of that return and in respect of all the books, accounts, securities, and vouchers of the society or branch, the same powers and duties as are conferred or imposed by the next succeeding section on an auditor appointed under this Act.

34. Every registered society and branch shall at such times as the Registrar may require submit its accounts for audit to one of the Auditors appointed under this Act, or to a Public Auditor heretofore appointed under the Friendly Societies Act, 1882, or the Friendly Societies Act, 1908, who shall have access to all the books, accounts, and securities of the society or branch, and shall examine the last annual return of the society or branch, and shall verify the same with the accounts and vouchers relating thereto, and shall examine the securities held by the society or branch, and shall either sign the said return as found by him to be correct, duly vouched, and in accordance with law, or specially report to the Registrar and the society or branch in what respects the said Auditor finds the return incorrect, unvouched, or not in accordance with law.

Audit of accounts.

35. (1.) Every registered society shall once at least in every five years send to the Registrar a return of the benefits assured and contributions receivable from all the members of the society and its branches, and of all the assets and liabilities of the society and its branches, accompanied by such evidence in support thereof as the

Actuarial valuation.

Registrar prescribes, whereupon the Registrar shall cause the assets and liabilities of the society and its branches to be valued and reported on by the Actuary, and shall send to the society a copy of the Actuary's report.

(2.) The valuation required by this section is hereinafter called the "actuarial valuation." 5

(3.) The Registrar may dispense with the actuarial valuation in the case of societies to whose purposes or to the nature of whose operations he may deem the same inapplicable.

(4.) The requirements of this Act with respect to the actuarial valuation shall not apply to benevolent societies or working-men's clubs. 10

(5.) In the case of any society registered under any former Act relating to friendly societies the first period of five years shall be deemed to have commenced on the date of the report on the last quinquennial valuation made of the assets of that society under any such former Act. 15

Inspection of books
by Actuary,
Auditor, or member.

36. Every registered society and branch shall allow the Actuary or any Auditor appointed under this Act, or any member or person having an interest in the funds of the society or branch, to inspect its books at all reasonable hours at its registered office, or at any place where the same are kept; but no such member or person, unless he is an officer of the society or is specially authorised by a resolution of the society to do so, shall have the right to inspect the loan account of any other member without the written consent of that member. 20 25

Annual return of
society or branch
to be supplied on
application.

37. (1.) Every registered society and branch shall supply gratuitously to every member or person interested in its funds, on his application, a copy of the last annual return of the society or branch. 30

And exhibited at
registered office.

(2.) A copy of the last annual return for the time being, together with the report of the Auditor (if any), and a copy of the Actuary's report of the last actuarial valuation for the time being, shall be kept always exhibited in a conspicuous place at the registered office of the society or branch. 35

Separate funds and
accounts.

38. (1.) In all registered societies and branches all moneys received or paid on account of each particular fund shall be kept separate and distinct, and shall be entered in a separate account distinct from the moneys received and paid on account of any other fund; and a separate fund or funds shall be established for the payment of all expenses of management, and of all expenses (if any) on account of medical and surgical attendance, including medicine and medical and surgical requisites. 40

(2.) No transfer shall be made of the moneys of any one benefit fund to meet the liabilities of any other fund, nor shall such moneys, or any interest accruing therefrom, be in any manner applied for the use, whether temporary or permanent, of any fund save the fund to which they properly belong. 45

(3.) Notwithstanding anything in this section, if the Actuary in any report made in accordance with section thirty-five hereof reports a surplus on any actuarial valuation, the society or branch may, with the consent of the Actuary and the Registrar, transfer so much of the said surplus as can be safely transferred in furtherance of the 50

objects of the society. It shall be a condition of any such transfer that a certificate in such form as satisfies the Registrar as to the value of the assets of the society or branch is sent to the Registrar with the application for his consent to the transfer.

5 39. (1.) Societies and branches that have been reported to possess a surplus at the last actuarial valuation, and whose scales of contributions for new members have been certified as adequate by the Actuary of Friendly Societies, or by any other actuary approved by the Governor in accordance with this Act, may apply all interest
10 over and above five per centum per annum, accruing from the capital funds of the society or branch, to such purposes as may be approved by the committee of the society or, in the case of a branch, by the central body of the society: Provided that no interest shall be so applied in pursuance of this section in any year, unless the Sick and
15 Funeral Fund has been credited during each of the two preceding years with a net rate of interest not less than five per centum per annum.

Application of surplus interest.

(2.) Any society or branch which avails itself of the provisions of this section or of subsection *three* of the *last preceding* section
20 shall, until the next actuarial valuation, be debarred from lowering its rate of contribution to the fund so operated upon, or from increasing the amount of any benefit to be paid out of the said fund.

(3.) For the purposes of this section the reference in subsection
25 *one* to "the last actuarial valuation" shall, until an actuarial valuation has been made under this Act, be read as a reference to the last quinquennial valuation made under the Friendly Societies Act, 1908, or under any former Act relating to friendly societies.

40. It shall be the duty of every branch of a registered society to supply the secretary of the society with all such information as
30 he requires to enable him to prepare the returns he is directed by this Act to furnish to the Registrar, and also with all information required to enable a valuation of the assets and liabilities of the society and its branches to be made in accordance with this Act.

Branch to furnish society with necessary particulars for returns or valuation.

Property and Funds of Societies and Branches.

35 41. (1.) The trustees of a registered society or branch may, with the consent of the committee or of a majority of the members of the society or branch present and entitled to vote in general meeting, from time to time invest the funds of the society or branch, or any part thereof, to any amount in any of the following ways:—

Mode of investment of funds of society or branch.

40 (a.) In the Post-Office Savings-Bank, or in any savings-bank constituted under the Savings-banks Act, 1908, or in such other bank or banks as the Governor from time to time appoints:

45 (b.) In any debentures, bonds, or Treasury bills issued by or on behalf of the Government of New Zealand under the authority of any Act:

(c.) In the purchase of land (if the rules of the society or branch so provide) or in the erection or alteration of offices or other buildings thereon:

(d.) Upon any other security expressly directed by the rules of the society or branch, not being personal security, except as in this Act authorised with respect to loans.

(2.) The rules of a registered society with branches, and of any registered branch thereof, may provide for the investment of funds of the society or of that branch by the trustees of any branch or by the trustees of the society, and the consent required for any such investment shall be the consent of the committee or of such majority as aforesaid of the society or branch by whose trustees the funds are invested. 5

(3.) When any moneys are invested under the provisions of this section on any mortgage or other security over land or buildings, the amount so invested shall not exceed two-thirds of the value of the security. 10

Powers of society or branch with respect to land.

