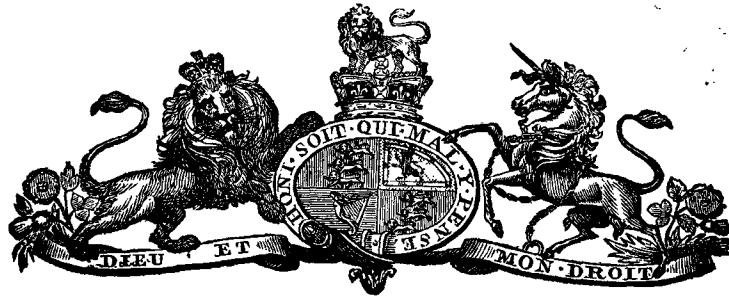


## NEW ZEALAND.



QUADRAGESIMO PRIMO  
**VICTORIÆ REGINÆ.**  
 No. 10.

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## ANALYSIS.

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Title.

AN ACT to consolidate and amend the Law relating to Friendly and other Societies.

[9th October, 1877.]

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to friendly and certain other societies:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be "The Friendly Societies Act, 1877."

Commencement of Act.

2. This Act shall come into operation as to sections nine, thirty-eight, and thirty-nine, on the passing of the Act, and as to the remainder of the Act on the first day of January, one thousand eight hundred and seventy-eight, which day is hereinafter referred to as the commencement of this Act.

Definitions.

3. In this Act, if not inconsistent with the context, the following terms have the meanings hereinafter respectively assigned to them:—

"The Registrar" means the person appointed to be Registrar for the purposes of this Act as herein provided:

"Land" includes hereditaments and chattels real:

"Property" means all real and personal estate (including books and papers):

"Registered society" means a society registered or deemed to be registered under this Act:

"Industrial assurance company" means any company, as defined by "The Life Assurance Companies Act, 1873," which grants assurances on any one life for a less sum than twenty pounds, and which receives premiums or contributions by means of collectors at less periodical intervals than two months:

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- “Amendment of rule” includes a new rule, and a resolution rescinding a rule:
- “Rules” means rules for the time being:
- “Branch” means any number of the members of a society, under the control of a central body, having a separate fund, administered by themselves or by a committee of officers appointed by themselves:
- “Persons claiming through a member” includes the heirs, executors, administrators, and assigns of a member, and also his nominees where nomination is allowed:
- “Collector” includes every paid officer, agent, or person, howsoever remunerated, who, by himself or by any deputy or substitute, collects contributions for a society, or holds any interest in a collecting book of the same, but does not include—
- (a.) The secretary or other officer of a branch of a society who receives contributions on behalf of such society, or of any other branch of the same;
- (b.) Any officer appointed to superintend and receive moneys from collectors within a specified area, and not being himself a collector as hereinbefore defined;
- (c.) Any agent appointed and remunerated by members, and not under the control of the society, or of any officer thereof:
- “Secretary” means the officer appointed by the society to act in that capacity, or the clerk or person who keeps the books and accounts of the society:
- “Officer” extends to any trustee, treasurer, secretary, or member of the committee of management of a society, or person appointed by the society to sue and be sued on its behalf:
- “Meeting” includes (where the rules of a society so allow) a meeting of delegates appointed by members:
- “Gazette” means the *New Zealand Gazette*.

4. The Acts set forth in the First Schedule hereto are repealed from the commencement of this Act; but this repeal, or anything herein contained, shall not affect the past operation of the said Acts, or the force or operation, validity or invalidity, of anything done or suffered, or any bond or security given, right title obligation or liability accrued, contract entered into, or proceedings taken, under any of the said Acts, or under the rules of any society registered or certified thereunder, before the commencement of this Act.

Repeal of Acts in First Schedule.

5. Every society now subsisting whose rules have been registered, enrolled, or certified under any Act relating to friendly societies, shall be deemed to be a society registered under this Act, and its rules shall, so far as the same are not contrary to any express provision of this Act, continue in force until altered or rescinded.

As to existing societies.

Provided that nothing herein contained shall affect the validity of the rules of friendly societies established before the sixteenth day of August, one thousand eight hundred and fifty-six, notwithstanding that the contingent annual payments to which the members or the nominees of the members of such societies may become entitled may exceed the limit hereby fixed.

