

*Status: Point in time view as at 01/07/2006.*

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## SCHEDULES

### SCHEDULE 1

Section 1.

#### MATTERS TO BE PROVIDED FOR IN SOCIETY'S RULES

#### PART I

#### INDUSTRIAL AND PROVIDENT SOCIETIES<sup>F1</sup> . . .

**F1** 1985 NI 12

- 1 The name of the society, which shall comply with the requirements of section 5.
- 2 The objects of the society.
- 3 The place which is to be the registered office of the society to which all communications and notices to the society may be addressed.
- 4 The terms of admission of the members, including any society or company investing funds in the society under the provisions of this Act.
- 5 The mode of holding meetings, the scale and right of voting, and the mode of making, altering or rescinding rules.
- 6 The appointment and removal of a committee, by whatever name, and of managers or other officers and their respective functions and remuneration.
- 7 Determination in accordance with section 6 of the maximum amount of the interest in the shares of the society which may be held by any member otherwise than by virtue of section 6(1)(a) or (b).
- 8 Determination whether the society may contract loans or receive moneys on deposit subject to the provisions of this Act from members or others; and, if so, under what conditions, under what security, and to what limits of amount.
- 9 Determination whether the shares or any of them shall be transferable, and provision for the form of transfer and registration of the shares, and for the consent of the committee thereto; determination whether the shares or any of them shall be withdrawable, and provision for the mode of withdrawal and for payment of the balance due thereon on withdrawing from the society.
- 10 Provision for the audit of accounts.
- 11 Determination whether and, if so, how members may withdraw from the society, and provision for the claims of the representatives of deceased members, or the trustees of the property of bankrupt members, and for the payment of nominees.
- 12 The mode of application of profits of the society.
- [<sup>F2</sup>13 If the society is to have a common seal, provision for its custody and use.]

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**F2** Sch. 1 para. 13 substituted (1.7.2006) by [Industrial and Provident Societies \(Northern Ireland\) Order 2006 \(S.I. 2006/314 \(N.I. 3\)\)](#), arts. 1(3), **6(6)**; S.R. 2006/242, **art. 2**

- 14 Determination whether and, if so, by what authority, and in what manner, any part of the society's funds may be invested.

## SCHEDULE 2

Section 7.

### FORM OF STATEMENT BY SOCIETY CARRYING ON BANKING

- 1 Capital of the society on 1st January or 1st July last previous:—
- (a) nominal amount of each share;
  - (b) number of shares issued;
  - (c) amount paid up on shares.
- 2 Liabilities of the society on the same date:—
- (a) on judgments;
  - (b) on speciality;
  - (c) on notes or bills;
  - (d) on simple contract;
  - (e) on estimated liabilities.
- 3 Assets of the society on the same date:—
- (a) government securities (stating them);
  - (b) bills of exchange and promissory notes;
  - (c) cash at the bankers;
  - (d) other securities.

## SCHEDULE 3

Sections 33, 34.

### FORM OF RECEIPT ON MORTGAGE, ETC.

The Limited hereby acknowledges to have received all moneys intended to be secured by the [within (or above) written] [annexed] deed [and by a further charge dated, etc., *or otherwise as required*].

Dated this day of

*Members of the Committee*  
*Secretary*

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## SCHEDULE 4

Section 50.

### FORMS OF BOND FOR OFFICERS OF SOCIETY

#### FORM A

Know all men by these presents, that we, A.B., of one of the officers of the Limited, hereinafter referred to as “the society”, whose registered office is at in the county of , and C.D., of (as surety on behalf of the said A.B.), are jointly and severally held and firmly bound to the said society in the sum of , to be paid to the said society, or its certain attorney, for which payment well and truly to be made we jointly and severally bind ourselves, and each of us by himself, our and each of our heirs, executors, and administrators, firmly by these presents.<sup>[F3]</sup> Executed by us as a deed]. Dated the day of

**F3** 2005 NI 7

Whereas the above-bounden A.B. has been duly appointed to the office of of the Limited, and he, together with the above-bounden C.D. as his surety, have entered into the above-written bond, subject to the condition hereinafter contained: Now therefore the condition of the above-written bond is such, that if the said A.B. do render a just and true account of all moneys received and paid by him on account of the society, at such times as the rules thereof appoint, and do pay over all the moneys remaining in his hands, and assign and transfer or deliver all property (including books and papers) belonging to the society in his hands or custody to such person or persons as the society or the committee thereof appoint, according to the rules of the society, together with the proper and legal receipts or vouchers for such payments, then the above-written bond shall be void, but otherwise shall remain in full force.