42. (1.) A registered society or branch may (if its rules so provide) hold, purchase, acquire by gift, devise, or bequest, or take on lease, any land in the names of the trustees of the society or branch, and may sell, exchange, mortgage, or lease that land, or erect buildings thereon, with power to alter or pull down buildings and to rebuild the same. 15

(2.) Nothing herein shall authorise a benevolent society to hold land exceeding one acre in extent. 20

(3.) No purchaser, assignee, mortgagee, or tenant shall be bound to inquire as to the authority for any sale, exchange, mortgage, or lease by the trustees, and the receipt of the trustees shall be a discharge for all moneys arising from or in connection with the sale, exchange, mortgage, or lease. 25

(4.) If any money forming part of any benefit fund of a registered society or branch is invested after the commencement of this Act in the purchase of land, or the erection or alteration of offices or buildings, and such land, offices, or buildings are used or occupied wholly or in part for the purposes of the society or branch, interest on that money at the rate of not less than four per centum per annum shall be paid by the society or branch into the said benefit fund, and that interest shall be payable out of the management fund of the society or branch so far as it is not otherwise lawfully provided. 30

Property to vest in trustees.

43. (1.) All property belonging to a registered society, whether acquired before or after the society is registered, shall vest in the trustees for the time being of the society for the use and benefit of the society and the members thereof, and of all persons claiming through the members according to the rules of the society. 40

(2.) The property of a registered branch of a society shall, as the rules of the branch or of the society provide, vest wholly or partly in the trustees for the time being of that branch, or of any other branch of which that branch forms part, or in the trustees of the society, for the use and benefit either of the members of any such branch and persons claiming through those members, or of the members of the society generally, and persons claiming through them. 45

(3.) Upon the death, resignation, or removal of a trustee of a society or branch the property vested in that trustee shall without conveyance, transfer, or assignment vest, subject to the same trusts, 50

in the succeeding trustees of that society or branch, either solely or together with any surviving or continuing trustees, and until the appointment of succeeding trustees in the surviving or continuing trustees only, or in the executors or administrators of the last surviving or continuing trustee.

44. (1.) Every registered society or branch shall forward from time to time to the District Land Registrar of every district to which its operations extend a notice setting forth the names of the trustees in whom the property of the society or branch is vested, and also a notice of the death, resignation, or removal of existing and the appointment of new trustees; and also a copy of the rules of the society or branch.

Notice to District Land Registrar of appointment and change of trustees.

(2.) Every such notice shall be accompanied by a statutory declaration made by one of the trustees of the society or branch, stating that the declarant is one of the trustees in whom the property of the society or branch is vested, and verifying the statements contained in the notice.

45. (1.) Land under the Land Transfer Act, 1908, shall be transferred, leased, or mortgaged to the registered society or branch only by memorandum of transfer, lease, or mortgage made to the trustees (denoted by their official titles and not by their own proper names) in whom the property of the society or branch is for the time being vested; and such trustees for the time being shall be deemed to be the registered proprietors of the land so transferred, or of such lease or mortgage.

Mode of dealing with land under Land Transfer Act.

(2.) Where any instrument affecting the land included in any such transfer, lease, or mortgage is presented to the District Land Registrar for registration, he shall register the same if it purports to be executed by the persons in whom the property of the society or branch appears to him to have been vested at the time of the execution of the instrument.

(3.) No person claiming under any such instrument so registered shall be affected by notice, direct or constructive, that the property of the society or branch was not vested in the persons executing the same, or that the instrument was executed in contravention of the rules of the society or branch; and no claim on the Assurance Fund shall arise from the fact that the property was not so vested, or that the instrument was so executed as aforesaid.

46. (1.) When any trustee of a registered society or branch dies or ceases to be a trustee, and has standing in his name, either jointly with others or solely, any funds, debentures, stocks, securities, or moneys belonging to the society or branch, the Registrar, on application in writing by the secretary and three members of the society or branch, and on proof of the facts to his satisfaction, may, by warrant under his seal, direct and authorise the transfer of those funds, debentures, stocks, securities, or moneys into the names of the existing trustees of the society or branch; and every such warrant shall be sufficient authority to all persons to make such a transfer accordingly in the same manner as if the said funds, debentures, stocks, securities, or moneys had been assigned to the said existing trustees in due course of law.

On death of trustee, Registrar may authorise transfer of funds, &c., to existing trustees.

(2.) The Registrar and all persons acting in pursuance of any such warrant are hereby indemnified for all things done by him or them in pursuance of this section, or of such warrant, against any claim or demand of any person injuriously affected thereby.

Liability of trustees.

47. Trustees of a registered society or branch shall not be liable to make good any deficiency in the funds of the society or branch, but shall be liable only for moneys actually received by them respectively on account of the society or branch. 5

No member or other person entitled to receive from society more than £200 in lump sum, or £50 annuity.

48. (1.) No member of a registered friendly society or branch, nor any person claiming through a member, shall be entitled to receive from any one or more of such societies or branches more than two hundred pounds by way of gross sum, together with any bonuses or additions declared upon assurances not exceeding that amount, or fifty pounds a year by way of annuity. 10

Subscription to hospital or other institution in return for benefits.

(2.) Any such society or branch may require a member, or person claiming through a member, to make and sign a statutory declaration that the total amount to which he is entitled from one or more of such societies or branches does not exceed the sums aforesaid. 15

49. A registered society or branch may subscribe out of its funds (other than benefit funds), to any hospital, infirmary, friendly society dispensary, or charitable or provident institution, any annual or other sum necessary to secure to members of the society or branch and their families the benefits of that hospital, infirmary, friendly society dispensary, or other institution. 20

One society or branch may, in accordance with rules, take part in government of other society or branch.

50. A registered society or branch may contribute to the funds or take part by delegates or otherwise in the government of any other registered society or registered branch of a society, in any manner provided by the rules of that first-named society or branch, without becoming a branch under this Act of that other society or branch. 25

Preference in favour of the claims of trustees or persons authorised in case of the death or bankruptcy of person having in possession money or property of society or branch.

51. (1.) Where any officer of a registered society or branch, having in his possession by virtue of his office any money or property belonging to the society or branch, dies or becomes bankrupt, or where any execution, attachment, or other process is issued or action is brought against such officer or against his property, in any such case his executors or administrators, or the Official Assignee, or the Sheriff or other person executing such process, or the party bringing such action, shall, upon demand in writing of the trustees of the society or of the branch, or of any two of them, or of any person authorised to make such demand by the society or branch or by the committee thereof, pay the money and deliver over the property to the trustees of the society or branch in preference to any other debts or claims against the estate of the officer. 30 35 40

1892, No. 24, sec. 120.

(2.) The preference given by this section shall, in the case of bankruptcy, be subject to the preferences provided for by section one hundred and twenty of the Bankruptcy Act, 1908. 45

Loans to members on personal security.

52. Out of any separate loan fund, to be formed by contributions or deposits of its members, a registered society may make loans to its members on their personal security, with or without sureties, as may be provided by the rules, subject to the following restrictions:— 50

(a.) A loan shall not at any time be made out of money contributed for the other purposes of the society:

(b.) A member shall not be capable of holding any interest in the loan fund exceeding two hundred pounds :

(c.) A society shall not make any loan to a member on personal security beyond the amount fixed by the rules, or make any loan which, together with any moneys owing by the member to the society, exceeds fifty pounds :

(d.) A society shall not hold at any one time on deposit from its members any moneys beyond the amount fixed by the rules, which amount shall not exceed two-thirds of the total sums owing to the society by the members who have borrowed from the loan fund.