6. Section fifty of “The Friendly Societies Act, 1867,” shall continue to have effect (notwithstanding its repeal by this Act) with regard to any society whose rules have been deposited thereunder, but only until the society is registered under this Act, or until the thirty-first day of December, one thousand eight hundred and eighty, whichever shall first happen.

Societies with deposited rules.

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Classes of societies  
Friendly societies.

7. The following societies may be registered under this Act, viz.,—

(1.) Societies (herein called "friendly societies") established to provide by voluntary subscriptions of the members thereof, with or without the aid of donations—

For the relief or maintenance of the members, their husbands, wives, children, fathers, mothers, brothers or sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, in old age (which shall mean any age after fifty) or in widowhood, or for the relief or maintenance of the orphan children of members during minority;

For insuring money to be paid on the birth of a member's child, or on the death of a member, or for the funeral expenses of the husband, wife, or child of a member, or of the widow of a deceased member, or, as respects persons of the Jewish persuasion, for the payment of a sum of money during the period of confined mourning;

For the relief or maintenance of the members when on travel in search of employment, or when in distressed circumstances, or in case of shipwreck, or loss or damage of or to boats or nets;

For the endowment of members or nominees of members at any age;

For the insurance against fire to any amount not exceeding fifteen pounds of the tools or implements of the trade or calling of the members;

Provided that no society (except as aforesaid) which contracts with any person for the assurance of an annuity exceeding fifty pounds per annum, or of a gross sum exceeding two hundred pounds, shall be registered under this Act:

Cattle insurance societies.

(2.) Societies (herein called "cattle insurance societies") for the insurance to any amount against loss by death of neat cattle, sheep, lambs, swine, and horses from disease or otherwise:

Benevolent societies.

(3.) Societies for any benevolent or charitable purpose (herein called "benevolent societies"):

Working men's clubs.

(4.) Societies (herein called "working men's clubs") for purposes of social intercourse, mutual helpfulness, mental and moral improvement, and rational recreation:

Specially authorized societies.

(5.) Societies for any purpose which the Governor may authorize as a purpose to which the powers and facilities of this Act ought to be extended (herein called "specially authorized societies").

Limited application of Act.

8. The Governor may limit the application of this Act, as respects specially authorized societies, to such of the provisions herein contained as may be specified in the authority for registering any such society.

Registry Office.

9. With respect to the Registry Office, the following provisions shall have effect:—

Registrar.

(1.) The Governor shall by warrant under his hand appoint some fit person to be the Registrar of Friendly Societies (herein termed "the Registrar"), and such person may hold the office of Registrar in conjunction with any other office which the Governor shall deem to be not incompatible with the office of Registrar. The Governor may in like manner from time to time remove any such Registrar from his office, and in case of any such removal, or of the death or resignation of any Registrar, may appoint another in his place.

Registrar's Office.

(2.) The Registrar shall have his office at such place as the Governor may from time to time appoint, and such office shall, for all the purposes of this Act, be and be deemed to be the Registry Office.

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(3.) The Registrar may, with the approval of the Colonial Treasurer, have attached to his office such assistants skilled in the business of an actuary and an accountant as shall from time to time be required for discharging the duties imposed on the Registrar by this Act.

Assistants.

(4.) The Governor shall, by warrant under his hand from time to time, appoint a barrister, or solicitor of the Supreme Court practising as a barrister (herein called "the Revising Barrister"), to peruse the rules and alterations and amendments of rules of such societies, and it shall also be lawful for the Governor from time to time as he shall think fit to remove such barrister, and in case of any such removal, or of the death or resignation of such barrister, may appoint another in his place.

Revising Barrister.

(5.) The Registrar shall, with the approval of the Governor, from time to time—

Functions of Registrar.

(a.) Prepare and cause to be circulated, for the use of societies, model forms of accounts, balance-sheets, and valuations:

Preparation of model forms.

(b.) Collect from the returns under this Act and from other sources, and publish and circulate, either generally or in any particular district, or otherwise make known, such information on the subject of the statistics of life and sickness, and the application thereof to the business of friendly societies, and from time to time publish generally or in particular districts such particulars of their returns and valuations, and such other information useful to the members of or to persons interested in friendly or other societies registered or which might be registered under this Act, as the Registrar shall from time to time think fit:

Circulation of information.

