

New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

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Act No. 31, 1906.

An Act to amend the Friendly Societies Act, 1899, the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901; to repeal the Friendly Societies (Amending) Act, 1903; and for other purposes. [Assented to, 12th December, 1906.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

*Preliminary.*

1. This Act may be cited as the "Friendly Societies (Amendment) Act, 1906."

A

2.

*Friendly Societies (Amendment).*

Incorporation.

2. This Act shall be construed with the Friendly Societies Act, 1899 (hereinafter called the Principal Act), the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901.

*Registration.*

Friendly societies and branches to be registered.

3. (1) All friendly societies established for any of the purposes mentioned in subsection one of section six of the Principal Act, and consisting of at least seven persons, and all branches thereof shall be registered in accordance with the provisions of the Principal Act, and the said section is amended to that extent.

(2) Every such society or branch existing at the commencement of this Act, and then unregistered, shall be registered as aforesaid within six months from such commencement.

(3) Every such society or branch formed after the commencement of this Act, shall be so registered within six months from the date on which it begins to carry on the business and perform the functions of a society or branch.

Penalty.

(4) Any member of the committee of management of any such society or branch not so registered who takes any money or valuable thing in consideration of the allotment of any shares or interest in that society after the expiration of the period fixed as above mentioned for the registration of the society or branch, shall be liable to a penalty not exceeding twenty pounds.

Repeal of section 76 of Principal Act. Dividing or levy societies.

(5) Section seventy-six of the Principal Act is repealed.

(6) Dividing or levy societies, that is to say, societies formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing their funds, discharging their liabilities, and dividing their assets (if any) annually, shall be exempt from the provisions of subsection one of this section.

Rules inoperative if unregistered.

4. (1) The rules of any registered society or branch thereof shall be inoperative and of no effect until such rules have been duly registered.

Unregistered society or branch.

(2) No society shall, in respect of any branch thereof, be entitled to any of the privileges of any statutes passed or to be passed relating to Friendly Societies until such branch has been registered.

*Tables of contributions.*

Rates of contribution in societies unregistered at commencement of this Act.

5. (1) The registrar may register any such society as is mentioned in section twelve of the Principal Act subsisting as an unregistered society at the commencement of this Act, notwithstanding that the provisions of that section have not been complied with if the rules of the society provide—

- (a) that the rates of contribution to be charged subsequent to the date of registration of the society in respect of persons who are members at such date shall not be lower than those chargeable at such date .
- (b)

*Friendly Societies (Amendment).*

(b) that the members joining the society after such date shall contribute under a scale of contributions to be certified by an actuary who has exercised his profession for at least five years, or by a Government actuary.

(2) No amendment of the rules of any registered society or branch relating to contributions payable for any assurance by such society or branch susceptible of calculation by way of average, shall be entitled to be registered unless the table of contributions payable for such kind of assurance certified under the hand of an actuary who has exercised his profession for at least five years has been transmitted to the registrar, together with copies of the rules aforesaid.

(3) Section two of the Friendly Societies (Further Amendment) Act, 1901, and the whole of the Friendly Societies (Amending) Act, 1903, are repealed.

*Accounts and funds.*

6. (1) In every registered society or branch, all moneys received or paid on account of any particular fund or benefit provided by the rules shall be entered in a separate account distinct from the moneys received or paid on account of any other fund or benefit, and the moneys belonging to any one such fund or benefit shall not be used in any manner for the purposes of any other fund or benefit. The expenses of management or of renovation and maintenance of any property in which the funds of a society may be invested may be borne out of the revenue derived from such property: Provided that, in the case of property in which moneys belonging to the funeral fund or the sick fund of any society or branch may be invested, such expenses shall be so borne only out of earnings in excess of the sum representing four per centum on such moneys belonging to the funeral fund or sick fund: Provided that it shall be lawful to apply any savings out of moneys applicable for management expenses in aid of any of the funds or benefits of the society or branch.

Moneys received or paid to be entered in a separate account.  
55 Vic. No. 1234  
(Vict.), s. 6 (2).

(2) Where the registrar is satisfied that any moneys of a registered society or branch have after the passing of this Act been appropriated from any fund or account for purposes other than those expressed or directed in the rules of such society or branch, he may, in writing, direct the trustees of such society or branch to restore such moneys to such fund or account within such time as he may notify in his direction.

Moneys misapplied to be restored to the proper fund.

Any trustees failing to comply with the terms of such direction within the time therein specified shall be liable to a penalty not exceeding twenty pounds.

Penalty.

*Recommendations by registrar.*

7. On valuation being made under the Principal Act of the assets and liabilities of a registered society or branch, the registrar may make such recommendations to the society or branch as he may deem to be authorised by such valuation.

Registrar may make recommendations.

If

*Friendly Societies (Amendment).*

If from a consideration of such valuation it appears to the registrar that it is necessary or desirable that steps be taken to improve the financial position of the society or branch, the registrar may, by writing under his hand, require the society or branch to submit to him proposals for improving its financial position, and the society or branch shall thereupon so submit such proposals.

*Reference of disputes.*

Any party to a dispute may refer to registrar.

8. (1) Notwithstanding section sixty of the Principal Act, any party to a dispute in a registered society, or branch thereof, may, unless the rules of such society or branch expressly forbid it, refer the dispute to the registrar.

(2) Subsection one of section four of the Friendly Societies (Amendment) Act, 1900, is repealed.

Procedure where rules do not apply or where no decision is made.

9. (1) Where the rules of a registered society or branch contain no direction as to referring disputes to the registrar, or where the arbitrators or other tribunal hearing disputes in accordance with such rules give no decision in regard to a dispute within forty days after application to such society or branch for a reference under its rules, the member or person aggrieved may apply to the registrar to hear and determine the matter in dispute, and the registrar may hear and determine such matter, and his determination shall be final; in the case of a registered society with branches, the said forty days shall not begin to run until the application has been made in succession to all the bodies entitled under the rules of such society or branch to determine the dispute: Provided that no rules shall allow a greater delay than three months between each successive determination.

(2) Section five of the Friendly Societies (Amendment) Act, 1900, is repealed.

*Amendments of Principal Act.*

Amendment of section 14 of Principal Act.

10. (1) Subsection one of section fourteen of the Principal Act is amended by the addition after the word "sent" of the words "by and"

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is amended by the addition of the following proviso:—

"Provided that where such rules are substantially identical with the rules of some other registered branch, it shall be sufficient, with respect to such rules, if the registrar record the fact in the register and notify the society thereof."

Amendment of section 19 of Principal Act.

11. Section nineteen of the Principal Act is amended—

(a) by omitting the words "sum not exceeding the amount of six months";

(b) by omitting the word "three" and substituting in lieu thereof the word "one,"

*Friendly Societies (Amendment).*

12. Section twenty-one of the Principal Act is amended by the addition of the following words "and any other particulars required by him to be furnished." Amendment of section 21.

13. (1) Subsection one of section twenty-four of the Principal Act is repealed, and the following is substituted in its place:— Amendments of section 24.

"The secretary of every registered society or branch shall, once in each year, not later than the thirty-first day of March, send to the registrar a return (in this Act called the annual returns) of the receipts and expenditure, funds and effects, of the society or branch as audited:

Provided that the registrar may, on his being satisfied that there are reasonable grounds for so doing, extend the period to any date not later than the thirty-first day of May in the said year."