53. The rules of a registered society or branch may provide for accumulating at interest, for the use of any member, any surplus of his contributions to the funds of the society or branch which may remain after providing for any assurance in respect of which they are paid, and for the withdrawal of the accumulations from time to time.

Accumulation for use of member of interest on surplus contributions.

Payments on Death, and Insurance on Lives of Children.

54. (1.) No registered society or branch shall pay any sum of money upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except on the production of a certificate of that death, under the hand of the Registrar of Births and Deaths or other person having the care of the register in which that death is or ought to be entered, or under the hand of a duly qualified medical practitioner.

Notice of death before payment made on account thereof.

(2.) This section shall not apply to deaths happening at sea or out of New Zealand, nor to any case in which the Registrar of Friendly Societies, on being satisfied of the fact of death, grants an exemption from this section.

Exceptions.

55. (1.) A member of a registered society (other than a benevolent society or working-men's club) or of any branch thereof may, by writing under his hand delivered at or sent to the registered office of the society or branch during the lifetime of the member, or made in a book kept at that office, nominate a person or persons to whom the money payable by the society or branch on the death of that member, or any portion of that money, not exceeding in either case the sum of one hundred pounds, shall be paid at his decease.

Nomination by member of person to receive money payable on death of member.

(2.) A nomination so made may be revoked by any similar document under the hand of the nominator delivered, sent, or made as aforesaid, but shall not be revocable by the will of the nominator or any codicil thereto.

Revocation of nomination.

(3.) The marriage of a member of a society or branch shall operate as a revocation of any nomination theretofore made by that member.

(4.) The person so nominated must not be an officer or servant of the society or branch, unless that officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator.

(5.) On the death of a nominator the society or branch shall pay to the nominee the amount due to the deceased member, not exceeding the said sum of one hundred pounds.

Payment to nominee.

(6.) The receipt of a nominee over sixteen years of age for any amount so paid shall be valid.

(7.) If the money payable by the society or branch on the death of the nominator exceeds one hundred pounds, the nomination shall be valid to the extent only of the sum of one hundred pounds, or to the extent only of the sum (if any) specified in the instrument of nomination, whichever of these sums is the smaller. 5

(8.) If the nomination is in favour of two or more persons, the sum payable thereunder shall be paid in the shares therein specified, and if no shares are so specified, then in equal shares. 10

(9.) No person shall be capable of making separate nominations in favour of different persons, and if successive nominations are made by any person the earlier shall be deemed to be revoked by the later.

(10.) The sum of money payable by the society or branch on the death of a member shall include sums of money contributed to or deposited in the separate loan account, and the sums of money accumulated for the use of the member under the provisions of this Act, with interest thereon. 15

(11.) No person under the age of sixteen years shall be capable of making a nomination under this section. 20

(12.) All nominations made under the corresponding provisions of any former Act relating to friendly societies shall be deemed to have been made under this section, and shall be subject to the provisions of this section accordingly.

Distribution on
intestacy.

56. Where a member of a registered society or branch, entitled from the funds thereof to a sum not exceeding one hundred pounds, dies intestate, the society or branch may, without letters of administration, but subject to any nomination that may have been made in respect of that sum or any part thereof, distribute the sum among such persons as appear to a majority of the trustees, upon such evidence as they deem satisfactory, to be entitled by law to receive the same. 25 30

No action against
society for
payments
hereinbefore
authorised.

57. (1.) A payment made by a registered society or branch under the foregoing provisions of this Act with respect to payments on death, to any person who at the time appears to a majority of the trustees to be entitled thereto, shall be valid and effectual against any demand made upon the trustees or the society or branch by any other person; but any person to whom the said moneys or any part thereof ought to have been paid shall have remedy for the recovery thereof against the person who has received that money. 35 40

(2.) Where a society or branch has paid money to a nominee in ignorance of a marriage subsequent to the nomination, the receipt of the nominee shall be a valid discharge to the society or branch.

Restriction of
payments on
account of death of
child.

58. (1.) No registered society or branch shall insure or pay on the death of a child under five years of age any sum of money which, added to any sum payable on the death of that child by any other registered society or branch, or by any company within the meaning of Part II of the Life Insurance Act, 1908, exceeds six pounds, or, on the death of a child under ten but not under five years of age, any sum of money which, added to any sum payable on the death of that child by any other registered society or branch, or by any such company as aforesaid, exceeds ten pounds. 45 50 55

(2.) No registered society or branch shall pay any sum on the death of a child under ten years of age except to the parent of the child, or to the personal representative of the parent, and upon the production by the parent or his personal representative of a certificate of death issued by the Registrar of Births and Deaths containing the particulars hereinafter mentioned.

(3.) Where application for a certificate of the death of a child under ten years of age is made for the purpose of obtaining a sum of money from a registered society or branch, the name of the society or branch, and the sum sought to be obtained therefrom, shall be stated to the Registrar of Births and Deaths, who shall write on or at the foot of the certificate the words "To be produced to the (*Naming the society or branch*), said to be liable for payment of the sum of £ *(Stating the same)*."

(4.) All certificates of the same death, whether for production to a registered society or branch or to a company within the meaning of Part II of the Life Insurance Act, 1908, shall be numbered in consecutive order.

(5.) No Registrar of Births and Deaths shall give any one or more certificates of death for the payment in the whole of any sum of money exceeding six pounds on the death of a child under five years, or ten pounds on the death of a child under ten but not under five years, whether the payments are to be made by a registered society or branch or by any such company as aforesaid.

(6.) No such certificate shall be granted unless the cause of death has been previously entered in the register of deaths on the certificate of a Coroner, or of a registered medical practitioner who attended the deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner.

(7.) Where a certificate of the death of any child under ten years is produced to any registered society or branch, and the certificate does not purport to be the first certificate issued of the death, the society or branch shall, before paying any money thereon, be bound to inquire whether any and what sums of money have been paid on the same death by any other registered society or branch or by any such company as aforesaid.

(8.) Nothing in this section shall apply to insurances on the lives of children of any age where the person insuring has an interest in the life of the person insured.

Change of Name, and Amalgamation.

59. (1.) For the purposes of this Act a "special resolution" is one which is— Special resolutions.

(a.) Passed by a majority of not less than three-fourths of such members of a society or branch for the time being entitled under the rules to vote as are present, in person or by proxy (where the rules allow proxies), at any general meeting of which notice specifying the intention to propose the resolution has been duly given according to the rules; and

(b.) Confirmed by a majority of such members for the time being entitled under the rules to vote as are present in person or by proxy (where the rules allow proxies) at a subsequent general meeting of which notice has been duly given, held not less than fourteen days nor more than one month from the day of the meeting at which the resolution was first passed. 5

(2.) At any meeting mentioned in this section a declaration by the chairman that the resolution has been passed or confirmed, as the case may be, shall be conclusive evidence of the fact. 10

(3.) A copy of any special resolution for any of the purposes hereinafter mentioned, signed by the chairman of the meeting and countersigned by the secretary, shall be sent to the Registrar and registered by him, and until that copy is so registered the special resolution shall not take effect. 15

Society, by special resolution, may change name.

60. (1.) A registered society may by special resolution, with the approval in writing of the Registrar, change its name.