(c.) Cause to be constructed and published tables for the payment of sums of money on death, in sickness, or old age, or on any other contingency forming the subject of an assurance authorized under this Act which may appear to be calculable: Provided, nevertheless, that the adoption of such tables by any society shall be optional.

Construction of tables.

(6.) The Registrar shall every year lay before the General Assembly a report of his proceedings and of the principal matters transacted by him, and of the valuations returned to or caused to be made by the Registrar during the year preceding.

Registrar to report yearly to the General Assembly.

10. With respect to the registry of societies, the following provisions shall have effect:—

Registry of societies.

(1.) No society can be registered under this Act which does not consist of seven persons at least.

Societies for registry to consist of seven persons at least.

(2.) For the purpose of registry an application to register the society, signed by seven members and the secretary, and at least two written or printed copies of the rules, together with a list of the names of the secretary and of every trustee or other officer authorized to sue and be sued on behalf of the society, shall be sent to the Registrar.

The application for registry.

(3.) No society shall be registered under a name identical with that under which any other existing society is registered, or so nearly resembling such name as to be likely, or in any name likely, in the opinion of the Registrar, to deceive the members or the public as to its identity, and no society shall change its name without the sanction of the Registrar as hereafter provided.

Identity or deceptive similarity of name not to be allowed.

(4.) A society (other than a benevolent society or working men's club) shall not be disentitled to a registry by reason of any rule for or practice of dividing any part of the funds thereof if the rules thereof contain distinct provision for meeting all claims upon the society existing at the time of division before any such division takes place.

Dividing societies may be registered.

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Societies granting annuities to have tables certified by actuary.

(5.) No society assuring to any member a certain annuity shall be entitled to registry, unless the tables of contributions for such assurance, certified by the actuary attached to the office of the Registrar, or by some actuary approved by the Governor, who has exercised the profession of actuary for at least five years, be sent to the Registrar with the application for registry.

Rules to be submitted to Revising Barrister.

(6.) The Registrar shall forthwith transmit one copy of the rules to the Revising Barrister; and if it shall appear to such Barrister that such rules are consistent with the requirements of this Act and the laws in force in New Zealand, he shall certify thereon according to the form (1) set forth in the Third Schedule hereto.

If rules not in accordance with Act, Revising Barrister may object to same.

(7.) If the Revising Barrister shall be of opinion, after a perusal of the rules, that the objects of the society, or any of them, or any of the rules, are repugnant to or inconsistent with this Act or any of the laws in force in New Zealand, he shall notify the same in writing to the Registrar, specifying in what particulars the rules or other matters are repugnant to or inconsistent with this Act, or any of the laws in force in New Zealand, and the Registrar shall thereupon return the rules to the secretary of the society with a copy of the objections made by the Revising Barrister, and the society may thereupon transmit amended rules, signed as before required, or, if possible, comply with the requirements of this Act previously omitted.

The acknowledgment of registry.

(8.) The Registrar, on being satisfied that a society has complied with the provisions as to registry in force under this Act, shall issue to such society an acknowledgment of registry, which shall specify the designation of the society, according to the classification herein set forth. Such acknowledgment shall be in the form (2) set forth in the Third Schedule hereto.

Appeals from refusal to register.

(9.) If the Registrar refuse to register the society or any rules, the society may appeal from such refusal to the Supreme Court; and the Judges of the said Court, or any three of them, of whom the Chief Justice shall be one, may make rules or orders as to the form of appeals and the trying thereof and otherwise relating thereto.

If refusal overruled, acknowledgment of registry to be given.

(10.) If the refusal of registry be overruled on appeal, an acknowledgment of registry shall thereupon be given to the society by the Registrar.

Effect of acknowledgment of registry.

(11.) The acknowledgment of registry shall be conclusive evidence that the society therein mentioned is duly registered, unless it be proved that the registry of the society has been suspended or cancelled.

Acknowledgment of registry to be gazetted.

(12.) Every acknowledgment of registry shall be published in the *Gazette*.

