



# Friendly Societies Act 1992

## 1992 CHAPTER 40

### PART III

#### MANAGEMENT AND ADMINISTRATION

##### *Committee of management and other officers*

#### **27 Committee of management.**

- (1) Every friendly society shall have a committee of management with at least 2 members.
- (2) The committee of management shall appoint one of its members to be chairman of the committee.
- (3) Members of the committee of management shall (unless co-opted on to the committee) be elected to office in accordance with the rules of the society.
- (4) The committee of management may co-opt as a member of the committee (whether as an additional member or to fill any vacancy) any person—
  - (a) who appears to the committee to be fit and proper to be a member, and
  - (b) who has not failed, having been nominated at an election held within the preceding 12 months, to be elected as a member of the committee;and such a person may be co-opted notwithstanding that he is not a member of the society.
- (5) Part I of Schedule 11 to this Act shall have effect in relation to committees of management and Part II shall have effect with regard to dealings with members of committees of management of friendly societies and registered branches.

#### **Commencement Information**

- II** S. 27 wholly in force; s. 27 not in force at Royal Assent see s. 126(2); s. 27 in force for certain purposes at 13.1.1993 by S.I. 1993/16, art. 2, Sch. 1; s. 27(5) in force to the extent specified for all

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*Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, Part III. (See end of Document for details)*

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remaining purposes at 13.9.1993 by S.I. 1993/2213, art. 2(1), **Sch. 2**; s. 27 in force to the extent not already in force at 1.1.1994 by S.I. 1993/2213, art. 2(1), **Sch. 5**

## **28 Chief executive and secretary.**

- (1) Every friendly society shall have a chief executive and a secretary.
- (2) The chief executive of a friendly society shall be a person appointed by the committee of management who (whether alone or jointly with one or more other persons) is responsible under the immediate authority of the committee for the conduct of the business of the society.
- (3) The secretary of a friendly society shall be appointed by the committee of management or, if the rules of the society so provide, elected to office in accordance with the rules.
- (4) The committee of management of a friendly society shall take all reasonable steps to secure that the person appointed as chief executive has the requisite knowledge and experience to discharge the functions of his office.
- (5) The offices of chief executive and secretary may be held by the same person.
- (6) Anything required or authorised to be done by or to the secretary or chief executive of a friendly society may, if the office is vacant or there is for any other reason no secretary or chief executive capable of acting, be done by or to—
  - (a) any assistant or deputy secretary or assistant or deputy chief executive, as the case may be; or
  - (b) if there is no assistant or deputy capable of acting, any member of the society's staff who is authorised generally or specially for that purpose by the committee of management.

### **Commencement Information**

- I2** S. 28 wholly in force; s. 28 not in force at Royal Assent see s. 126(2); s. 28 in force for certain purposes at 13.1.1993 by S.I. 1993/16, art. 2, **Sch. 1**; s. 28 in force to the extent not already in force at 1.1.1994 by S.I. 1993/2213, art. 2(1), **Sch. 5**

## **29 Notification of officers to [F<sup>1</sup>FCA].**

- (1) Where a person becomes or ceases to be a member of the committee of management of a friendly society, the society shall within one month give notice of that fact, including the information specified in subsection (2) below, to the [F<sup>1</sup>FCA].
- (2) The notice shall state the person's full name and address and the date on which he became, or ceased to be, a member of the committee and, in the case of a person becoming a member, the date of his birth.
- (3) Where a person becomes or ceases to be the chief executive or the secretary of a friendly society, the society shall within one month give notice of that fact to the [F<sup>1</sup>FCA], stating the person's full name and address and the date on which he became, or ceased to be, chief executive or secretary.

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**Changes to legislation:** There are currently no known outstanding effects for the Friendly Societies Act 1992, Part III. (See end of Document for details)

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- (4) If a friendly society fails to comply with subsection (1) or (3) above, it shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (5) On receipt of a notice under this section, the [FCA] shall record the name of the person to whom the notice relates and the date on which he began to hold, or, as the case may be, ceased to hold office, in the public file of the society.

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**Textual Amendments**

- F1** Word in s. 29 substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 9 para. 14](#) (with [Sch. 12](#))

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**Commencement Information**

- I3** S. 29 wholly in force; s. 29 not in force at Royal Assent see [s. 126\(2\)](#); s. 29 in force for certain purposes at 13.1.1993 by [S.I. 1993/16](#), art. 2, [Sch. 1](#); s. 29 in force to the extent not already in force at 1.1.1994 by [S.I. 1993/2213](#), art. 2(1), [Sch. 5](#)

*Meetings and resolutions*

**30 Meetings and resolutions.**

Schedule 12 to this Act shall have effect with respect to meetings and resolutions of friendly societies and registered branches.

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**Commencement Information**

- I4** S. 30 wholly in force; s. 30 not in force at Royal Assent see [s. 126\(2\)](#); s. 30 in force for certain purposes at 13.1.1993 by [S.I. 1993/16](#), art. 2, [Sch. 1](#); s. 30 in force to the extent specified for all remaining purposes at 13.9.1993 by [S.I. 1993/2213](#), art. 2(1), [Sch. 2](#); s. 30 in force to the extent not already in force at 1.1.1994 by [S.I. 1993/2213](#), art. 2(1), [Sch. 5](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Friendly Societies Act 1992, Part III.