(2.) No such change shall affect any right or obligation of the society or of any member thereof; and any pending legal proceedings may be continued by or against the trustees of the society, or any other officer empowered to sue or be sued on behalf of the society, notwithstanding its change of name. 20

Amalgamation of societies, and transfer of engagements.

61. (1.) Any two or more registered societies may, by special resolution of both or all those societies, become amalgamated together as one society, with or without any dissolution or division of the funds of those societies or any of them. 25

(2.) A registered society may by special resolution transfer its engagements to any other registered society which may undertake to fulfil the engagements of that society.

(3.) No amalgamation or transfer of engagements shall prejudice any right of a creditor of either or any society party thereto. 30

Requirements of resolution purporting to amalgamate societies or transfer engagements.

62. (1.) In the case of a registered friendly society, no special resolution by any such society for any amalgamation or transfer of engagements under this Act shall be valid without—

(a.) The assent of five-sixths in value of the members given either at the meetings at which the resolution is, according to the provisions of this Act, passed and confirmed, or at one of them, or in writing in the case of members not present thereat; and 35

(b.) The written consent of every person receiving or entitled to any relief, annuity, or other benefit from the funds of the society, unless the claim of that person is first duly satisfied, or adequate provision is made for satisfying that claim: 40

Provided that, upon application by the trustees or committee of a registered friendly society desiring to amalgamate, or to transfer its engagements, and upon notice of the application being gazetted, the Registrar, after hearing the trustees or committee, and any other persons whom he considers entitled to be heard, may, with the consent of the Minister, order that any of the assents, consents, and conditions required by this Act, or by any regulations made under this Act, be dispensed with, and may confirm the amalgamation or transfer. 45 50

(2.) The value of members shall be ascertained by giving one vote to every member and an additional vote for every five years that he has been a member, but to no member more than five votes in the whole.

5 (3.) If any member of a friendly society which has amalgamated or transferred its engagements, or if any person claiming any relief, annuity, or other benefit from the funds thereof, is dissatisfied with the provisions made for satisfying his claim, that member or person may apply to the Registrar, who shall thereupon have the same powers as on a reference to him of a dispute under this Act.

10 63. The provisions hereinbefore contained relating to change of name shall apply to all registered branches, and the provisions relating to amalgamation and transfer of engagements shall apply as between registered branches of the same society; but no change of name, amalgamation, or transfer of engagements shall take place in such cases unless it takes place in accordance with the general rules of the society to which the branches belong or with the consent of the central body of the society.

Provisions with respect to branches effecting change of name, amalgamation, or transfer of engagements.

Dissolution.

20 64. (1.) Subject to the provisions of this Act as to the dissolution of societies with branches, a registered society or branch may terminate or be dissolved in any of the following ways:—

Mode of dissolution of society or branch.

25 (a.) Upon the happening of any event declared by the rules to be the termination of the society or branch; or

30 (b.) In the case of all societies or branches other than friendly societies or branches thereof, by the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution; or

35 (c.) In the case of friendly societies or any branch thereof, by the consent of five-sixths in value of the members (including honorary members, if any), testified by their signatures to an instrument of dissolution, together with the written consent of every person receiving or entitled to receive any relief, annuity, or other benefit from the funds of the society or branch, unless the claim of that person is first duly satisfied, or adequate provision is first made for satisfying that claim; or

40 (d.) By the award of the Registrar in the cases specified in this Act.

45 (2.) The provisions of this Act as to the method of calculating the value of members and as to the remedy of members and persons dissatisfied with the provisions made for satisfying their claims in the case of the amalgamation or transfer of engagements of a registered friendly society shall apply to the dissolution of a registered friendly society or branch.

50 65. (1.) When a registered society or branch is terminated by an instrument of dissolution, the instrument shall set forth—

Requirements of instrument of dissolution.

55 (a.) The liabilities and assets of the society or branch in detail;

60 (b.) The number of members, and the nature of their interests in the society or branch:

(c.) The claims of creditors (if any), and the provision to be made for their payment:

(d.) The intended appropriation or division of the funds and property of the society or branch, unless it is expressly stated in the instrument that the appropriation or division shall be left to the award of the Registrar. 5

(2.) Alterations in the instrument of dissolution may be made with the like consents as are in this Act required for the dissolution of a society or branch, testified in the same manner.

(3.) A statutory declaration that the provisions of this Act have been complied with shall be made by one of the trustees, or by three members and the secretary of the society or branch, and shall be sent to the Registrar with the instrument of dissolution. 10

Registration of instrument.

(4.) The instrument of dissolution and all alterations therein shall be registered in the manner in this Act provided for the registration of amendments of rules, and shall be binding upon all the members of the society or branch. 15

Notice of dissolution to be gazetted.

(5.) The Registrar shall cause a notice of the dissolution to be advertised at the expense of the society or branch in the manner provided by this Act for advertising an award of the Registrar for dissolution; and, unless within three months from the date of the *Gazette* in which the advertisement appears a member or other person interested in or having a claim on the funds of the society or branch commences proceedings to set aside the dissolution of the society or branch, and the dissolution is set aside accordingly, the society or branch shall be legally dissolved as from the date of the said *Gazette*, and the requisite consents to the instrument of dissolution shall be deemed to have been duly obtained without proof of the signatures thereto. 20 25

Investigation of affairs of society by Registrar upon application.

66. (1.) Upon the application in writing under their hands of one-fifth of the whole number of members of a registered society or branch, or of one hundred members in the case of a registered society or branch of not less than one thousand and not more than ten thousand members, or of five hundred members in the case of a registered society or branch of more than ten thousand members, setting forth that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured, and the grounds upon which this insufficiency is alleged, and requesting an investigation into the affairs of the society or branch with a view to the dissolution thereof, the Registrar may by himself or by the Actuary investigate the affairs of the society. 30 35 40

(2.) The Registrar shall give to the society or branch at its registered office not less than two months' previous notice of his intention to make the investigation. 45

Award of Registrar

(3.) If upon the investigation it appears that the funds of the society or branch are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society or branch are insufficient to cover the benefits assured, the Registrar may, if he thinks fit, award that the society or branch be dissolved, and its affairs wound up, and shall in that case direct in what manner the assets of the society or branch shall be divided or appropriated: 50

Provided that the Registrar may suspend his award for so long as he thinks proper, to enable the society or branch to make such alterations and adjustment of contributions and benefits as will in his judgment render it unnecessary to make any such award of

5 dissolution.

(4.) The Registrar proceeding under this section shall have the same powers and authorities, enforceable by the same penalties, as he has in the case of a dispute referred to him under this Act.

10 (5.) The expenses of every such investigation and award, and of publishing every notice of dissolution, shall be paid out of the funds of the society or branch before any other appropriation thereof is made.

15 (6.) Notice of every award for dissolution shall, within twenty-one days after the award has been made, be published in the *Gazette*, and in some newspaper circulating in the place in which the registered office of the society or branch is situate; and, unless within three months from the date of the *Gazette* in which the notice appears a member of the society or branch or other person interested in or having a claim on the funds of the society or branch com-

20 mences proceedings to set aside the dissolution of the society or branch consequent upon the award, and the dissolution is set aside accordingly, the society or branch shall be legally dissolved as from the date of the said *Gazette*, and the requisite consents to the application to the Registrar shall be deemed to have been duly obtained

25 without proof of the signatures thereto.