Cancelling and suspension of registry.

**11.** With respect to the cancelling or suspension of registry the following provisions shall have effect:—

Cancelling.

(1.) The Registrar may cancel the registry of a society by writing under his hand,—

(a.) If he thinks fit, at the request of a society, to be evidenced in such manner as he shall from time to time direct:

(b.) With the approval of the Governor, on proof to his satisfaction that an acknowledgment of registry has been obtained by fraud or mistake, or that a society exists for an illegal purpose, or has wilfully and after notice from the Registrar violated any of the provisions of this Act, or has ceased to exist.

Suspension.

(2.) The Registrar, in any case in which he might, with the approval of the Governor, cancel the registry of a society, may suspend the same, by writing under his hand, for any term not exceeding three months, and may, with the approval of the Governor, renew such suspension from time to time for the like period.

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- (3.) Not less than two months' previous notice in writing, specifying the ground of any proposed cancelling or suspension of registry, shall be given by the Registrar to a society before the registry of the same can be cancelled (except at its request) or suspended; and notice of every cancelling or suspension shall be published in the *Gazette*, and in some newspaper circulating in the city, town, or place in which the registered office of the society is situated, as soon as practicable after the same takes place. Notice of cancelling or suspension.
- (4.) A society may appeal from the cancelling of its registry, or, (when the same has been suspended for two consecutive periods not exceeding six months in the whole) against any renewal of suspension, in manner herein provided for appeals from the Registrar's refusal to register. Appeal from cancelling or suspension.
- (5.) A society whose registry has been suspended or cancelled shall from the time of such suspension or cancelling (but if suspended, only whilst such suspension lasts, and subject also to the right of appeal hereby given) absolutely cease to enjoy as such the privileges of a registered society, but without prejudice to any liability actually incurred by such society, which may be enforced against the same as if such suspension or cancelling had not taken place. Effect of cancelling or suspension.
- 12.** With respect to the rules of societies the following provisions shall have effect:— Rules and amendments.
- (1.) The rules of every society sent for registry shall, according to the class in which the society is to be registered, contain provisions in respect of the several matters mentioned in the Second Schedule to this Act. Provisions to be contained in rules.
- (2.) In addition to the matters mentioned in the said Second Schedule, the rules of every such society shall provide that all moneys received or paid on account of each and every particular fund or benefit assured to the members thereof, their husbands wives children fathers mothers brothers or sisters nephews or nieces, for which a separate table of contributions payable shall have been adopted, shall be entered in a separate account distinct from the moneys received and paid on account of any other benefit or fund, and also that a contribution shall be made to defray the necessary expenses of management, and a separate account shall be kept of such contributions and expenses.
- (3.) No amendment of a rule made by a registered society shall be valid until the same has been registered under this Act, and published in the *Gazette*, for which purpose copies of the same, signed by three members and the secretary, shall be sent to the Registrar. Amendments to be registered.
- (4.) The provision herein contained as to appeals from a refusal of registry shall apply to amendments of rules. Provision applicable to amendments.
- (5.) All amendments of rules shall be submitted for the perusal of the Revising Barrister in the manner before provided with respect to rules transmitted to the Registrar upon an application for registry. Amendments of rules to be subject to revision.
- (6.) The Registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Act, issue to the society an acknowledgment of registry of the same in the form (3) in the Third Schedule hereto, which shall be conclusive evidence that the same is duly registered. Acknowledgment of registry of amendments.
- (7.) A copy of the rules of a registered society or of a registered branch shall be delivered by the society or registered branch to every person on demand, on payment of a sum not exceeding one shilling. Copies of rules to be delivered on demand.
- (8.) If any person, with intent to mislead or defraud, gives to any other person a copy of any rules, laws, regulations, or other documents, other than the rules for the time being registered under this Act, on the pretence that the same are existing rules of a registered society or of a registered branch, or that there are no other rules of such society Delivery of untrue rules.

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or registered branch, or gives to any person a copy of any rules on the pretence that such rules are the rules of a registered society or of a registered branch when the society or branch is not registered, the person so offending shall be deemed guilty of a misdemeanour.

**13.** With respect to the duties and obligations of registered societies the following provisions shall have effect:—

Duties and obligations of societies.