(2) Subsection two, paragraph (a), of the same section, is amended by inserting before the word "expenditure" the words "receipts and"; paragraph (b) of the same subsection is amended by omitting the words "with the approval of the Governor."

(3) Subsection three of the said section is amended by inserting the words "secretary of the" before the words "society or branch."

(4) Subsection four of the same section is repealed.

14. Section thirty-three of the Principal Act is amended by omitting the words "according to its rules." Amendment of section 33.

15. Section forty-two, paragraph (d), of the Principal Act, is amended by omitting from the paragraph the words commencing with "and the amount so fixed" to the end of the paragraph. Amendment of section 42 (d).

16. Section forty-three of the Principal Act is amended by omitting the words "such land and buildings," and substituting therefor the words "such land or buildings." Amendment of section 43.

17. Subsection one of section forty-eight of the Principal Act is amended— Amendment of section 48 (1).

(a) by inserting after the words "or other effects" the words "belonging to such society or branch";

(b) by inserting after the words "give in his account" the words "of such money, securities, books, papers, or other effects";

(c) by inserting after the words "pay over all" the word "such"; and

(d) by inserting after the words "and deliver all" the word "such."

18. (1) Subsection one of section sixty-one of the Principal Act is amended by inserting after the words "a registered society" the words "or any registered branch thereof." Amendment of section 61, subsections (1) and (2) of Principal Act.

(2) Subsection two of the same section is amended by the addition after the word "society," wherever it occurs, of the words "or branch."

*Friendly Societies (Amendment).*

Amendment of  
section 62,  
subsection (3),  
paragraph (b).

**19.** Subsection three, paragraph (b), of section sixty-two of the Principal Act, is amended by inserting after the words "at a general meeting duly convened for that purpose" the words "Provided that in the case of a society having a branch or branches, the vote of a majority of the members of the central body shall suffice."

Amendment of  
section 66.

**20.** Section sixty-six of the Principal Act is amended by omitting the word "and" at the end of paragraph (a), and by omitting paragraph (b).

Amendment of  
section 68,  
subsection (1).

**21.** (1) Subsection one of section sixty-eight of the Principal Act is amended by the addition after paragraph (c) of the following paragraph—

"or (d) the committee of a registered society."

Subsection (7).

(2) Subsection seven of the said section is amended by inserting the words "subsection one of this section" in place of the words "this section."

New subsection.

(3) The following subsection is added to the said section :—

(8) "The registrar may, on his own motion and without any application, appoint an inspector or inspectors to examine into and report to him on the affairs of a registered society or branch.

"The inspector or inspectors so appointed shall have all the powers mentioned in subsection five of this section."

First Schedule.

(4) Paragraph twelve of the First Schedule to the Principal Act is amended by inserting the words "or of the committee of the society" after the words "ten thousand members."

Amendment of  
section 69.

**22.** (1) Subsection one of section sixty-nine of the Principal Act is amended by substituting the words "such society or branch" for the words "a society" at the end of the subsection.

(2) Subsections two, three, four, five, and six of the said section are amended by the addition after the word "society," wherever it occurs in those subsections, of the words "or branch."

Amendment of  
section 80.

**23.** Subsection four (3), paragraph (c), of section eighty of the Principal Act is amended by omitting the words "member of the society or branch" and substituting therefor the word "person."

By Authority : WILLIAM APPEGATE GULLICK, Government Printer, Sydney, 1906.

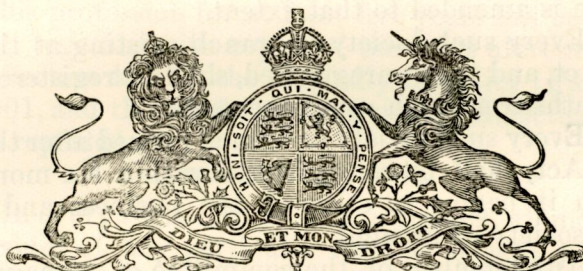
[6d.]

*I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Assembly Chamber,  
Sydney, 7 December, 1906.* }

RICHD. A. ARNOLD,  
*Clerk of the Legislative Assembly.*

## New South Wales.



ANNO SEXTO

# EDWARDI VII REGIS.

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## Act No. 31, 1906.

An Act to amend the Friendly Societies Act, 1899, the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901; to repeal the Friendly Societies (Amending) Act, 1903; and for other purposes. [Assented to, 12th December, 1906.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

### *Preliminary.*

1. This Act may be cited as the "Friendly Societies (Amend- Short title.  
ment) Act, 1906." 2.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. H. WOOD,  
*Chairman of Committees of the Legislative Assembly.*

*Friendly Societies (Amendment).*

Incorporation.

2. This Act shall be construed with the Friendly Societies Act, 1899 (hereinafter called the Principal Act), the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901.

*Registration.*

Friendly societies and branches to be registered.

3. (1) All friendly societies established for any of the purposes mentioned in subsection one of section six of the Principal Act, and consisting of at least seven persons, and all branches thereof shall be registered in accordance with the provisions of the Principal Act, and the said section is amended to that extent.

(2) Every such society or branch existing at the commencement of this Act, and then unregistered, shall be registered as aforesaid within six months from such commencement.

(3) Every such society or branch formed after the commencement of this Act, shall be so registered within six months from the date on which it begins to carry on the business and perform the functions of a society or branch.

Penalty.

(4) Any member of the committee of management of any such society or branch not so registered who takes any money or valuable thing in consideration of the allotment of any shares or interest in that society after the expiration of the period fixed as above mentioned for the registration of the society or branch, shall be liable to a penalty not exceeding twenty pounds.

Repeal of section 76 of Principal Act. Dividing or levy societies.

(5) Section seventy-six of the Principal Act is repealed.

(6) Dividing or levy societies, that is to say, societies formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing their funds, discharging their liabilities, and dividing their assets (if any) annually, shall be exempt from the provisions of subsection one of this section.

Rules inoperative if unregistered.

4. (1) The rules of any registered society or branch thereof shall be inoperative and of no effect until such rules have been duly registered.

Unregistered society or branch.

(2) No society shall, in respect of any branch thereof, be entitled to any of the privileges of any statutes passed or to be passed relating to Friendly Societies until such branch has been registered.

*Tables of contributions.*

Rates of contribution in societies unregistered at commencement of this Act.

5. (1) The registrar may register any such society as is mentioned in section twelve of the Principal Act subsisting as an unregistered society at the commencement of this Act, notwithstanding that the provisions of that section have not been complied with if the rules of the society provide—

- (a) that the rates of contribution to be charged subsequent to the date of registration of the society in respect of persons who are members at such date shall not be lower than those chargeable at such date ;
- (b)



*Friendly Societies (Amendment).*

(b) that the members joining the society after such date shall contribute under a scale of contributions to be certified by an actuary who has exercised his profession for at least five years, or by a Government actuary.

(2) No amendment of the rules of any registered society or branch relating to contributions payable for any assurance by such society or branch susceptible of calculation by way of average, shall be entitled to be registered unless the table of contributions payable for such kind of assurance certified under the hand of an actuary who has exercised his profession for at least five years has been transmitted to the registrar, together with copies of the rules aforesaid.

(3) Section two of the Friendly Societies (Further Amendment) Act, 1901, and the whole of the Friendly Societies (Amending) Act, 1903, are repealed.

