



Friendly Societies Act 1992

1992 CHAPTER 40

PART II

INCORPORATED FRIENDLY SOCIETIES

Dissolution and winding up

22 Winding up by court: grounds and petitioners.

- (1) An incorporated friendly society may be wound up under the applicable winding up legislation by the court on any of the following grounds, that is to say, if—
- (a) the society has by special resolution resolved that it be wound up by the court;
 - (b) the number of members is reduced below 7;
 - (c) the number of members of the committee of management is reduced below 2;
 - (d) the society has not commenced business within a year from its incorporation or has suspended its business for a whole year;
 - (e) the society exists for an illegal purpose;
 - (f) the society is unable to pay its debts; or
 - (g) the court is of the opinion that it is just and equitable that the society should be wound up.
- (2) Except as provided by subsection [^{F1}(2A), (2B) or (3)] or the applicable winding up legislation, a petition for the winding up of an incorporated friendly society may be presented by—
- (a) the [^{F2}FCA];
 - [^{F3}(aa) the PRA;]
 - (b) the society or its committee of management;
 - (c) any creditor or creditors (including any contingent or any prospective creditor); or
 - (d) any contributory or contributories,
- or by all or any of those parties, together or separately.

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, Section 22. (See end of Document for details)

- [^{F4}(2A) The FCA may only present a petition under subsection (2) in respect of a society which is a PRA-authorized person after consulting the PRA.
- (2B) The PRA may only present a petition under subsection (2)—
- (a) in respect of a society which is a PRA-authorized person; and
 - (b) after consulting the FCA.]
- (3) A contributory may not present a petition unless the number of members is reduced below 7 or he has been a contributory for at least six months before the winding up.
- (4) In this section “contributory” has the meaning assigned to it by paragraph 9 of Schedule 10 to this Act.

Textual Amendments

- F1** Words in s. 22(2) substituted (1.4.2013) by virtue of [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), **Sch. 9 para. 10(2)** (with Sch. 12)
- F2** Word in s. 22(2)(a) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), **Sch. 9 para. 10(3)** (with Sch. 12)
- F3** S. 22(2)(aa) inserted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), **Sch. 9 para. 10(4)** (with Sch. 12)
- F4** S. 22(2A)(2B) inserted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), **Sch. 9 para. 10(5)** (with Sch. 12)

Changes to legislation:

There are currently no known outstanding effects for the Friendly Societies Act 1992, Section 22.