(7.) Every award under this section, whether for dissolution or distribution of funds, shall be final and conclusive on the society or branch in respect of which the award is made, and on all members of the society or branch and on all other persons having any claim on

30 the funds of the society or branch, without appeal, and shall be enforced in the same manner as a decision on a dispute under this Act.

67. (1.) Where a person takes any proceeding to set aside the dissolution of a society or branch, he shall give notice of the

35 proceeding to the Registrar not less than seven days before the proceeding is commenced.

Notice to Registrar of proceeding to oppose dissolution.

(2.) When an order is made setting aside the dissolution of a society or branch, the society or branch shall give notice to the Registrar within seven days after the order has been made.

40 68. Notwithstanding anything hereinbefore contained, no registered branch shall be dissolved otherwise than by an award of the Registrar, unless with the consent of the central body of the society of which the branch forms a part.

Dissolution of branch.

Cancelling or Suspension of Registration.

45 69. (1.) The Registrar may, by writing under his hand, cancel the registration of a society or branch,—

Registrar may cancel or suspend registration.

(a.) If he thinks fit, at the request of the society, to be evidenced in such manner as he may direct; or

50 (b.) With the approval of the Minister, on proof to the satisfaction of the Registrar that the acknowledgment of registration was obtained by fraud or mistake, or that the

society or branch exists for an illegal purpose, or has wilfully and after notice from the Registrar violated any of the provisions of this Act.

(2.) Where the Registrar might with the approval of the Minister cancel the registration of a society, he may suspend the registration thereof, by writing under his hand, for any term not exceeding three months, and may, with the approval of the Minister, renew the suspension from time to time for a like period. 5

(3.) Before cancelling the registration of any society or branch, or suspending the registration of any society, the Registrar shall give to the society or branch not less than two months' notice in writing, stating the grounds of the proposed cancelling or suspension : 10

Provided that such notice shall not be necessary in any case where the society or branch has ceased to exist, or where the society has requested that its registration shall be cancelled. 15

(4.) A notice of every such cancelling or suspension shall as soon as practicable be published in the *Gazette*, and in some newspaper circulating in the place in which the registered office of the society or branch is or last was situate.

(5.) A society or branch may appeal from the cancelling of its registration or (where the same has been suspended for two consecutive periods) against any renewal of suspension, in the manner hereinbefore provided for appeals from the Registrar's refusal to register. 20

Effect of cancelling or suspension.

(6.) A society whose registration has been cancelled or suspended, or a branch whose registration has been cancelled, shall, from the time of the cancelling or suspension (but, if suspended, only while the suspension lasts, and subject also to the right of appeal hereby given), absolutely cease to enjoy as such the privileges of a registered society or branch. 25

(7.) Such cancelling or suspension shall not relieve the society or branch from any liability actually incurred by it, but any such liability may be enforced against it as if the cancelling or suspension had not taken place. 30

One society may become a branch of another society.

Conversion of Societies into Branches. 35

70. (1.) A registered society may, by a resolution passed by a majority of the members or delegates present and entitled to vote at any general meeting, of which notice specifying the intention to propose such resolution has been duly given according to the rules, determine to become a branch under this Act of any other registered society. 40

(2.) If the rules of the first-mentioned society do not comply with all the provisions of this Act, and of any regulations made concerning the registration of branches, the meeting at which the resolution is passed may amend those rules so as to bring the same into compliance with this Act and with the regulations. 45

(3.) A copy of the rules of the first-mentioned society marked to show the amendments, if any, made at that general meeting, and two copies of the resolution and of the amended rules, if any, each signed by the chairman of the meeting and by the secretary of the 50

society so determining to become a branch of any other society, and countersigned by the secretary of that other society, shall be sent to the Registrar.

(4.) If the Registrar finds that those rules, with or without such amendment as aforesaid, are in accordance with the provisions of this Act and of the regulations, he shall cancel the registration of the first-mentioned society, and register the same as a branch of the other society without further request or notice, and shall register the amended rules without further application or evidence; and until such registration the resolution aforesaid shall not take effect.

(5.) It shall not be necessary to give notice by advertisement of any cancelling of registration under this section.

(6.) The rules of a society which becomes a branch under this section shall, so far as the same are not contrary to any express provision of this Act or of any regulations thereunder, and subject to any amendment thereof as hereinbefore provided, continue in force as the rules of that branch unless and until amended.

Disputes and Inspection.

71. (1.) Every dispute between a member, or person claiming through a member, or under the rules of a registered society or branch, and the society or branch or an officer thereof, shall be decided in the manner directed by the rules of the society or branch; and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any Court of law or restrainable by injunction, and application for the enforcement thereof may be made to a Magistrate's Court, or to any other Court of competent jurisdiction.

Disputes to be decided in accordance with rules.

(2.) The parties to any such dispute may, by consent (unless the rules of the society or branch expressly forbid it), refer the dispute to the Registrar.

Reference of dispute to Registrar.

(3.) The Registrar, when a dispute is so referred to him, shall, with the consent of the Minister, hear and determine the dispute, and shall have power to order the expenses of the hearing and determination to be paid either out of the funds of the society or branch or by such parties to the dispute as he may think fit, and may administer oaths and require the attendance of all parties concerned and of witnesses, and the production of all books and documents relating to the matter in question. The determination of the Registrar shall have the same effect and be enforceable in like manner as a decision given in pursuance of the rules of a society.

(4.) Where the rules contain no direction as to disputes, or no direction applicable to the dispute existing between the parties, or where no decision is given on a dispute within forty days after notice in writing has been given by or on behalf of any party to the other party requiring the dispute to be determined in accordance with the rules, any party may take proceedings for the settlement of the dispute in any Court of competent jurisdiction:

Proceedings may be taken in certain cases.

Provided that no such proceedings in any Court shall be taken by any party by reason of whose act or default a decision has not been so given within forty days, so long as the other party to the dispute

remains ready and willing to submit the dispute for settlement in accordance with the rules.

(5.) Notwithstanding anything contained in the Arbitration Act, 1908, or in any other Act, the Registrar, or any arbitrator or umpire to whom a dispute is referred in pursuance of this section, shall not be compelled to state a special case on any question of law arising in the case, but may, if he thinks fit, at the request of any party, state a case for the opinion of the Supreme Court. 5

(6.) The Registrar, or any arbitrator or umpire to whom a dispute is referred in pursuance of this section, may grant to any party such discovery as to documents and otherwise, or such inspection of documents, as might be granted by the Supreme Court; and the discovery shall be made on behalf of the society or branch by such officer thereof as the Registrar, arbitrator, or umpire may determine. 10 15

On application of members, Registrar may provide for inspection into affairs of society.

72. (1.) Upon the application of one-fifth of the whole number of members of a registered society or branch, or of one hundred members in the case of a society or branch of not less than one thousand and not more than ten thousand members, or of five hundred members in the case of a society or branch of more than ten thousand members, the Registrar may, with the consent of the Minister,— 20

(a.) Appoint one or more inspectors to examine into the affairs of the society or branch, and to report thereon; or

(b.) Call a special meeting of the society or branch.

