



# Friendly Societies Act 1974

## 1974 CHAPTER 46

### *Change of name, amalgamation and transfer of engagements and conversion of societies*

#### **85 Conversion of society into branch.**

- (1) By a resolution passed by a majority of the members or delegates present and entitled to vote at any general meeting, of which notice specifying the intention to propose any such resolution has been duly given according to the rules, a registered society may determine to become a branch of any other registered society and also, if thought fit, of any registered branch thereof.
- (2) If the rules of the society do not comply with all the provisions of this Act and of the Treasury regulations in respect of the registration of branches, the meeting at which any such resolution is passed as is referred to in subsection (1) above may amend the rules so as to bring the rules into compliance with this Act and with the Treasury regulations.
- (3) Where such a resolution as is referred to in subsection (1) above has been passed at a general meeting of a registered society, there shall be sent to the [F<sup>1</sup>FCA]—
  - (a) a copy of the rules of the society marked to show the amendments, if any, made at the meeting, and
  - (b) two copies of the resolution and of any such amendment of rules, each signed by the chairman of the meeting and by the secretary of the society and countersigned by the secretary of the society of which it is to become a branch.
- (4) If the [F<sup>1</sup>FCA] finds that the rules of a society, with or without any such amendment as is referred to in subsections (2) and (3) above, comply with the provisions of this Act and of the Treasury regulations, [F<sup>2</sup>it] shall—
  - (a) without further request or notice, cancel the registration of the society and register it as a branch of the other society referred to in the resolution in question and also, if it is so specified in that resolution, of any branch of that other society; and
  - (b) without further application or evidence, register any such amendment of rules; and until such registration the resolution shall not take effect.

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*Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 85. (See end of Document for details)*

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[<sup>F3</sup>(4A) Before making a finding under subsection (4) in relation to a society which is a PRA-  
authorised person, the FCA must consult the PRA.]

- (5) Notwithstanding anything in section 91(6) below, publication of a notice of any  
cancellation of registration under this section shall not be required.
- (6) The rules of a society which becomes a branch under this section shall, so far as they  
are not contrary to any express provision of this Act or of the Treasury regulations, and  
subject to any such amendment thereof as is referred to in the preceding provisions of  
this section, continue in force as the rules of the branch until amended.

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#### Textual Amendments

- F1** Words in s. 85(3)(4) 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)(n) (with Sch. 12)
- F2** Word in s. 85(4) substituted (17.8.2001 for certain purposes and otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), [Sch. 3 Pt. 1 para. 31\(b\)](#) (with art. 13(3), Sch. 5); S.I. 2001/3538, [art. 2\(1\)](#)
- F3** S. 85(4A) inserted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 5 para. 12](#) (with Sch. 12)

**Changes to legislation:**

There are currently no known outstanding effects for the Friendly Societies Act 1974, Section 85.