(1.) Every registered society shall—

Registered office.

(a.) Have a registered office to which all communications and notices may be addressed, and send to the Registrar notice of the situation of such office, and every change therein:

Appointment of trustees.

(b.) From time to time at some meeting of the society, and by a resolution of a majority of the members present and entitled to vote thereat, appoint one or more trustees of the society, and send to the Registrar a copy of every resolution appointing a trustee, signed by the trustee so appointed, and by the secretary of the society:

Audit.

(c.) Once at least in every year submit its accounts for audit to one of the Public Auditors appointed as herein mentioned, or to two or more persons appointed as the rules of the society provide, which auditors shall have access to all the books and accounts of the society, and shall examine the general statement of the receipts and expenditure, funds and effects of the society, and verify the same with the accounts and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched, and in accordance with law, or specially report to the society in what respects they find it incorrect, unvouched, or not in accordance with law:

Annual returns.

(d.) Once in every year before the first day of April send to the Registrar a general statement (to be called the annual return) of the receipts and expenditure, funds and effects of the society as audited, which shall show separately the expenditure in respect of the several objects of the society, and shall be made out to the thirty-first December then last inclusively, and a copy of the auditor's report, if any, shall also be sent to the Registrar with such general statement; and such annual return shall state whether the audit has been conducted by a Public Auditor appointed as in this Act provided, and by whom; and, if by any person or persons other than the Public Auditor, shall state the name, address, and calling or profession of each of such persons, and the manner in which and the authority under which they were respectively appointed:

Quinquennial returns.

(e.) Within six months after the thirty-first day of December, one thousand eight hundred and seventy-seven, and so again within six months after the expiration of every five years succeeding, send to the Registrar a return (to be called the quinquennial return) of the sickness and mortality experienced by the society during the five years preceding the thirty-first December then last past; an abstract of which returns shall be laid before the General Assembly:

Quinquennial valuations.

(f.) Once at least in the five years next after the commencement of this Act, or the registry of the society, and so again within six months after the expiration of every five years succeeding the date of the first valuation under this Act, cause its assets and liabilities to be valued by a valuer to be appointed by the society and approved of by the Governor, and such valuer shall send to the Registrar



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a report on the condition of the society, and an abstract to be made by him of the results of his valuation, together with a return containing such information with respect to the benefits assured and contributions receivable by the society, and of its funds and effects, debts and credits, as the Registrar may from time to time require, and the Registrar shall send to the society a copy of the valuer's report, and an abstract of the results of his valuation :

(g.) Allow any valuer or any member or person having an interest in the funds of the society to inspect the books at all reasonable hours at the registered office of the society, or at any place where the same are kept, except that no such member or person, unless he be an officer of the society, or be specially authorized by a resolution of the society to do so, shall have the right to inspect the loan account of any other member without the written consent of such member: Inspection of books.

(h.) Supply gratuitously every member or person interested in the funds of the society, on his application, with a copy of the last annual return of the society for the time being, or with a balance-sheet or other document duly audited, containing the same particulars as to the receipts and expenditure, funds and effects of the society, as are contained in the annual return: Supplying copies of annual returns.

(i.) Keep a copy of the last annual balance-sheet for the time being, and of the last quinquennial valuation for the time being, together with the report of the auditors, if any, always hung up in a conspicuous place at the registered office of the society. Copy of balance-sheet and quinquennial valuation to be conspicuously exhibited at office of society.

(2.) No society or registered branch shall pay any sum of money upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of such death, under the hand of the Registrar of Births and Deaths or other person having the care of the register in which such death is or ought to be entered, or under the hand of a duly-qualified medical practitioner, or other satisfactory proof of such death: Provided always that the foregoing provision shall not apply to deaths at sea. Certificates of death to be required.

(3.) It shall be an offence under this Act if any registered society or any registered branch— Offences.

(a.) Wilfully fails to give any notice, send any return or document, or do or allow to be done any act or thing which the society or registered branch is by this Act required to give, send, do, or allow to be done :

(b.) Wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Registrar or other person authorized under this Act, or does any act or thing forbidden by this Act :

(c.) Makes a return or wilfully furnishes information in any respect false or insufficient.