<sup>[F3]</sup>Signed and delivered as a deed] in the presence of

#### FORM B

Know all men by these presents that I , of , in the county of , am firmly bound to Limited, hereinafter referred to as “the society”, whose registered office is at , in the county of , in the sum of pounds sterling to be paid to the said society or its assigns, for which payment to be truly made to the said society or its certain attorney or assigns I bind myself, my heirs, executors, and administrators, by these presents<sup>[F4]</sup> executed by me as a deed].

**F4** 2005 NI 7

[And know further that I [we] as surety [sureties] for the above-named principal obligor and such obligor are jointly and severally bound to the society in the sum aforesaid to be paid to the society or its assigns, for which payment to be truly made to the society or its certain attorney or assigns we firmly bind ourselves and each of us and each of our heirs, executors, and administrators by these presents<sup>[F4]</sup> executed by us as a deed].]

Dated the day of .

The condition of the above-contained bond is that if the said faithfully execute the office of to the society during such time as he continues to hold the same in virtue either of his present appointment, or of any renewal thereof if such office is of a renewable character [without wasting, embezzling, losing, misspending, misapplying, or unlawfully making away with any

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of the moneys, goods, chattels, wares, merchandise or effects whatsoever of the said society at any time committed to his charge, custody, or keeping by reason or means of his said office], and render a true and full account of all moneys received or paid by him on its behalf as and when he is required by the committee of the society for the time being, and pay over all the moneys remaining in his hands from time to time, and assign, transfer, and deliver up all securities, books, papers, property, and effects whatsoever of or belonging to the society in his charge, custody, or keeping, to such person or persons as the said committee may appoint, according to the rules or regulations of the society for the time being, together with the proper or legal receipts or vouchers for such payments; and in all other respects well and faithfully perform and fulfil the said office of to the society according to the rules thereof, then the above-contained bond shall be void and of no effect; but otherwise shall remain in full force.

[<sup>F4</sup>Signed and delivered as a deed] by the above-named .

[The words between brackets against which we have set our initials being first struck out\*] in the presence of us

and

\*If no words are struck out in the bond or condition, strike out these words and let the witnesses set their initials in the margin.

## SCHEDULE 5

Section 103(1).

### TRANSITIONAL PROVISIONS

- 1 Where, after the passing of this Act, the provisions of section 37 do not, by virtue of subsection (7) of that section, apply in relation to any balance sheet published by a registered society, nothing in section 103(2) shall affect the operation in relation to that balance sheet and any copy of that balance sheet of section 4(3) of the Industrial and Provident Societies (Amendment) Act (Northern Ireland) 1955 .
- 2 Where, after the passing of this Act, neither subsection (1) nor subsection (4) of section 38 applies to a society in respect of any year of account, nothing in section 103(2) shall affect the operation in relation to that society in respect of that year of account of section 2 of the Industrial and Provident Societies (Amendment) Act 1913 as amended by section 19(1) of the Industrial Assurance and Friendly Societies Act (Northern Ireland) 1948 .
- 3 For the purpose of the application to a registered society, in the circumstances mentioned in paragraph 2 of the enactments mentioned in that paragraph, any person who is at the passing of this Act an approved auditor appointed by the Ministry under section 72 of the Act of 1893 shall continue to be an approved auditor subject to the conditions (including the conditions as to termination of his appointment) on which he was appointed.
- 4 Where, after the passing of this Act, the provisions of section 43 do not, by virtue of subsection (8) of that section, have effect so as to impose any duties or confer any rights upon the auditors appointed in respect of any year of account of a registered society, then in respect of that year of account nothing in section 103(2) shall affect the operation of section 13(2) of the Act of 1893 in relation to the rights and duties of those auditors.
- 5 Where, after the passing of this Act, the provisions of section 48 do not, by virtue of subsection (7) of that section, have effect in relation to any annual return of a registered society, nothing in section 103(2) shall affect the operation in relation to

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that annual return of section 14 of the Act of 1893, sections 2 and 3 of the Industrial and Provident Societies Act 1913 and section 4(1), (2) and (4) of the Industrial and Provident Societies (Amendment) Act (Northern Ireland) 1955 .

### *Schedule 6—Repeals*

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