*Accounts and funds.*

6. (1) In every registered society or branch, all moneys received or paid on account of any particular fund or benefit provided by the rules shall be entered in a separate account distinct from the moneys received or paid on account of any other fund or benefit, and the moneys belonging to any one such fund or benefit shall not be used in any manner for the purposes of any other fund or benefit. The expenses of management or of renovation and maintenance of any property in which the funds of a society may be invested may be borne out of the revenue derived from such property: Provided that, in the case of property in which moneys belonging to the funeral fund or the sick fund of any society or branch may be invested, such expenses shall be so borne only out of earnings in excess of the sum representing four per centum on such moneys belonging to the funeral fund or sick fund: Provided that it shall be lawful to apply any savings out of moneys applicable for management expenses in aid of any of the funds or benefits of the society or branch.

Moneys received or paid to be entered in a separate account.  
55 Vic. No. 1234  
(Vict.), s. 6 (2).

(2) Where the registrar is satisfied that any moneys of a registered society or branch have after the passing of this Act been appropriated from any fund or account for purposes other than those expressed or directed in the rules of such society or branch, he may, in writing, direct the trustees of such society or branch to restore such moneys to such fund or account within such time as he may notify in his direction.

Moneys misapplied to be restored to the proper fund.

Any trustees failing to comply with the terms of such direction within the time therein specified shall be liable to a penalty not exceeding twenty pounds.

Penalty.

*Recommendations by registrar.*

7. On valuation being made under the Principal Act of the assets and liabilities of a registered society or branch, the registrar may make such recommendations to the society or branch as he may deem to be authorised by such valuation.

Registrar may make recommendations.

If

*Friendly Societies (Amendment).*

If from a consideration of such valuation it appears to the registrar that it is necessary or desirable that steps be taken to improve the financial position of the society or branch, the registrar may, by writing under his hand, require the society or branch to submit to him proposals for improving its financial position, and the society or branch shall thereupon so submit such proposals.

*Reference of disputes.*

Any party to a dispute may refer to registrar.

8. (1) Notwithstanding section sixty of the Principal Act, any party to a dispute in a registered society, or branch thereof, may, unless the rules of such society or branch expressly forbid it, refer the dispute to the registrar.

(2) Subsection one of section four of the Friendly Societies (Amendment) Act, 1900, is repealed.

Procedure where rules do not apply or where no decision is made.

9. (1) Where the rules of a registered society or branch contain no direction as to referring disputes to the registrar, or where the arbitrators or other tribunal hearing disputes in accordance with such rules give no decision in regard to a dispute within forty days after application to such society or branch for a reference under its rules, the member or person aggrieved may apply to the registrar to hear and determine the matter in dispute, and the registrar may hear and determine such matter, and his determination shall be final; in the case of a registered society with branches, the said forty days shall not begin to run until the application has been made in succession to all the bodies entitled under the rules of such society or branch to determine the dispute: Provided that no rules shall allow a greater delay than three months between each successive determination.

(2) Section five of the Friendly Societies (Amendment) Act, 1900, is repealed.

*Amendments of Principal Act.*

Amendment of section 14 of Principal Act.

10. (1) Subsection one of section fourteen of the Principal Act is amended by the addition after the word "sent" of the words "by and"

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is amended by the addition of the following proviso:—

"Provided that where such rules are substantially identical with the rules of some other registered branch, it shall be sufficient, with respect to such rules, if the registrar record the fact in the register and notify the society thereof."

Amendment of section 19 of Principal Act.

11. Section nineteen of the Principal Act is amended—

(a) by omitting the words "sum not exceeding the amount of six months";

(b) by omitting the word "three" and substituting in lieu thereof the word "one."

*Friendly Societies (Amendment).*

12. Section twenty-one of the Principal Act is amended by the addition of the following words "and any other particulars required by him to be furnished." Amendment of section 21.

13. (1) Subsection one of section twenty-four of the Principal Act is repealed, and the following is substituted in its place:— Amendments of section 24.

"The secretary of every registered society or branch shall, once in each year, not later than the thirty-first day of March, send to the registrar a return (in this Act called the annual returns) of the receipts and expenditure, funds and effects, of the society or branch as audited:

Provided that the registrar may, on his being satisfied that there are reasonable grounds for so doing, extend the period to any date not later than the thirty-first day of May in the said year."

(2) Subsection two, paragraph (a), of the same section, is amended by inserting before the word "expenditure" the words "receipts and"; paragraph (b) of the same subsection is amended by omitting the words "with the approval of the Governor."

(3) Subsection three of the said section is amended by inserting the words "secretary of the" before the words "society or branch."

(4) Subsection four of the same section is repealed.

14. Section thirty-three of the Principal Act is amended by omitting the words "according to its rules." Amendment of section 33.

15. Section forty-two, paragraph (d), of the Principal Act, is amended by omitting from the paragraph the words commencing with "and the amount so fixed" to the end of the paragraph. Amendment of section 42 (d).

16. Section forty-three of the Principal Act is amended by omitting the words "such land and buildings," and substituting therefor the words "such land or buildings." Amendment of section 43.

17. Subsection one of section forty-eight of the Principal Act is amended— Amendment of section 48 (1).

(a) by inserting after the words "or other effects" the words "belonging to such society or branch";

(b) by inserting after the words "give in his account" the words "of such money, securities, books, papers, or other effects";

(c) by inserting after the words "pay over all" the word "such";

and

(d) by inserting after the words "and deliver all" the word "such."

18. (1) Subsection one of section sixty-one of the Principal Act is amended by inserting after the words "a registered society" the words "or any registered branch thereof." Amendment of section 61, subsections (1) and (2) of Principal Act.

(2) Subsection two of the same section is amended by the addition after the word "society," wherever it occurs, of the words "or branch"

*Friendly Societies (Amendment).*

Amendment of  
section 62,  
subsection (3),  
paragraph (b).

19. Subsection three, paragraph (b), of section sixty-two of the Principal Act, is amended by inserting after the words "at a general meeting duly convened for that purpose" the words "Provided that in the case of a society having a branch or branches, the vote of a majority of the members of the central body shall suffice."

Amendment of  
section 66.

20. Section sixty-six of the Principal Act is amended by omitting the word "and" at the end of paragraph (a), and by omitting paragraph (b).

Amendment of  
section 68,  
subsection (1).

21. (1) Subsection one of section sixty-eight of the Principal Act is amended by the addition after paragraph (c) of the following paragraph—

"or (d) the committee of a registered society."

Subsection (7).

(2) Subsection seven of the said section is amended by inserting the words "subsection one of this section" in place of the words "this section."

New subsection.

(3) The following subsection is added to the said section:—

(8) "The registrar may, on his own motion and without any application, appoint an inspector or inspectors to examine into and report to him on the affairs of a registered society or branch.

"The inspector or inspectors so appointed shall have all the powers mentioned in subsection five of this section."

First Schedule.

(4) Paragraph twelve of the First Schedule to the Principal Act is amended by inserting the words "or of the committee of the society" after the words "ten thousand members."

Amendment of  
section 69.

22. (1) Subsection one of section sixty-nine of the Principal Act is amended by substituting the words "such society or branch" for the words "a society" at the end of the subsection.

(2) Subsections two, three, four, five, and six of the said section are amended by the addition after the word "society," wherever it occurs in those subsections, of the words "or branch."

