



# Co-operative and Community Benefit Societies Act (Northern Ireland) 1969

## 1969 CHAPTER 24

### PART II

#### REGISTERED SOCIETIES

##### REGISTRATION OF SOCIETIES

## 2 Registration of society.

(1) Subject to subsection (2)—

- (a) no society shall be registered under this Act if the number of the members thereof is less than<sup>[F1]</sup> three; and
- (b) an application for the registration of a society under this Act shall be signed by<sup>[F1]</sup> three] members and the secretary of the society and shall be sent <sup>[F2]</sup>to the registrar with two copies of the society's rules or, if the application is made by electronic means, one copy of those rules] .

<sup>[F1]</sup>(2) A society whose members consist solely of two or more registered societies may be registered under this Act if the application for registration is signed by the secretary of each (or, if more than two, of each of any two) of the constituent societies and is accompanied by two <sup>F3</sup>... copies of the rules of the society sought to be registered <sup>[F4]</sup>(or, if the application is made by electronic means, one copy of those rules)] .

(3) On being satisfied that a society has complied with the provisions of this Act as to registration thereunder, the registrar shall issue to the society an acknowledgement of registration <sup>[F5]</sup>, bearing the registrar's seal,] which shall be conclusive evidence that the society is duly registered under this Act unless it is proved that the registration of the society has been cancelled or is for the time being suspended.

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**Changes to legislation:** There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969. (See end of Document for details)

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- F2** Words in s. 2(1)(b) substituted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323), art. 1, **Sch. 2 para. 3(a)** (with art. 3)
- F3** Word in s. 2(2) omitted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by virtue of The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323), art. 1, **Sch. 2 para. 3(b)(i)** (with art. 3)
- F4** Words in s. 2(2) inserted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323), art. 1, **Sch. 2 para. 3(b)(ii)** (with art. 3)
- F5** Words in s. 2(3) substituted (6.4.2018 immediately after 2016 c. 16 (N.I.), s. 8(2) comes into force) by The Financial Services Act 2012 (Mutual Societies) Order 2018 (S.I. 2018/323), art. 1, **Sch. 2 para. 3(c)** (with art. 3)

**Modifications etc. (not altering text)**

- C1** S. 2(3) modified (31.7.2006) by Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006 (S.R. 2006/258), reg. 17, **Sch. 2 para 1(1)**

### 3 Registration to effect incorporation of society with limited liability.

A registered society shall by virtue of its registration be a body corporate by its registered name, by which it may sue and be sued, with perpetual succession and<sup>F6</sup> . . . limited liability; and that registration shall vest in the society all property for the time being vested in any person in trust for the society, and all legal proceedings pending by or against the trustees of the society may be brought or continued by or against the society in its registered name.

- F6** Words in s. 3 repealed (1.7.2006) by Industrial and Provident Societies (Northern Ireland) Order 2006 (S.I. 2006/314 (N.I. 3)), arts. 1(3), 6(2), 11, **Sch.**; S.R. 2006/242, **art. 2**

### 4 Existing societies deemed to be registered.

Any society which at the date immediately before the passing of this Act was registered or deemed to be registered under the Industrial and Provident Societies Act 1893<sup>M1</sup> (in this Act referred to as “the Act of 1893”), being a society whose registered office was at that date in Northern Ireland, shall be deemed to be registered under this Act; and—

- (a) any acknowledgment of registry of that society issued by virtue of section 5(4), 6 or 7(2) of the Act of 1893 shall be deemed to be an acknowledgment of the registration under this Act of that society and, by virtue of section 8 of this Act, of the rules of the society in force at the date of the acknowledgment;
- (b) any acknowledgment of registry of an amendment of the society's rules issued by virtue of section 7(2) or 10(3) of the Act of 1893 shall be deemed to be an acknowledgment of the registration of that amendment under this Act;
- (c) any change of the society's name duly made before the date of passing of this Act in accordance with section 52 of the Act of 1893 as in force at the time of the change, and any change in the situation of the society's registered office of which notice was duly given before that date under section 11 of that Act, shall be deemed for the purposes of this Act to be a duly registered amendment of the society's rules;

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- (d) any rules of that society which, having been made before 1st January 1894, continued in force immediately before the passing of this Act by virtue of section 3 of the Act of 1893 shall be deemed to be registered under this Act.

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**Marginal Citations**

**M1** 1893 c. 39

**Changes to legislation:**

There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969.