



Industrial Assurance and Friendly Societies Act 1948

1948 CHAPTER 39

Miscellaneous and general.

18 Provisions as to payments on deaths in certain circumstances.

- (1) The powers to determine questions of title conferred on a majority of the trustees of a registered society by section fifty-eight of the Act of 1896 (which relates to payment of small sums to which members of registered societies are entitled on the death intestate of such a member) shall be exercisable by the committee of the society in lieu of by a majority of the trustees, and accordingly a reference to the committee shall be substituted for each reference to a majority of the trustees in that section and for the reference thereto in section sixty of the Act of 1896 (which refers to the said section fifty-eight).
- (2) For bringing into accord with the law relating to estate duty as amended by the Finance Act, 1946, the form of the following enactments, that is to say—
 - (a) section fifty-nine of the Act of 1896,
 - (b) subsection (2) of section ten of the Provident Nominations and Small Intestacies Act, 1883, and
 - (c) subsection (1) of the section substituted by section six of the Industrial and Provident Societies (Amendment) Act, 1913, for section twenty-eight of the Industrial and Provident Societies Act, 1893,

being enactments which make provision as to estate duty on sums paid under those Acts without probate or letters of administration, there shall be substituted for those enactments respectively the enactments set out in paragraphs 1, 2 and 3 respectively of the Fifth Schedule to this Act.

- (3) The receipt, or letter or certificate, from the Commissioners of Inland Revenue as to payment of death duties or freedom therefrom required by the following enactments in cases of payments under nominations by members of societies, and in cases of payments on intestacies of members of societies entitled to sums not exceeding one hundred pounds, shall be required in cases of payments under nominations only where

Status: This is the original version (as it was originally enacted).

the member's total property in the society exceeds two hundred pounds, and shall cease to be required in cases of payments on such intestacies, and accordingly the following amendments shall be made in those enactments respectively :

The said enactments and the amendments to be made therein are—

- (a) subsection (3) of section fifty-seven of the Act of 1896 (relating to nominations), in which the words " two hundred pounds " shall be substituted for the words " eighty pounds ";
- (b) subsection (1) of section fifty-eight of the Act of 1896 (relating to intestacies), in which the words from " subject " to the end of the subsection are hereby repealed ;
- (c) subsection (1) of section ten of the Provident Nominations and Small Intestacies Act, 1883 (relating to nominations and to intestacies), in which the words " two hundred pounds " shall be substituted for the words " eighty pounds " , and the words " or standing to the credit of any person in any society at his death " , and the words " or otherwise " where they occur for the second time, are hereby repealed;
- (d) subsection (2) of the section substituted by section six of the Industrial and Provident Societies (Amendment) Act, 1913, for section twenty-eight of the Industrial and Provident Societies Act, 1893 (relating to nominations and to intestacies), in which there shall be inserted, after the words " If the principal value of the property or money to be so transferred or paid exceeds eighty pounds " , the words "and the transfer or payment is made under the said section twenty-six and the total property of the nominator in the society at his death exceeds two hundred pounds " .