Amendment of  
section 80.

23. Subsection four (3), paragraph (c), of section eighty of the Principal Act is amended by omitting the words "member of the society or branch" and substituting therefor the word "person."

*In the name and on the behalf of His Majesty I assent to this Act.*

HARRY H. RAWSON,  
Governor.

State Government House,  
Sydney, 12th December, 1906.

FRIENDLY SOCIETIES (AMENDMENT) BILL.

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*SCHEDULE of the Amendments referred to in Message of 6th December, 1906.*

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Page 2, clause 3. *After* subsection (5) *insert* new subsection (6).

Page 3, clause 5. *Omit* subsection (2).

Page 3, clause 5, subsection (3 2), lines 12 to 14. *Omit* "except in the case of the  
" registration of a society under subsection one or subsection two of this section,  
" no rules of any registered society or branch thereof, and no amendment of  
" such rules " *insert* " **No amendment of the rules of any registered society**  
" or branch "

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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 November, 1906.* }

**RICHD. A. ARNOLD,**  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 6th December, 1906.* }

**JOHN J. CALVERT,**  
*Clerk of the Parliaments.*

## New South Wales.



ANNO SEXTO

## EDWARDI VII REGIS.

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Act No. , 1906.

An Act to amend the Friendly Societies Act, 1899, the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901; to repeal the Friendly Societies (Amending) Act, 1903; and for other purposes.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

*Preliminary.*

1. This Act may be cited as the "Friendly Societies (Amend- Short title.  
ment) Act, 1906."

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20—A

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Friendly Societies (Amendment).*

2. This Act shall be construed with the Friendly Societies Act, <sup>Incorporation.</sup> 1899 (hereinafter called the Principal Act), the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901.

5 *Registration.*

3. (1) All friendly societies established for any of the purposes <sup>Friendly societies and</sup> mentioned in subsection one of section six of the Principal Act, and <sup>branches to be</sup> consisting of at least seven persons, and all branches thereof shall be <sup>registered.</sup> registered in accordance with the provisions of the Principal Act, and 10 the said section is amended to that extent.

(2) Every such society or branch existing at the commencement of this Act, and then unregistered, shall be registered as aforesaid within six months from such commencement.

15 (3) Every such society or branch formed after the commencement of this Act, shall be so registered within six months from the date on which it begins to carry on the business and perform the functions of a society or branch.

(4) Any member of the committee of management of any <sup>Penalty.</sup> such society or branch not so registered who takes any money or 20 valuable thing in consideration of the allotment of any shares or interest in that society after the expiration of the period fixed as above mentioned for the registration of the society or branch, shall be liable to a penalty not exceeding twenty pounds.

(5) Section seventy-six of the Principal Act is repealed. <sup>Repeal of section 76 of Principal Act.</sup>

25 (6) **Dividing or levy societies, that is to say, societies formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing their funds, discharging their liabilities, and dividing their assets (if any) annually, shall be exempt from the provisions of subsection one of this section.** <sup>Dividing or levy societies.</sup>

30 4. (1) The rules of any registered society or branch thereof shall be inoperative and of no effect until such rules have been duly registered. <sup>Rules inoperative if unregistered.</sup>

(2) No society shall, in respect of any branch thereof, be 35 entitled to any of the privileges of any statutes passed or to be passed relating to Friendly Societies until such branch has been registered. <sup>Unregistered society or branch.</sup>

*Tables of contributions.*

5. (1) The registrar may register any such society as is mentioned <sup>Rates of contribution in societies unregistered at commencement of this Act.</sup> in section twelve of the Principal Act subsisting as an unregistered society at the commencement of this Act, notwithstanding that the 40 provisions of that section have not been complied with if the rules of the society provide—

- (a) that the rates of contribution to be charged subsequent to the date of registration of the society in respect of persons who are members at such date shall not be lower than those chargeable at such date;
  - (b)
- 45

*Friendly Societies (Amendment).*

(b) that the members joining the society after such date shall contribute under a scale of contributions to be certified by an actuary who has exercised his profession for at least five years, or by a Government actuary.

5 (2) The registrar may register any dividing or levy society, that is to say, a society formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing its funds, discharging all its liabilities, and dividing its assets (if any) annually, notwithstanding that the table of contributions payable for any  
10 assurance provided in its rules has not been certified under this section or under section twelve of the said Act.

~~(3) 2) Except in the case of the registration of a society under subsection one or subsection two of this section, no rules of any registered society or branch thereof, and no amendment of such rules~~  
15 **No amendment of the rules of any registered society or branch** relating to contributions payable for any assurance by such society or branch susceptible of calculation by way of average, shall be entitled to be registered unless the table of contributions payable for such kind of assurance certified under the hand of an actuary who has exercised his  
20 profession for at least five years has been transmitted to the registrar, together with copies of the rules aforesaid.

(4) Section two of the Friendly Societies (Further Amendment) Act, 1901, and the whole of the Friendly Societies (Amending) Act, 1903, are repealed.

25 *Accounts and funds.*

6. (1) In every registered society or branch, all moneys received or paid on account of any particular fund or benefit provided by the rules shall be entered in a separate account distinct from the moneys received or paid on account of any other fund or benefit, and the  
30 moneys belonging to any one such fund or benefit shall not be used in any manner for the purposes of any other fund or benefit. The expenses of management or of renovation and maintenance of any property in which the funds of a society may be invested may be borne out of the revenue derived from such property: Provided that,  
35 in the case of property in which moneys belonging to the funeral fund or the sick fund of any society or branch may be invested, such expenses shall be so borne only out of earnings in excess of the sum representing four per centum on such moneys belonging to the funeral fund or sick fund: Provided that it shall be lawful to apply any  
40 savings out of moneys applicable for management expenses in aid of any of the funds or benefits of the society or branch.

(2) Where the registrar is satisfied that any moneys of a registered society or branch have after the passing of this Act been appropriated from any fund or account for purposes other than those  
45 expressed or directed in the rules of such society or branch, he may, **in**

Moneys received or paid to be entered in a separate account.

55 Vic. No. 1234 (Vict.), s. 6 (2).

Moneys misapplied to be restored to the proper fund.



*Friendly Societies (Amendment).*

in writing, direct the trustees of such society or branch to restore such moneys to such fund or account within such time as he may notify in his direction.

Any trustees failing to comply with the terms of such direction Penalty.  
5 within the time therein specified shall be liable to a penalty not exceeding twenty pounds.

*Recommendations by registrar.*

7. On valuation being made under the Principal Act of the assets and liabilities of a registered society or branch, the registrar Registrar may make recommendations.  
10 may make such recommendations to the society or branch as he may deem to be authorised by such valuation.

If from a consideration of such valuation it appears to the registrar that it is necessary or desirable that steps be taken to improve the financial position of the society or branch, the registrar Registrar may make recommendations.  
15 may, by writing under his hand, require the society or branch to submit to him proposals for improving its financial position, and the society or branch shall thereupon so submit such proposals.

*Reference of disputes.*

8. (1) Notwithstanding section sixty of the Principal Act, any Any party to a dispute may refer to registrar.  
20 party to a dispute in a registered society, or branch thereof, may, unless the rules of such society or branch expressly forbid it, refer the dispute to the registrar.

(2) Subsection one of section four of the Friendly Societies (Amendment) Act, 1900, is repealed.

