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

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## SCHEDULES

### SCHEDULE 10

#### APPLICATION OF COMPANIES WINDING UP LEGISLATION TO INCORPORATED FRIENDLY SOCIETIES

#### PART III

#### MODIFIED APPLICATION OF INSOLVENCY (NORTHERN IRELAND) ORDER 1989

##### *Penal provisions*

- 63 Articles 180 and 181 of the Order (restriction on re-use of name) do not apply.
- 64 (1) Articles 182 and 183 (prosecution of delinquent officers) of the Order do not apply in relation to offences committed by members of an incorporated friendly society acting in that capacity.
- (2) Articles 182(4) and 183(1) and (2) of the Order do not apply.
- (3) The references in paragraph (3) and (5) of Article 183 of the Order to the Department shall have effect as references to the [F<sup>1</sup>FCA]; and the reference in paragraph (3) to Article 182 of the Order shall have effect as a reference to that Article as supplemented by paragraph 65 below.

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##### **Textual Amendments**

- F1** Word in Sch. 10 para. 64 substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 9 para. 53(8) (with Sch. 12)

- 65 (1) Where a report is made to the prosecuting authority (within the meaning of Article 182) under Article 182(5) of the Order, in relation to an officer of an incorporated friendly society, he may, if he thinks fit, refer the matter to the [F<sup>2</sup>FCA] for further enquiry.
- (2) On such a reference to it the [F<sup>2</sup>FCA] shall exercise its power under section 65(1) above to appoint one or more investigators to investigate and report on the matter.
- (3) An answer given by a person to a question put to him in exercise of the powers conferred by section 65 above on a person so appointed may be used in evidence against the person giving it.

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##### **Textual Amendments**

- F2** Word in Sch. 10 para. 65 substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 9 para. 53(8) (with Sch. 12)

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