(4.) Every offence by a society or by a registered branch under this Act shall be deemed to have been also committed by every officer of the same bound by the rules thereof to fulfil any duty whereof such offence is a breach, or, if there be no such officer, then by every member of the committee of management of the same, unless such member be proved to have been ignorant of or to have attempted to prevent the commission of such offence; and every default under this Act constituting an offence, if continued, constitutes a new offence in every week during which the same continues. Offences by societies to be also offences by officers, &c.

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Returns to be in prescribed form.

(5.) Every annual, quinquennial, or other return, abstract of valuation, and other document required for the purposes of this Act shall be made in such form and shall contain such particulars as the Registrar prescribes.

Recording of documents.

(6.) All documents by this section required to be sent to the Registrar shall be deposited with the rules of the societies or registered branches thereof to which the same respectively relate, and shall be registered or recorded by the Registrar, with such observations thereon, if any, as the Registrar shall direct :

In what cases quinquennial return, &c., may be dispensed with.

Provided that the Registrar, with the approval of the Governor, may dispense with the quinquennial return and with the valuation herein required in respect of societies to whose purposes or to the nature of whose operations he may deem the same inapplicable ; and may also dispense with the quinquennial return in cases where, at the request of a society, he may, by inspection of the books thereof through any person whom he appoints, obtain such information as he deems sufficient of the sickness and mortality experienced by the society ; and the provisions herein contained in respect of the quinquennial return and valuation shall not apply to benevolent societies, working men's clubs, or cattle insurance societies, nor to specially authorized societies, unless it be so directed in the authority for registering the same.

Privileges of societies.

**14.** Registered societies shall be entitled to the following privileges :—

Corresponding societies Acts, &c., not to affect registered societies.

(1.) No society or registered branch, or meeting of a society or registered branch, shall be affected by any of the provisions of the Acts of the thirty-ninth George the Third, chapter seventy-nine, or the fifty-seventh George the Third, chapter nineteen, if in such society or registered branch or at such meeting no business is transacted other than that which directly and immediately relates to the objects of the society or registered branch as declared in the registered rules thereof, but such society or registered branch and all officers of the same shall, on request in writing by two Justices of the Peace, give full information to such Justices of the nature, objects, proceedings, and practices of the society or registered branch, in default whereof the provisions of the Acts in this section referred to shall, so far as applicable, be in force in respect of such society or registered branch.

Exemption from stamp duty.

(2.) Stamp duty shall not be chargeable upon any of the following documents :—

- (a.) Power, warrant, or letter of attorney, granted by any person as trustee for the transfer of any money of the society or registered branch invested in his name in any debentures, bonds, or Treasury bills issued under any Act of the General Assembly :
- (b.) Order or receipt for money contributed to or received from the funds of the society or registered branch by virtue of its rules or of this Act :
- (c.) Bond given to or on account of the society or registered branch, or by the treasurer or other officer thereof :
- (d.) Draft or order, or form of policy, or appointment or revocation of appointment of agent, or other document required or authorized by this Act, or by the rules of the society or registered branch.
- (e.) Customs duties shall not be chargeable on regalia, emblems, certificates, and banners being the property of any society or registered branch.

Power of nomination for sums not exceeding fifty pounds.

(3.) A member of a society or registered branch (other than a benevolent society, registered branch, or working men's club), not

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being under the age of sixteen years, may, by writing under his hand delivered at or sent to the registered office of the society or registered branch, nominate any person, not being an officer or servant of the society or registered branch, unless such officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator, to whom any moneys payable by the society or registered branch on the death of such member, not exceeding fifty pounds, shall be paid at his decease, and may from time to time revoke or vary such nomination by a writing under his hand similarly delivered or sent; and on receiving satisfactory proof of the death of a nominator, the society or registered branch shall pay to the nominee the amount due to the deceased member, not exceeding the sum aforesaid.

(4.) If any member of a society or registered branch, entitled from the funds thereof to a sum not exceeding fifty pounds, dies intestate and without having made any nomination under this Act which remains unrevoked at his death, such sum shall be payable, without letters of administration, to the person who appears to a majority of the trustees, upon such evidence as they may deem satisfactory, to be entitled by law to receive the same.