25 9. (1) Where the rules of a registered society or branch contain no direction as to referring disputes to the registrar, or where the arbitrators or other tribunal hearing disputes in accordance with such rules give no decision in regard to a dispute within forty days after application to such society or branch for a reference under its rules, Procedure where rules do not apply or where no decision is made.  
30 the member or person aggrieved may apply to the registrar to hear and determine the matter in dispute, and the registrar may hear and determine such matter, and his determination shall be final; in the case of a registered society with branches, the said forty days shall not begin to run until the application has been made in succession to  
35 all the bodies entitled under the rules of such society or branch to determine the dispute: Provided that no rules shall allow a greater delay than three months between each successive determination.

(2) Section five of the Friendly Societies (Amendment) Act, 1900, is repealed.

*Amendments of Principal Act.*

40 10. (1) Subsection one of section fourteen of the Principal Act Amendment of section 14 of Principal Act.  
is amended by the addition after the word "sent" of the words "by  
and" (2)

*Friendly Societies (Amendment).*

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is amended by the addition of the following proviso:—

5 “Provided that where such rules are substantially identical with the rules of some other registered branch, it shall be sufficient, with respect to such rules, if the registrar record the fact in the register and notify the society thereof.”

11. Section nineteen of the Principal Act is amended—

Amendment of section 19 of Principal Act.

10 (a) by omitting the words “sum not exceeding the amount of six months”;

(b) by omitting the word “three” and substituting in lieu thereof the word “one.”

15 12. Section twenty-one of the Principal Act is amended by the addition of the following words “and any other particulars required by him to be furnished.”

Amendment of section 21.

13. (1) Subsection one of section twenty-four of the Principal Act is repealed, and the following is substituted in its place:—

Amendments of section 24.

20 “The secretary of every registered society or branch shall, once in each year, not later than the thirty-first day of March, send to the registrar a return (in this Act called the annual returns) of the receipts and expenditure, funds and effects, of the society or branch as audited:

25 Provided that the registrar may, on his being satisfied that there are reasonable grounds for so doing, extend the period to any date not later than the thirty-first day of May in the said year.”

30 (2) Subsection two, paragraph (a), of the same section, is amended by inserting before the word “expenditure” the words “receipts and”; paragraph (b) of the same subsection is amended by omitting the words “with the approval of the Governor.”

(3) Subsection three of the said section is amended by inserting the words “secretary of the” before the words “society or branch.”

(4) Subsection four of the same section is repealed.

35 14. Section thirty-three of the Principal Act is amended by omitting the words “according to its rules.”

Amendment of section 33.

15. Section forty-two, paragraph (d), of the Principal Act, is amended by omitting from the paragraph the words commencing with “and the amount so fixed” to the end of the paragraph.

Amendment of section 42 (d).

40 16. Section forty-three of the Principal Act is amended by omitting the words “such land and buildings,” and substituting therefor the words “such land or buildings.”

Amendment section 43.

17. Subsection one of section forty-eight of the Principal Act is amended—

Amendment section 48.

45 (a) by inserting after the words “or other effects” the words “belonging to such society or branch”;

*Friendly Societies (Amendment).*

- (b) by inserting after the words "give in his account" the words "of such money, securities, books, papers, or other effects";
- (c) by inserting after the words "pay over all" the word "such"; and
- 5 (d) by inserting after the words "and deliver all" the word "such."
18. (1) Subsection one of section sixty-one of the Principal Act is amended by inserting after the words "a registered society" the words "or any registered branch thereof." Amendment of section 61, subsections (1) and (2) of Principal Act.
- 10 (2) Subsection two of the same section is amended by the addition after the word "society," wherever it occurs, of the words "or branch."
19. Subsection three, paragraph (b), of section sixty-two of the Principal Act, is amended by inserting after the words "at a general meeting duly convened for that purpose" the words "Provided that in the case of a society having a branch or branches, the vote of a majority of the members of the central body shall suffice." Amendment of section 62, subsection (3), paragraph (b).
- 15 20. Section sixty-six of the Principal Act is amended by omitting the word "and" at the end of paragraph (a), and by omitting paragraph (b). Amendment of section 66.
- 20 21. (1) Subsection one of section sixty-eight of the Principal Act is amended by the addition after paragraph (c) of the following paragraph—
- "or (d) the committee of a registered society."
- 25 (2) Subsection seven of the said section is amended by inserting the words "subsection one of this section" in place of the words "this section." Subsection (7).
- (3) The following subsection is added to the said section :— New subsection.
- 30 (8) "The registrar may, on his own motion and without any application, appoint an inspector or inspectors to examine into and report to him on the affairs of a registered society or branch.
- "The inspector or inspectors so appointed shall have all the powers mentioned in subsection five of this section."
- 35 (4) Paragraph twelve of the First Schedule to the Principal Act is amended by inserting the words "or of the committee of the society" after the words "ten thousand members." First Schedule.
22. (1) Subsection one of section sixty-nine of the Principal Act is amended by substituting the words "such society or branch" for the words "a society" at the end of the subsection. Amendment of section 69.
- 40 (2) Subsections two, three, four, five, and six of the said section are amended by the addition after the word "society," wherever it occurs in those subsections, of the words "or branch."
23. Subsection four (3), paragraph (c), of section eighty of the Principal Act is amended by omitting the words "member of the society or branch" and substituting therefor the word "person." Amendment of section 80.
- 45

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 November, 1906. }*

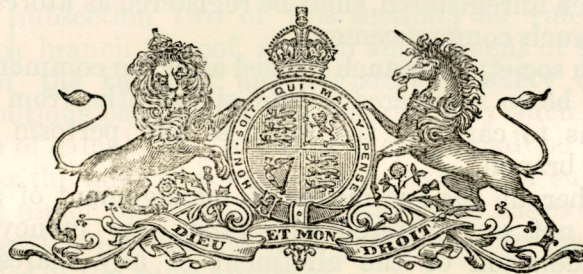
**RICHD. A. ARNOLD,**  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, December, 1906. }*

*Clerk of the Parliaments.*

## New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

\*\*\*\*\*

Act No. , 1906.

An Act to amend the Friendly Societies Act, 1899, the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901; to repeal the Friendly Societies (Amending) Act, 1903; and for other purposes.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

*Preliminary.*

1. This Act may be cited as the "Friendly Societies (Amendment) Act, 1906." Short title.

74194

20—A

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Friendly Societies (Amendment).*

2. This Act shall be construed with the Friendly Societies Act, 1899 (hereinafter called the Principal Act), the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901.

*Incorporation.*

5

*Registration.*

3. (1) All friendly societies established for any of the purposes mentioned in subsection one of section six of the Principal Act, and consisting of at least seven persons, and all branches thereof shall be registered in accordance with the provisions of the Principal Act, and the said section is amended to that extent.

*Friendly societies and branches to be registered.*

(2) Every such society or branch existing at the commencement of this Act, and then unregistered, shall be registered as aforesaid within six months from such commencement.

15 (3) Every such society or branch formed after the commencement of this Act, shall be so registered within six months from the date on which it begins to carry on the business and perform the functions of a society or branch.

20 (4) Any member of the committee of management of any such society or branch not so registered who takes any money or valuable thing in consideration of the allotment of any shares or interest in that society after the expiration of the period fixed as above mentioned for the registration of the society or branch, shall be liable to a penalty not exceeding twenty pounds.

