



# Friendly Societies Act 1974

## 1974 CHAPTER 46

### *Miscellaneous*

#### [104A <sup>F3</sup> Fees for inspection or copying of documents. **U.K.**

Before the [<sup>F4</sup>FCA] allows any person to inspect any document held by it in connection with this Act, or provides any person with a copy of any such document (or part of such document), it may charge that person a reasonable fee.]

#### **Textual Amendments**

- F3** S. 104A substituted for S. 104 (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 13(1), **Sch. 3 Pt. I para. 45** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F4** Words in s. 104A substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(t) (with Sch. 12)

#### 105 Exemptions from stamp duty. **U.K.**

Stamp duty shall not be chargeable upon any of the following documents, that is to say—

- (a) ..... <sup>F5</sup>
- (b) a policy of insurance or appointment or revocation of appointment of an agent or other document required or authorised by this Act or by the rules of a registered society or branch.

#### **Textual Amendments**

- F5** S. 105(a) repealed by Finance Act 1985 (c. 54, SIF 63:1), s. 98(6), **Sch. 27 Pt. IX** (2)

*Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Cross Heading: Miscellaneous. (See end of Document for details)*

**[<sup>F6</sup>105A. Exemption from stamp duty land tax U.K.]**

- (1) A land transaction effected by or in consequence of—
- (a) an amalgamation together of two or more registered societies under section 82; or
  - (b) a transfer of engagements under that section,
- is exempt from charge for the purposes of stamp duty land tax.
- (2) Relief under this section must be claimed in a land transaction return or an amendment of such a return.
- (3) In this section—
- “land transaction” has the meaning given by section 43(1) of the Finance Act 2003;
- “land transaction return” has the meaning given by section 76(1) of that Act.]

**Textual Amendments**

- F6** S. 105A inserted (1.12.2003) by [The Stamp Duty Land Tax \(Consequential Amendment of Enactments\) Regulations 2003 \(S.I. 2003/2867\)](#), reg. 1, **Sch. para. 7**

**[<sup>F7</sup>106 ..... E+W+S]**

**Textual Amendments**

- F7** S. 106 ceased to have effect (1.2.1993) by virtue of [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, **Sch. 16 para. 45** (with ss. 7(5) and 93(4)); [S.I. 1993/16](#), art. 2, **Sch. 3** and repealed (28.4.1993) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5) and 93(4)); [S.I. 1993/1186](#), art. 2, **Sch. 3** appendix.

**107 Provision as to information supplied for purposes of national insurance and social security. U.K.]**

- (1) Subject to any exceptions or conditions prescribed by regulations of the Secretary of State, the Secretary of State shall at the request of any person claiming benefit from a registered friendly society or branch provide the society or branch for the purposes of the claim with a copy or abstract of any medical certificate relating to that person and supplied by him to the Secretary of State for purposes of the enactment relating to <sup>F8</sup> . . . social security.
- (2) Where the Secretary of State furnishes a registered friendly society or branch, in connection with a claim for benefit from the society or branch, with information relating to a claim or award under those enactments, the expenses incurred in connection therewith by the Secretary of State or any other Government Department shall be treated as expenses in carrying those enactments into effect.

[<sup>F9</sup>(2A) In the application of this section to Northern Ireland, references to the Secretary of State shall be construed as references to the Department of Health and Social Services for Northern Ireland.]

*Changes to legislation:* There are currently no known outstanding effects for the Friendly Societies Act 1974, Cross Heading: Miscellaneous. (See end of Document for details)

- (3) Until the amendments of section 9 of the <sup>M1</sup>Friendly Societies Act 1955 made by section 100(2)(a) of and paragraph 17 of Schedule 27 to the <sup>M2</sup>Social Security Act 1973 come into force the foregoing provisions of this section shall have effect as set out in Schedule 7 to this Act.

#### Textual Amendments

- F8** Words in s. 107(1) repealed (1.1.1994) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 120(2), [Sch. 22 Pt.1](#) (with ss. 7(5) and 93(4)); [S.I. 1993/2213](#), art. 2, [Sch. 6](#) appendix.
- F9** S. 107(2A) inserted (1.1.1994) by [Friendly Societies Act 1992 \(c. 40\)](#), s. 95, [Sch. 16 para.46](#) (with ss. 7(5) and 93(4)); [S.I. 1993/3226](#), art. 2, [Sch. 2](#).