Distribution of sums not exceeding fifty pounds.

(5.) Whenever the society or registered branch, after the decease of any member, pays any sum of money to the person who at the time appears to the trustees to be entitled under this section, the payment is valid and effectual against any demand made upon the trustees or the society or registered branch by any other person.

Payments to persons apparently entitled valid.

(6.) When any person, being or having been a trustee of a society or registered branch, and whether appointed before or after the legal establishment thereof, in whose name any funds, debentures, securities, or moneys belonging to such society or registered branch are standing or vested, either jointly with another or others, or solely, is absent from New Zealand, or becomes bankrupt, or files any petition or executes any deed of assignment arrangement or composition with his creditors, or becomes a lunatic, or is dead, or has been removed from his office of trustee, or if it be unknown whether such person is living or dead, the Registrar, on application in writing from the secretary and three members of the society or registered branch, and on proof satisfactory to him, may direct the transfer of such funds, debentures, securities, or moneys into the names of such other persons as trustees for the society or registered branch as shall be appointed by such society or registered branch; and such transfer shall be made by the surviving or continuing trustees; and if there be no such trustees, or if such trustees refuse or be unable to make such transfer, the Registrar may direct that where such funds, debentures, securities, or moneys—

When trustees are absent, &c., Registrar may order funds, &c., to be transferred.

(a.) are standing in the books of the Colonial Treasurer, or are in his control, such transfer be made by the Colonial Treasurer or some officer of the General Government to be named in the order:

(b.) are standing in the books or in the control of any Bank or Banking Corporation or other corporation or body, such transfer be made by some officer of such Bank or Banking Corporation or other corporation or body, to be named in the order:

(c.) are standing in the books or are in the hands or control of any other person or persons, such transfer be made by such person or persons.

(7.) The Colonial Treasurer and every such Bank and Banking Corporation, and all corporations companies and persons, and their officers and servants respectively, are hereby indemnified for anything

Indemnity to persons acting under order of Registrar.

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done by him or them or any of his or their officers in pursuance of the provisions of clause six (6) of this section against any claim or demand of any person injuriously affected thereby.

Priority on death, bankruptcy, &c., of officer.

(8.) Upon the death, or bankruptcy, or insolvency of any officer of a society or registered branch having in his possession by virtue of his office any money or property belonging to the society or registered branch, or if any execution, attachment, or other process be issued, or action raised against such officer or against his property, his heirs, executors, or administrators, or trustee in bankruptcy or insolvency, or the Sheriff or other person executing such process, or the party using such action shall, upon demand in writing of the trustees of the society or of the registered branch, or any two of them, or any person authorized by the society or registered branch or by the committee of management of the same to make such demand, pay such money and deliver over such property to the trustees of the society or registered branch in preference to any other debts or claims against the estate of such officer.

Membership of minors.

(9.) A person under the age of twenty-one but above the age of sixteen may be a member of a society or registered branch, unless provision be made in the rules thereof to the contrary, and may, subject to the rules of the society, enjoy all the rights of a member (except as herein provided), and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a trustee, manager, or treasurer of the society or registered branch.

Provided as follows:—

- (a.) Societies and branches, consisting wholly of members of any age under sixteen years, but exceeding three years, may be allowed to register under this Act, subject to such regulations as may be made in that behalf:
- (b.) No rule or practice in force at the commencement of this Act for the admission of members under sixteen years of age shall be deemed contrary to any express provision of this Act as respects any society already registered.

Limitation of cost of certificates of birth or death.

(10.) For the purpose of this Act a certificate of the birth or death of any member of or person insured or to be insured with a registered friendly society or registered branch shall be given under his hand by the Registrar of Births and Deaths, or other person having the care of the register of births or deaths, in which such birth or death is entered, for a sum not exceeding one shilling, in place of all fees or payments in respect of the same, on application being made for the same in such form and under such regulations as shall be approved of by the Registrar-General of Births, Deaths, and Marriages. Whenever application is made at one time to any Registrar or other person having the care of any register of births or deaths for more certificates than one of the same birth or death for the purposes of and in the manner prescribed by this subsection, or section twenty-nine subsection three, the sum charged for every such certificate other than the first shall not exceed sixpence; and whenever the Registrar or other person having the care of the register is required by the person applying for any certificate of birth or death to fill up the form of application, he may demand a sum not exceeding threepence for so doing.