*Penalty.*

25 (5) Section seventy-six of the Principal Act is repealed.

*Repeal of section 76 of Principal Act. Dividing or levy societies.*

30 (6) Dividing or levy societies, that is to say, societies formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing their funds, discharging their liabilities, and dividing their assets (if any) annually, shall be exempt from the provisions of subsection one of this section.

4. (1) The rules of any registered society or branch thereof shall be inoperative and of no effect until such rules have been duly registered.

*Rules inoperative if unregistered.*

35 (2) No society shall, in respect of any branch thereof, be entitled to any of the privileges of any statutes passed or to be passed relating to Friendly Societies until such branch has been registered.

*Unregistered society or branch.*

*Tables of contributions.*

5. (1) The registrar may register any such society as is mentioned in section twelve of the Principal Act subsisting as an unregistered society at the commencement of this Act, notwithstanding that the provisions of that section have not been complied with if the rules of the society provide—

*Rates of contribution in societies unregistered at commencement of this Act.*

45 (a) that the rates of contribution to be charged subsequent to the date of registration of the society in respect of persons who are members at such date shall not be lower than those chargeable at such date ; (b)

*Friendly Societies (Amendment).*

(b) that the members joining the society after such date shall contribute under a scale of contributions to be certified by an actuary who has exercised his profession for at least five years, or by a Government actuary.

5 (2) The registrar may register any dividing or levy society, that is to say, a society formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing its funds, discharging all its liabilities, and dividing its assets (if any) annually, notwithstanding that the table of contributions payable for any  
10 assurance provided in its rules has not been certified under this section or under section twelve of the said Act.

(3) ~~2) Except in the case of the registration of a society under subsection one or subsection two of this section, no rules of any registered society or branch thereof, and no amendment of such rules~~  
15 **No amendment of the rules of any registered society or branch relating to contributions payable for any assurance by such society or branch susceptible of calculation by way of average, shall be entitled to be registered unless the table of contributions payable for such kind of assurance certified under the hand of an actuary who has exercised his**  
20 **profession for at least five years has been transmitted to the registrar, together with copies of the rules aforesaid.**

(4) Section two of the Friendly Societies (Further Amendment) Act, 1901, and the whole of the Friendly Societies (Amending) Act, 1903, are repealed.

25 *Accounts and funds.*

6. (1) In every registered society or branch, all moneys received or paid on account of any particular fund or benefit provided by the rules shall be entered in a separate account distinct from the moneys received or paid on account of any other fund or benefit, and the  
30 moneys belonging to any one such fund or benefit shall not be used in any manner for the purposes of any other fund or benefit. The expenses of management or of renovation and maintenance of any property in which the funds of a society may be invested may be borne out of the revenue derived from such property: Provided that,  
35 in the case of property in which moneys belonging to the funeral fund or the sick fund of any society or branch may be invested, such expenses shall be so borne only out of earnings in excess of the sum representing four per centum on such moneys belonging to the funeral fund or sick fund: Provided that it shall be lawful to apply any  
40 savings out of moneys applicable for management expenses in aid of any of the funds or benefits of the society or branch.

(2) Where the registrar is satisfied that any moneys of a registered society or branch have after the passing of this Act been appropriated from any fund or account for purposes other than those  
45 expressed or directed in the rules of such society or branch, he may, in

Moneys received or paid to be entered in a separate account.

55 Vic. No. 1234 (Vict.), s. 6 (2).

Moneys misapplied to be restored to the proper fund.

*Friendly Societies (Amendment).*

in writing, direct the trustees of such society or branch to restore such moneys to such fund or account within such time as he may notify in his direction.

Any trustees failing to comply with the terms of such direction <sup>Penalty.</sup> within the time therein specified shall be liable to a penalty not exceeding twenty pounds.

*Recommendations by registrar.*

7. On valuation being made under the Principal Act of the assets and liabilities of a registered society or branch, the registrar <sup>Registrar may make recommendations.</sup> may make such recommendations to the society or branch as he may deem to be authorised by such valuation.

If from a consideration of such valuation it appears to the registrar that it is necessary or desirable that steps be taken to improve the financial position of the society or branch, the registrar <sup>15</sup> may, by writing under his hand, require the society or branch to submit to him proposals for improving its financial position, and the society or branch shall thereupon so submit such proposals.

*Reference of disputes.*

8. (1) Notwithstanding section sixty of the Principal Act, any <sup>20</sup> party to a dispute in a registered society, or branch thereof, may, <sup>Any party to a dispute may refer to registrar.</sup> unless the rules of such society or branch expressly forbid it, refer the dispute to the registrar.

(2) Subsection one of section four of the Friendly Societies (Amendment) Act, 1900, is repealed.

9. (1) Where the rules of a registered society or branch contain <sup>25</sup> no direction as to referring disputes to the registrar, or where the arbitrators or other tribunal hearing disputes in accordance with such rules give no decision in regard to a dispute within forty days after application to such society or branch for a reference under its rules, <sup>Procedure where rules do not apply or where no decision is made.</sup> the member or person aggrieved may apply to the registrar to hear and determine the matter in dispute, and the registrar may hear and determine such matter, and his determination shall be final; in the case of a registered society with branches, the said forty days shall not begin to run until the application has been made in succession to <sup>30</sup> all the bodies entitled under the rules of such society or branch to determine the dispute: Provided that no rules shall allow a greater delay than three months between each successive determination.

(2) Section five of the Friendly Societies (Amendment) Act, 1900, is repealed.

*Amendments of Principal Act.*

10. (1) Subsection one of section fourteen of the Principal Act <sup>Amendment of section 14 of Principal Act.</sup> is amended by the addition after the word "sent" of the words "by and" <sup>(2)</sup>

*Friendly Societies (Amendment).*

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is amended by the addition of the following proviso:—

5 “Provided that where such rules are substantially identical with the rules of some other registered branch, it shall be sufficient, with respect to such rules, if the registrar record the fact in the register and notify the society thereof.”

11. Section nineteen of the Principal Act is amended—

Amendment of  
section 19 of  
Principal Act.

10 (a) by omitting the words “sum not exceeding the amount of six months”;

(b) by omitting the word “three” and substituting in lieu thereof the word “one.”

12. Section twenty-one of the Principal Act is amended by the addition of the following words “and any other particulars required  
15 by him to be furnished.”

Amendment of  
section 21.

13. (1) Subsection one of section twenty-four of the Principal Act is repealed, and the following is substituted in its place:—

Amendments of  
section 24.

20 “The secretary of every registered society or branch shall, once in each year, not later than the thirty-first day of March, send to the registrar a return (in this Act called the annual returns) of the receipts and expenditure, funds and effects, of the society or branch as audited:

25 Provided that the registrar may, on his being satisfied that there are reasonable grounds for so doing, extend the period to any date not later than the thirty-first day of May in the said year.”

30 (2) Subsection two, paragraph (a), of the same section, is amended by inserting before the word “expenditure” the words “receipts and”; paragraph (b) of the same subsection is amended by omitting the words “with the approval of the Governor.”

(3) Subsection three of the said section is amended by inserting the words “secretary of the” before the words “society or branch.”

35 (4) Subsection four of the same section is repealed.

14. Section thirty-three of the Principal Act is amended by omitting the words “according to its rules.”

Amendment of  
section 33.