#### Marginal Citations

- M1** 1955 c. 19 (4 & 5 Eliz. 2).
- M2** 1973 c. 38.

### 108 Protection for members of registered societies joining the forces. **U.K.**

Any provision in the rules of a registered society or branch which purports to deprive persons of membership of the society or branch or of any interest therein by reason of their service in any of the naval, military or air forces of the Crown . . . shall be of no effect, and no person shall be fined for failure to attend any meeting of the society or branch or otherwise to comply with the rules thereof if the failure was due to his or her service as mentioned in this subsection.

### 109 Regulations. **U.K.**

- (1) The Treasury may make regulations with respect to—
- <sup>F10</sup>(a) . . . . .
  - (b) the seal to be used [<sup>F11</sup>by the [<sup>F12</sup>FCA] for the registration of any society or document (including any amendment to any document) under this Act, the [<sup>F13</sup>Co-operative and Community Benefit Societies Act 2014], the Building Societies Act 1986, or the Friendly Societies Act 1992, or otherwise for sealing any document for the purposes of this Act or any of those Acts];
  - (c) the duties and functions of the [<sup>F14</sup>[<sup>F15</sup>FCA and of the PRA] under this Act]; and
  - (d) the inspection of documents kept by the [<sup>F12</sup>FCA] under this Act; and generally for carrying this Act into effect.
- (2) Any power of the Treasury, [<sup>F16</sup>or the Secretary of State] to make regulations under this Act shall be exercisable by statutory instrument and a statutory instrument made in the exercise of any such power, other than an instrument containing only regulations under section <sup>F17</sup>. . . 42 above, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- <sup>F18</sup>(3) . . . . .

#### Textual Amendments

- F10** S. 109(1)(a) repealed (1.12.2001) by [S.I. 2001/3649](#), art. 188

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- F11** Words in s. 109(1)(b) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, **arts. 2, 8,, 13(1)**, Sch. 3 Pt. I para. 46(a)(i) (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F12** Words in s. 109(1)(b)(d) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(u) (with Sch. 12)
- F13** Words in s. 109(1) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 29** (with Sch. 5)
- F14** Words in s. 109(1)(c) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 46(a)(ii)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F15** Words in s. 109(1)(c) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 23** (with Sch. 12)
- F16** Words in s. 109(2) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 46(b)(i)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F17** Words in s. 109(2) repealed (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1)(2), Sch. 3 Pt. I para. 46(b)(ii), **Sch. 4** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F18** S. 109(3) repealed (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1)(2), Sch. 3 Pt. I para. 46(c), **Sch. 4** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**

## 110 Evidence and deposit of documents. **U.K.**

- <sup>F19</sup>(1) Any document bearing the seal or stamp of the [<sup>F20</sup>FCA] shall be received in evidence without further proof.
- <sup>F19</sup>(2) Any document purporting to have been signed by a person authorised to do so on behalf of the [<sup>F21</sup>FCA or the PRA], and every document purporting to be signed by any inspector or public valuer under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.
- <sup>F19</sup>(2A) In subsections (1) and (2), “document” means any document issued, received or created by the [<sup>F21</sup>FCA or the PRA] (or, as the case may be, by any inspector or public valuer under this Act) for the purposes of or in connection with this Act.]
- (3) All documents required by this Act to be sent to the [<sup>F20</sup>FCA] shall be deposited with the rules of the societies to which the documents respectively relate and shall be registered or recorded by the [<sup>F20</sup>FCA], with such observations thereon, if any, as [<sup>F22</sup>it considers appropriate].

### Textual Amendments

- F19** S. 110(1)-(2A) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 47(a)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**
- F20** Words in s. 110(1)(3) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 5 para. 2(1)(a)(2)(v) (with Sch. 12)
- F21** Words in s. 110(2)(2A) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 5 para. 24** (with Sch. 12)
- F22** Words in s. 110(3) substituted (17.8.2001 for certain purposes, otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. I para. 47(b)(ii)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2(1)**

**Changes to legislation:**

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