(2.) The application aforesaid shall be supported by such evidence as the Registrar requires for the purpose of showing that the applicants have good reason for requiring an inspection to be made or a meeting to be called, and that they are not actuated by malicious motives in their application; and such notice of the application shall be given to the society or branch as the Registrar directs. 25 30

(3.) The Registrar may, if he thinks fit, require the applicants to give security for the costs of the proposed inspection or meeting before appointing any inspector or calling the meeting.

(4.) All expenses of and incidental to any such inspection or meeting shall be defrayed either by the members applying therefor, or out of the funds of the society or branch, or by the members or officers, or former members or officers, of the society or branch, in such proportions as the Registrar directs. 35

(5.) An inspector appointed under this section may require the production of all or any of the books and documents of the society or branch, and may examine on oath its officers, members, agents, and servants, in relation to its business, and may administer such oath accordingly. 40

(6.) The Registrar may direct at what time and place a special meeting under this section is to be held, and what matters are to be discussed and determined at that meeting, and the meeting shall have all the powers of a meeting called according to the rules of the society or branch, and shall in all cases have power to appoint its own chairman, any rule of the society or branch to the contrary notwithstanding. 45 50

Offences.

73. It shall be an offence under this Act if--

Offences.

(a.) A registered society or branch, or an officer or member thereof, fails to give any notice, send any return or document, do or allow to be done any thing which the society, branch, officer, or person is by this Act required to give, send, do, or allow to be done; or

(b.) A registered society or branch, or an officer or member thereof, wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Registrar or by any other person authorised under this Act, or does any thing forbidden by this Act; or

(c.) A registered society or branch, or an officer or member thereof, makes a return or wilfully furnishes information in any respect false or insufficient; or

(d.) An officer or member of a body which, having been a branch of a society, has wholly seceded or been expelled from that society, thereafter uses the name of that society or any name implying that the body is a branch of that society, or the number by which that body was designated as such branch; or

(e.) Where a dispute is referred under this Act to the Registrar, a person refuses to attend, or to produce any documents, or to give evidence before the Registrar; or

(f.) A society or branch pays money on the death of a child under ten years of age otherwise than is provided by this Act; or

(g.) A parent, or personal representative of a parent, claiming money on the death of a child produces a certificate of the death other than is in this Act provided to the society or branch from which the money is claimed, or produces a false certificate, or one fraudulently obtained, or in any way attempts to defeat the provisions of this Act with respect to payments upon the death of children.

74. Every person is guilty of an indictable offence punishable by imprisonment with or without hard labour for any term not exceeding *two* years, or by a fine not exceeding *fifty* pounds, who, with intent to mislead or defraud,—

Indictable offences with respect to supply of rules of society or branch.

(a.) Gives to any other person a copy of any rules, laws, regulations, or other documents, other than the rules of a registered society or branch, on the pretence that they are the existing rules of that society or branch, or that there are no other rules of that society or branch; or

(b.) Gives to any person a copy of any rules on the pretence that those rules are the rules of a registered society or branch when the society or branch is not in fact registered.

75. If any person knowingly makes a false or fraudulent statement in any statutory declaration required by or in pursuance of this Act or by any regulation made under this Act, he shall be guilty of

Making false declaration.

an indictable offence punishable by imprisonment for any period not exceeding two years with or without hard labour.

Wrongful attempt to secure the amalgamation or dissolution of societies, or the transfer of engagements.

76. If an officer of a registered friendly society or branch, or any other person, aids or abets any amalgamation or transfer of engagements or the dissolution of any such society or branch, otherwise than as in this Act provided, he shall be liable on summary conviction to a fine not exceeding *twenty* pounds or to be imprisoned with or without hard labour for a term not exceeding *three* months.

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Falsifying balance-sheet or return.

77. Every person who wilfully makes, or orders or allows to be made, any entry or erasure in or omission from any balance-sheet of a registered society or branch, or any contribution-book or collecting-book, or any return or document required to be sent, produced, or delivered for the purposes of this Act, with intent to falsify the same or to evade any of the provisions of this Act, is liable to a fine not exceeding *fifty* pounds.

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Liability of officers and of members of committee on commission of offence.

78. Where a registered society or branch is guilty of an offence against this Act, every officer of the society or branch bound by the rules thereof to fulfil any duty whereof the offence is a breach, or if there is no such officer, then every member of the committee, unless that member is proved to have been ignorant of or to have attempted to prevent the commission of the offence, shall be liable to the same penalty as if he had committed the offence.

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Continuing offences.

79. Every default under this Act constituting an offence, if continued, constitutes a new offence in every week during which the default continues.

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Fine of £20 where no other penalty provided for offence.

80. Every registered society or branch, and every officer or member of a registered society or branch, or other person guilty of an offence against this Act for which no penalty is elsewhere herein expressly provided is liable to a fine of not more than *twenty* pounds.

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Commencement of summary prosecutions.

81. Notwithstanding any enactment limiting the time within which proceedings may be taken for the prosecution of offences punishable summarily, any such prosecution by the Registrar under this Act, or by any person authorised by him, may be lawfully commenced at any time within twelve months after the date or time when an offence was actually brought to the knowledge of the Registrar; provided that no such proceedings shall be commenced after the expiration of three years from the date when the offence was first committed.

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Burden of proof in cases of offences against Act to be on defendant.

82. (1.) In all prosecutions of any officer of a registered society or branch for an offence against this Act the burden of proving that any return, report, notice, or document required to be sent or given to the Registrar has been sent or given, or that any return, report, notice, or document has been compiled or made as required by this Act, shall be on the defendant.

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(2.) In any such prosecution as aforesaid any returns signed and forwarded to the Registrar by the secretary of the society or branch in conformity with the requirements of this Act may be received in evidence in proof of any matter stated therein.

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Prosecution of offences.

83. Except in the case of offences expressly declared to be indictable, all offences against this Act may be prosecuted, in a summary way before a Magistrate or any two or more Justices in accordance with the Justices of the Peace Act, 1908, on the infor-

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mation of the Registrar, or of any person authorised by him, or of any person aggrieved, or of any person authorised by any registered society or branch or by the committee thereof.

5 84. The trustees of a registered society or branch shall be deemed to be trustees within the meaning of section two hundred and fifty-four of the Crimes Act, 1908.

Trustees to be deemed trustees within meaning of Crimes Act. 1893, No. 56, sec. 232
Officers of society deemed to be servants of trustees within meaning of Crimes Act.

10 85. Every person elected or appointed to be a treasurer, secretary, or other officer of a registered society or branch, or acting or employed as such treasurer, secretary, or officer, shall be deemed to be a servant of the trustees of the society or branch within the meaning and for the purposes of the Crimes Act, 1908.