15. Section forty-two, paragraph (d), of the Principal Act, is amended by omitting from the paragraph the words commencing with “and the amount so fixed” to the end of the paragraph.

Amendment of  
section 42 (d).

40 16. Section forty-three of the Principal Act is amended by omitting the words “such land and buildings,” and substituting therefor the words “such land or buildings.”

Amendment  
section 43.

17. Subsection one of section forty-eight of the Principal Act is amended—

Amendment  
section 48.

45 (a) by inserting after the words “or other effects” the words “belonging to such society or branch”;



*Friendly Societies (Amendment).*

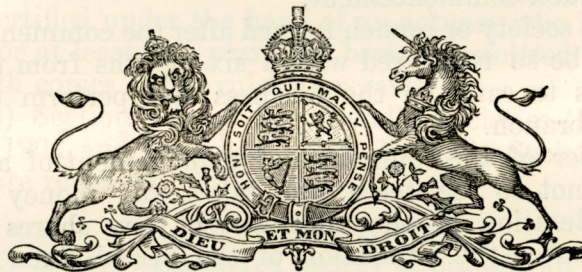
- (b) by inserting after the words "give in his account" the words "of such money, securities, books, papers, or other effects";
- (c) by inserting after the words "pay over all" the word "such";
- and
- 5 (d) by inserting after the words "and deliver all" the word "such."
18. (1) Subsection one of section sixty-one of the Principal Act is amended by inserting after the words "a registered society" the words "or any registered branch thereof." Amendment of section 61, subsections (1) and (2) of Principal Act.
- 10 (2) Subsection two of the same section is amended by the addition after the word "society," wherever it occurs, of the words "or branch."
19. Subsection three, paragraph (b), of section sixty-two of the Principal Act, is amended by inserting after the words "at a general meeting duly convened for that purpose" the words "Provided that in the case of a society having a branch or branches, the vote of a majority of the members of the central body shall suffice." Amendment of section 62, subsection (3), paragraph (b).
- 15 (20. Section sixty-six of the Principal Act is amended by omitting the word "and" at the end of paragraph (a), and by omitting paragraph (b). Amendment of section 66.
- 20 (21. (1) Subsection one of section sixty-eight of the Principal Act is amended by the addition after paragraph (c) of the following paragraph— Amendment of section 68, subsection (1).
- "or (d) the committee of a registered society."
- 25 (2) Subsection seven of the said section is amended by inserting the words "subsection one of this section" in place of the words "this section." Subsection (7).
- (3) The following subsection is added to the said section :— New subsection.
- 30 (8) "The registrar may, on his own motion and without any application, appoint an inspector or inspectors to examine into and report to him on the affairs of a registered society or branch.
- "The inspector or inspectors so appointed shall have all the powers mentioned in subsection five of this section."
- 35 (4) Paragraph twelve of the First Schedule to the Principal Act is amended by inserting the words "or of the committee of the society" after the words "ten thousand members." First Schedule.
22. (1) Subsection one of section sixty-nine of the Principal Act is amended by substituting the words "such society or branch" for the words "a society" at the end of the subsection. Amendment of section 69.
- 40 (2) Subsections two, three, four, five, and six of the said section are amended by the addition after the word "society," wherever it occurs in those subsections, of the words "or branch."
23. Subsection four (3), paragraph (c), of section eighty of the Principal Act is amended by omitting the words "member of the society or branch" and substituting therefor the word "person." Amendment of section 80.
- 45

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 November, 1906. }*

*RICHD. A. ARNOLD,  
Clerk of the Legislative Assembly.*

## New South Wales.



ANNO SEXTO

# EDWARDI VII REGIS.

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Act No. , 1906.

An Act to amend the Friendly Societies Act, 1899, the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901; to repeal the Friendly Societies (Amending) Act, 1903; and for other purposes.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5

*Preliminary.*

1. This Act may be cited as the "Friendly Societies (Amend- Short title.  
ment) Act, 1906."

74194

20—A

2.

*Friendly Societies (Amendment).*

2. This Act shall be construed with the Friendly Societies Act, <sup>Incorporation.</sup> 1899 (hereinafter called the Principal Act), the Friendly Societies (Amendment) Act, 1900, and the Friendly Societies (Further Amendment) Act, 1901.

5

*Registration.*

3. (1) All friendly societies established for any of the purposes mentioned in subsection one of section six of the Principal Act, and consisting of at least seven persons, and all branches thereof shall be registered in accordance with the provisions of the Principal Act, and <sup>Friendly societies and branches to be registered.</sup> the said section is amended to that extent.

(2) Every such society or branch existing at the commencement of this Act, and then unregistered, shall be registered as aforesaid within six months from such commencement.

15 (3) Every such society or branch formed after the commencement of this Act, shall be so registered within six months from the date on which it begins to carry on the business and perform the functions of a society or branch.

(4) Any member of the committee of management of any such society or branch not so registered who takes any money or <sup>Penalty.</sup> valuable thing in consideration of the allotment of any shares or interest in that society after the expiration of the period fixed as above mentioned for the registration of the society or branch, shall be liable to a penalty not exceeding twenty pounds.

25 (5) Section seventy-six of the Principal Act is repealed. <sup>Repeal of section 76 of Principal Act.</sup>  
4. (1) The rules of any registered society or branch thereof shall be inoperative and of no effect until such rules have been duly registered. <sup>Rules inoperative if unregistered.</sup>

(2) No society shall, in respect of any branch thereof, be <sup>Unregistered society or branch.</sup> entitled to any of the privileges of any statutes passed or to be passed relating to Friendly Societies until such branch has been registered.

30

*Tables of contributions.*

5. (1) The registrar may register any such society as is mentioned in section twelve of the Principal Act subsisting as an unregistered society at the commencement of this Act, notwithstanding that the <sup>Rates of contribution in societies unregistered at commencement of this Act.</sup> provisions of that section have not been complied with if the rules of the society provide—

35

(a) that the rates of contribution to be charged subsequent to the date of registration of the society in respect of persons who are members at such date shall not be lower than those chargeable at such date;

40

(b) that the members joining the society after such date shall contribute under a scale of contributions to be certified by an actuary who has exercised his profession for at least five years, or by a Government actuary. (2)

*Friendly Societies (Amendment).*

(2) The registrar may register any dividing or levy society, that is to say, a society formed for any of the purposes mentioned in subsection one of section six of the Principal Act, and closing its funds, discharging all its liabilities, and dividing its assets (if any) annually, 5 notwithstanding that the table of contributions payable for any assurance provided in its rules has not been certified under this section or under section twelve of the said Act.

(3) Except in the case of the registration of a society under subsection one or subsection two of this section, no rules of any 10 registered society or branch thereof, and no amendment of such rules relating to contributions payable for any assurance by such society or branch susceptible of calculation by way of average, shall be entitled to be registered unless the table of contributions payable for such kind of assurance certified under the hand of an actuary who has exercised his 15 profession for at least five years has been transmitted to the registrar, together with copies of the rules aforesaid.

(4) Section two of the Friendly Societies (Further Amendment) Act, 1901, and the whole of the Friendly Societies (Amending) Act, 1903, are repealed.

