



Friendly Societies Act 1992

1992 CHAPTER 40

PART VII

DISPUTES

Disputes relating to friendly societies

82 Disputes arising out of loans of surplus funds to societies of different description.

(1) Where—

- (a) a registered friendly society or a registered branch (“the lender”) has made or agreed to make advances under section 50 of the 1974 Act to another society or branch (“the borrower”); and
- (b) the lender is by reason of this empowered by the rules of the borrower to take part in the government or control of the borrower,

subject to subsection (3) below, section 80 above shall apply in relation to the determination of a dispute between the lender and the borrower relating to such an advance or agreement or to the rights of the lender or an officer of the lender under the rules of the borrower, as if the borrower were a branch of the lender.

- (2) In the application of section 80 above to any such dispute, references in that section to the rules of the society are references to the rules of the borrower.
- (3) Section 80 above shall not prevent the bringing of legal proceedings for the determination of any such dispute unless, before the commencement of the proceedings, application has been made for a reference under the rules of the borrower.
- (4) Proceedings for the determination of any such dispute may be brought [^{F1}in England and Wales in the county court or, in Northern Ireland,] in a county court or, in Scotland, before the sheriff, whether or not the court would apart from this subsection have jurisdiction to entertain them.
- (5) The reference in subsection (1) above to advances under section 50 of the 1974 Act includes, in the case of a society formerly registered in Northern Ireland, a reference

Changes to legislation: There are currently no known outstanding effects for the Friendly Societies Act 1992, Section 82. (See end of Document for details)

to advances made under section 42 of the ^{M1}Friendly Societies Act (Northern Ireland) 1970.

Textual Amendments

- F1** Words in s. 82(4) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 85(1)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Commencement Information

- II** S. 82 wholly in force; s. 82 not in force at Royal Assent see s. 126(2); s. 82(1)-(4) in force at 13.1.1993 by S.I. 1993/16, art. 2, **Sch. 2**; s. 82(5) in force at 1.1.1994 by S.I. 1993/3226, art. 2(1), **Sch. 2**

Marginal Citations

- M1** 1970 c. 31 (N.I.).

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