15 86. If any person obtains by false representation or pretence possession of any property of a registered society or branch, or withholds or misapplies any such property in his possession, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society or branch and authorised by this Act, he shall be liable on summary conviction to a fine not exceeding *fifty* pounds and costs, and to be ordered to deliver up all such property, or to repay all moneys applied improperly; and in default
20 of such delivery or repayment, or of the payment of such fine and costs as aforesaid, to be imprisoned with or without hard labour for any term not exceeding *three* months; but such imprisonment shall not release the person so imprisoned from any debt or other civil liability incurred by him.

Penalty for wrongful possession or use of property of society or branch.

25 87. Nothing in this Act shall be so construed as to prevent any person from being proceeded against by way of indictment for any indictable offence, if not previously convicted of the same offence under the provisions of this Act.

Act not to prevent proceedings by way of indictment.

Miscellaneous.

30 88. (1.) A person under the age of twenty-one years but above the age of sixteen years may be a member of a registered society or branch, unless provision is made in the rules thereof to the contrary.

Who may be members of society or branch.

35 (2.) A person under the age of sixteen years, but above the age of three years, may be a member of a registered society or branch if the rules of the society or branch so provide.

40 (3.) Any member of a registered society or branch who is under the age of twenty-one years may (if he is over the age of sixteen years) by himself or (if he is under that age) by his parent or guardian execute all instruments, and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee or a trustee or treasurer of the society or branch.

45 (4.) Societies and branches consisting wholly of members of any age under twenty-one years but exceeding three years may be allowed to register under this Act subject to such regulations as may be made in that behalf.

50 89. (1.) The trustees of a registered society or branch, or any other officers authorised by the rules thereof, may bring or defend, or cause to be brought or defended, any action or other legal proceeding in any Court touching or concerning any property, right, or claim of the society or branch, and may sue and be sued in their

Institution of legal proceedings by or against society or branch.

proper names, without other description than the title of their office.

(2.) In legal proceedings brought under this Act by a member, or person claiming through a member, a registered society or branch may also be sued in the name, as defendant, of any officer or person who receives contributions or issues policies on behalf of the society or branch, with the addition of the words "on behalf of the Society or Branch (*Naming the same*)."

(3.) No legal proceeding shall abate or be discontinued by the death, resignation, or removal from office of any officer, or by any act of any such officer, after the commencement of the proceedings.

(4.) Any summons, writ, process, or other proceeding to be issued to or against the officer or other person sued on behalf of a registered society or branch shall be sufficiently served by personally serving that officer or other person, or by leaving a true copy thereof at the registered office of the society or branch, or at any place of business of the society or branch, or, if that office or place of business is closed, by posting the copy on the outer door of that office or place of business.

(5.) Where the said summons, writ, process, or other proceeding is not served by means of such personal service, or by leaving a true copy thereof at the registered office of the society or branch, a copy thereof shall be sent in a registered letter addressed to the committee at the registered office of the society or branch, and posted at least six days before any further step is taken on the summons, writ, process, or other proceeding.

Description in legal proceedings of property vested in trustees.

90. In all legal proceedings concerning any property vested in the trustees of a registered society or branch, the property may be stated to be the property of the trustees for the time being in their proper names as trustees for the society or branch, without further description.

Proof of documents.

91. (1.) Every instrument or document purporting to be sealed with the seal of the Registrar shall be received in evidence without further proof.

(2.) Every instrument or document purporting to be signed by the Registrar, or the Revising Barrister, or the Actuary, or an Auditor under this Act shall be received in evidence without proof of the signature or of the official position of the person appearing to have signed the instrument or document.

(3.) Every instrument or document required by this Act to be sent to the Registrar may be proved by a copy thereof under the seal of the Registrar.

Provisions as to officers having control of money belonging to society or branch.

92. With respect to officers of a registered society or branch having receipt or charge of money the following provisions shall have effect:—

(a.) Every officer shall, before taking upon himself the execution of his office, give the security of a guarantee society, in such sum as the society or branch directs, for his rendering a just and true account of all moneys received and paid by him on account of the society or branch at such times as its rules appoint, or as the society or branch or the trustees or committee thereof require,

and for the payment by him of all sums due from him to the society or branch.

(b.) Every officer shall, at such times as by the rules of the society or branch he should render account, or upon demand made, or notice in writing given or left at his last or usual place of abode, give in his account, as may be required by the society or branch, or by the trustees or committee thereof, to be examined and allowed or disallowed by them; and shall, on the like demand or notice, pay over all moneys and deliver all property in his hands or custody to such person as the society or branch, or the committee, or the trustees appoint; and in case of any neglect or refusal to deliver the account, or to pay over the sums of money, or to deliver the property in manner aforesaid, the trustees or authorised officers of the society or branch may sue upon the security before mentioned.

93. (1.) Any registered society or branch may at any time and from time to time apply to the Registrar for a certificate of the adequacy of its contributions, either generally or in respect of any specified fund or funds, and it shall thereupon be the duty of the Registrar to cause the Actuary of Friendly Societies to make due inquiry, and if on such inquiry the said Actuary is of opinion that the contributions are adequate he shall give to the society or branch a certificate as to the adequacy of the said contributions in the form numbered (1) in the *First* Schedule, or in such other form as he deems appropriate to the case.

Application by society for certificate by Actuary as to adequacy of contributions.

(2.) No action or other proceedings shall lie against the Actuary at the suit of any person for any erroneous certificate given by him under this or any other provision of this Act.

94. Every return or other document required for the purposes of this Act shall be made in such form and shall contain such particulars as the Registrar prescribes.

Registrar may prescribe forms.

95. (1.) For the purposes of this Act a certificate of the birth or death of any member of or person insured or to be insured with a registered friendly society or branch shall, on application being made in the prescribed form and manner, be given under his hand by the Registrar of Births and Deaths, for a sum not exceeding one shilling, in place of all fees or payments otherwise payable in respect of the same.

Registrar of Births and Deaths to issue certificates with reference to this Act on payment of one shilling.

(2.) Where application is made at one time to any such Registrar in manner aforesaid for more certificates than one of the same birth or death for the purposes of this Act, the sum charged for every such certificate other than the first shall not exceed *sixpence*.

96. (1.) Stamp duty shall not be chargeable upon any of the following documents:—

Exemptions from stamp duty.

(a.) A power, warrant, or letter of attorney granted by any person as trustee for the transfer of any money of a registered society or branch invested in his name in any debentures, bonds, or Treasury bills issued under any Act of Parliament:

(b.) A draft, or order, or receipt given by or to a registered society or branch in respect of money payable by virtue of its rules or of this Act :

Provided that every cheque drawn on any bank under this subsection shall bear on the face thereof the words " Friendly society's cheque, to be used only for the purposes of the society on behalf of which it is issued, and not for general circulation " :

(c.) A policy of insurance, or appointment or revocation of appointment of agent, or other document required or authorised by this Act or by the rules of a registered society or branch. 10

(2.) Customs duties shall not be chargeable on regalia, emblems, certificates, almanacs, and banners being the property of any registered society or branch. 15

Rights of members not to suffer by reason of the performance of military duties.

97. Notwithstanding anything in the rules of any friendly society or branch, registered or unregistered, no person, by reason of his enrolment or service in the Militia, or as a Volunteer in any corps of Volunteers, shall lose or forfeit any interest he possesses in any such society or branch at the time of his being so enrolled or serving, or be fined for absence from or non-attendance at any meeting of the society or branch, if his absence or non-attendance is occasioned by the discharge of his military or naval duty as certified by his commanding officer. 20

Regulations.