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*Accounts and funds.*

6. (1) In every registered society or branch, all moneys received or paid on account of any particular fund or benefit provided by the rules shall be entered in a separate account distinct from the moneys received or paid on account of any other fund or benefit, and the 25 moneys belonging to any one such fund or benefit shall not be used in any manner for the purposes of any other fund or benefit. The expenses of management or of renovation and maintenance of any property in which the funds of a society may be invested may be borne out of the revenue derived from such property: Provided that, 30 in the case of property in which moneys belonging to the funeral fund or the sick fund of any society or branch may be invested, such expenses shall be so borne only out of earnings in excess of the sum representing four per centum on such moneys belonging to the funeral fund or sick fund: Provided that it shall be lawful to apply any 35 savings out of moneys applicable for management expenses in aid of any of the funds or benefits of the society or branch.

Moneys received or paid to be entered in a separate account. 55 Vic. No. 1234 (Vict.), s. 6 (2).

(2) Where the registrar is satisfied that any moneys of a registered society or branch have after the passing of this Act been appropriated from any fund or account for purposes other than those 40 expressed or directed in the rules of such society or branch, he may, in writing, direct the trustees of such society or branch to restore such moneys to such fund or account within such time as he may notify in his direction.

Moneys misapplied to be restored to the proper fund.

Any trustees failing to comply with the terms of such direction 45 within the time therein specified shall be liable to a penalty not exceeding twenty pounds.

Penalty.

*Recommendations*

*Friendly Societies (Amendment).**Recommendations by registrar.*

7. On valuation being made under the Principal Act of the assets and liabilities of a registered society or branch, the registrar may make such recommendations to the society or branch as he may deem to be authorised by such valuation. Registrar may make recommendations.

If from a consideration of such valuation it appears to the registrar that it is necessary or desirable that steps be taken to improve the financial position of the society or branch, the registrar may, by writing under his hand, require the society or branch to submit to him proposals for improving its financial position, and the society or branch shall thereupon so submit such proposals.

*Reference of disputes.*

8. (1) Notwithstanding section sixty of the Principal Act, any party to a dispute in a registered society, or branch thereof, may, unless the rules of such society or branch expressly forbid it, refer the dispute to the registrar. Any party to a dispute may refer to registrar.

(2) Subsection one of section four of the Friendly Societies (Amendment) Act, 1900, is repealed.

9. (1) Where the rules of a registered society or branch contain no direction as to referring disputes to the registrar, or where the arbitrators or other tribunal hearing disputes in accordance with such rules give no decision in regard to a dispute within forty days after application to such society or branch for a reference under its rules, the member or person aggrieved may apply to the registrar to hear and determine the matter in dispute, and the registrar may hear and determine such matter, and his determination shall be final; in the case of a registered society with branches, the said forty days shall not begin to run until the application has been made in succession to all the bodies entitled under the rules of such society or branch to determine the dispute: Provided that no rules shall allow a greater delay than three months between each successive determination. Procedure where rules do not apply or where no decision is made.

(2) Section five of the Friendly Societies (Amendment) Act, 1900, is repealed.

*Amendments of Principal Act.*

10. (1) Subsection one of section fourteen of the Principal Act is amended by the addition after the word "sent" of the words "by and." Amendment of section 14 of Principal Act.

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is amended by the addition of the following proviso:—

"Provided that where such rules are substantially identical with the rules of some other registered branch, it shall be sufficient, with respect to such rules, if the registrar record the fact in the register and notify the society thereof." 11.

*Friendly Societies (Amendment).*

11. Section nineteen of the Principal Act is amended—

- (a) by omitting the words “sum not exceeding the amount of six months”; Amendment of section 19 of Principal Act.  
 (b) by omitting the word “three” and substituting in lieu thereof the word “one.”

12. Section twenty-one of the Principal Act is amended by the addition of the following words “and any other particulars required by him to be furnished.” Amendment of section 21.

13. (1) Subsection one of section twenty-four of the Principal Act is repealed, and the following is substituted in its place:— Amendments of section 24.

“The secretary of every registered society or branch shall, once in each year, not later than the thirty-first day of March, send to the registrar a return (in this Act called the annual returns) of the receipts and expenditure, funds and effects, of the society or branch as audited :

Provided that the registrar may, on his being satisfied that there are reasonable grounds for so doing, extend the period to any date not later than the thirty-first day of May in the said year.”

(2) Subsection two, paragraph (a), of the same section, is amended by inserting before the word “expenditure” the words “receipts and”; paragraph (b) of the same subsection is amended by omitting the words “with the approval of the Governor.”

(3) Subsection three of the said section is amended by inserting the words “secretary of the” before the words “society or branch.”

(4) Subsection four of the same section is repealed.

14. Section thirty-three of the Principal Act is amended by omitting the words “according to its rules.” Amendment of section 33.

15. Section forty-two, paragraph (d), of the Principal Act, is amended by omitting from the paragraph the words commencing with “and the amount so fixed” to the end of the paragraph. Amendment of section 42 (d).

16. Section forty-three of the Principal Act is amended by omitting the words “such land and buildings,” and substituting therefor the words “such land or buildings.” Amendment of section 43.

17. Subsection one of section forty-eight of the Principal Act is amended— Amendment of section 48 (1).

- (a) by inserting after the words “or other effects” the words “belonging to such society or branch”;  
 (b) by inserting after the words “give in his account” the words “of such money, securities, books, papers, or other effects”;  
 (c) by inserting after the words “pay over all” the word “such”; and  
 (d) by inserting after the words “and deliver all” the word “such.”

*Friendly Societies (Amendment).*

18. (1) Subsection one of section sixty-one of the Principal Act is amended by inserting after the words "a registered society" the words "or any registered branch thereof." Amendment of section 61, subsections (1) and (2) of Principal Act.

(2) Subsection two of the same section is amended by the addition after the word "society," wherever it occurs, of the words "or branch."

19. Subsection three, paragraph (b), of section sixty-two of the Principal Act, is amended by inserting after the words "at a general meeting duly convened for that purpose" the words "Provided that in the case of a society having a branch or branches, the vote of a majority of the members of the central body shall suffice." Amendment of section 62, subsection (3), paragraph (b).

20. Section sixty-six of the Principal Act is amended by omitting the word "and" at the end of paragraph (a), and by omitting paragraph (b). Amendment of section 66.

21. (1) Subsection one of section sixty-eight of the Principal Act is amended by the addition after paragraph (c) of the following paragraph— Amendment of section 68, subsection (1).

"or (d) the committee of a registered society."

(2) Subsection seven of the said section is amended by inserting the words "subsection one of this section" in place of the words "this section." Subsection (7).

(3) The following subsection is added to the said section :— New subsection.

(8) "The registrar may, on his own motion and without any application, appoint an inspector or inspectors to examine into and report to him on the affairs of a registered society or branch."

"The inspector or inspectors so appointed shall have all the powers mentioned in subsection five of this section."

(4) Paragraph twelve of the First Schedule to the Principal Act is amended by inserting the words "or of the committee of the society" after the words "ten thousand members." First Schedule.

22. (1) Subsection one of section sixty-nine of the Principal Act is amended by substituting the words "such society or branch" for the words "a society" at the end of the subsection. Amendment of section 69.

(2) Subsections two, three, four, five, and six of the said section are amended by the addition after the word "society," wherever it occurs in those subsections, of the words "or branch."

23. Subsection four (3), paragraph (c), of section eighty of the Principal Act is amended by omitting the words "member of the society or branch" and substituting therefor the word "person." Amendment of section 80.