98. (1.) The Governor may from time to time by Order in Council make regulations concerning— 25

(a.) Registration and other procedure under this Act, and the forms to be used for such registration and procedure :

(b.) The duties and functions of the Registrar and other officers appointed by the Governor under this Act : 30

(c.) The inspection of documents kept by the Registrar under this Act :

(d.) The fees to be paid for audits made and for all other matters to be transacted under this Act and for the inspection of documents : 35

(e.) The form, custody, and use of the seal of the Registrar :

(f.) Any other matters in respect of which regulations are deemed requisite for carrying this Act into effect.

(2.) All such regulations shall, within six weeks after the making thereof, be laid before Parliament if then sitting, or if not, then within six weeks from the commencement of the next ensuing session thereof. 40

(3.) A copy of such regulations shall be sent by post to every registered society and branch as soon as practicable after the making of them. 45

No fees payable on registration.

99. No fee shall be payable on the registration of any friendly or benevolent society, or of any branch thereof, or of any amendment of the rules of any such society or branch.

Fees payable to Public Account.

100. All fees received by the Registrar under this Act shall be paid into the Public Account and form part of the Consolidated Fund. 50

101. The Minister of Finance shall pay the expenses of carrying this Act into execution out of moneys appropriated by Parliament for the purpose.

Expenses of administration

5 102. (1.) All references in any other Act in force at the commencement of this Act to the Registrar of Friendly Societies or to the Revising Barrister under any Act relating to friendly societies shall be deemed to be references to the Registrar of Friendly Societies or the Revising Barrister respectively under this Act, and the offices of such Registrar or Revising Barrister as hereby established shall
10 for all purposes be the same offices as those which existed under the like titles under any Act heretofore in force relating to friendly societies.

Savings.

(2.) The provisions hereinbefore contained enabling the Deputy Registrar of Friendly Societies to act for the Registrar or during any
15 vacancy in the office of Registrar shall extend to all powers conferred upon the Registrar by any other Act already in force or hereafter to be passed.

103. (1.) The Friendly Societies Act, 1908, is hereby repealed.

Repeal.

(2.) Every society or branch existing at the commencement of
20 this Act and registered under any former Act relating to friendly societies shall be deemed to be registered under this Act, and shall be subject to the provisions of this Act accordingly.

Saving.

(3.) The rules of every such society or branch shall, so far as
25 they are not contrary to this Act, continue in force until altered or rescinded in accordance with this Act.

(4.) The Registrar and Deputy Registrar of Friendly Societies and the Revising Barrister holding office at the commencement of this Act under the Friendly Societies Act, 1908, shall be deemed to
30 have been appointed to and to hold the like office under this Act without further appointment.

(5.) All regulations made and all acts of authority performed under any former Act relating to friendly societies, and subsisting or in force at the commencement of this Act, shall enure for the purposes of this Act as if they had originated under this Act.

35 (6.) All applications, registrations, and proceedings commenced under any such former Act, and in progress at the commencement of this Act, may be continued and completed under this Act.

SCHEDULES.

FIRST SCHEDULE.

(1.) CERTIFICATE OF ADEQUACY OF CONTRIBUTIONS.

Section 15, 93.

I HEREBY certify that upon the basis of the [Specifying the actuarial experience on which the certificate is based] experience, the scales of contributions provided by the foregoing rules of the [Name of society or branch] are adequate for the benefits assured by that society [or branch], provided that the funds are improved at a rate of interest not less than per centum per annum clear of all losses and depreciations.

[Signature and description of Actuary.]

Section 17.

(2.) REVISING BARRISTER'S CERTIFICATE.

I HEREBY certify that the foregoing rules [or amendments of the rules] of the Society are in conformity with law and the provisions of the Friendly Societies Consolidation Act, 1908.

Dated this _____ day of _____, 19____ A. B.,
Revising Barrister.

Section 18.

(3.) ACKNOWLEDGMENT OF REGISTRATION OF SOCIETY.

THE Society is registered as a friendly society [benevolent society, or working-men's club, or specially authorised society] under the Friendly Societies Consolidation Act, 1908, this _____ day of _____, 19____

[Seal of Registrar.] C. D., Registrar.

Section 21.

(4.) ACKNOWLEDGMENT OF REGISTRATION OF BRANCH.

THE _____ is registered as a branch of the _____ Society under the Friendly Societies Consolidation Act, 1908, this _____ day of _____, 19____

[Seal of Registrar.] C. D., Registrar.

Section 25.

(5.) ACKNOWLEDGMENT OF REGISTRATION OF AMENDMENT OF RULES.

THE foregoing amendment of the rules of the [Name of society or branch] is registered under the Friendly Societies Consolidation Act, 1908, this _____ day of _____, 19____

[Seal of Registrar.] C. D., Registrar.

Section 26.

(6.) CERTIFICATE OF ACTUARY ON AMENDMENT OF RULES.

I HEREBY certify that the foregoing amendment of the rules of [Name of society or branch] does not adversely affect the adequacy of the contributions of the said society [or branch].

[Signature and description of Actuary.]

SECOND SCHEDULE.

Sections 12, 28, 29

MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT.

1. THE name and place of office of the society.
2. The whole of the objects for which the society is to be established, the purposes for which the funds thereof shall be applicable, the terms of admission of members, the conditions under which any member may become entitled to any benefit assured by the society, the fines and forfeitures that may be imposed on any member, and the consequences of non-payment of any subscription or fine.
3. The mode of holding meetings and the right of voting, and the manner of making, altering, or rescinding rules.
4. The appointment and removal of a committee of management (by whatever name), of a secretary, two or more auditors, and other officers, and of one or more trustees, and, in the case of a society with branches, the composition and powers of the central body, and the conditions under which a branch may secede from the society.
5. The investment of the funds, the keeping of the accounts, and the audit of the same once a year at least.
6. The making of annual returns to the Registrar of the receipts, funds, effects, and expenditure of the society, and of all other matters required to be included in any annual return.
7. The auditing of the accounts of the society once at least in every year.
8. The inspection of the books of the society by every person having an interest in the funds of the society.
9. The manner in which disputes between the society or an officer thereof, and any of its members, or any person claiming through a member or under the rules, shall be settled.
10. In the case of a dividing society, a provision for satisfying, before any such division takes place, all claims upon the society existing at the time of division.
11. The voluntary dissolution of the society.

And also, in the case of friendly societies,—

12. The keeping of separate accounts of all moneys received or paid on account of every particular fund or benefit assured for which a separate table of contributions payable has been adopted.

13. The establishment of a separate contribution or table of contributions to defray the necessary expenses of management, medical and surgical expenses (if any), including medicine and medical and surgical requisites, and the keeping of separate accounts of such expenses and of all contributions on account thereof.

14. The making of returns every year to the Registrar of the sickness and mortality of the society.

15. The right of members of the society to apply to the Registrar for an investigation of the affairs of the society.

By Authority : JOHN MACKAY, Government Printer, Wellington.—1908.