Society may subscribe to hospitals.

(11.) A society or a registered branch may subscribe out of its funds to any hospital, infirmary, charitable or provident institution, any annual or other sum which may be necessary to secure to members of the society or registered branch and their families the benefits of such hospital, infirmary, or other institution, according to its rules.

Property and funds of societies.

**15.** With respect to the property and funds of registered societies, the following provisions shall have effect:—

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(1.) The trustees, with the consent of the committee of management or of a majority of the members of a society or of a registered branch present and entitled to vote in general meeting, may from time to time invest the funds of such society or registered branch, or any part thereof, to any amount, in any of the following ways:—

Investment of funds

- (a.) In the Post Office Savings Bank, or in any savings bank constituted under "The Savings Bank Act, 1858," or in such other Bank or Banks in the colony as the Governor may from time to time appoint:
- (b.) In any debentures, bonds, or Treasury bills issued by or on behalf of the General Government of the colony under the authority of any Act of the General Assembly:
- (c.) In the purchase of land, or in the erection or alteration of offices or other buildings thereon:
- (d.) Upon any other security expressly directed by the rules of the society or registered branch, not being personal security, except as hereinafter authorized with respect to loans.

Nothing herein shall interfere with or restrict any special power or authority given to friendly societies by any Act of the General Assembly to invest the funds of such society or registered branch in any security by such Act authorized.

(2.) A society, or any branch of a society, may (if the rules thereof so provide) hold, purchase, or take on lease, in the names of the trustees for the time being of such society or branch, in every city town or place where it has an office, any land, and may sell, exchange, mortgage, lease, or build upon the same (with power to alter and pull down buildings and again rebuild), and no purchaser, assignee, mortgagee, or tenant shall be bound to inquire as to the authority for any sale, exchange, mortgage, or lease by the trustees, and the receipt of the trustees shall be a discharge for all moneys arising from or in connection with such sale, exchange, mortgage, or lease; and for the purpose of this section no branch of a registered society need be separately registered: Provided that nothing herein contained shall authorize any benevolent society to hold land exceeding one acre in extent at any one time.

Holding land.

(3.) All property belonging to a society, whether acquired before or after the same is registered, shall vest in the trustees for the time being of the society, for the use and benefit of the society and the members thereof, and of all persons claiming through the members according to the rules of the society; and the property of any branch of a society shall vest in the trustees of such branch, or in the trustees of the society if the rules of the society so provide, for the use and benefit either of the members of such branch and persons claiming through such members, or of the members of the society generally, and persons claiming through them, according to the rules of the society.

Property of society how vested.

(4.) Upon the death, resignation, or removal of a trustee, whether of a society or branch, the property vested in such trustee vests in the succeeding trustees of such society or branch either solely or together with any surviving or continuing trustees, and until the appointment of succeeding trustees in such surviving or continuing trustees only, or in the executors or administrators of the last surviving or continuing trustee, as personal estate (whether the same be real or personal), subject to the same trusts, without conveyance or assignment, except that funds invested in any debentures, bonds, or Treasury bills issued under any Act of the General Assembly shall be transferred into the names of the succeeding trustees, either solely or jointly with any surviving or continuing trustees.

Devolution on death, &amp;c.

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(5.) Every society or registered branch shall forward from time to time to the District Land Registrar of every district to which its operations extend a return setting forth the names of the treasurer, trustee, or other officers in whom the property of the society or registered branch may by law be or become vested, and also notice in writing of the death, resignation, or removal of existing and the appointment of new officers; also a copy of the rules of the society or registered branch. Every such return and notice shall be accompanied by a statutory declaration made by the treasurer, or one of the trustees or other officers of the said society or registered branch in whom the property of such society or registered branch is vested, stating that the declarant is the treasurer or one of the trustees or officers in whom the property of such society or registered branch is vested, and verifying the statements contained in such return or notice. Land under "The Land Transfer Act, 1870," shall be transferred, leased, mortgaged, or incumbered to such societies or registered branches only by memorandum of transfer, lease, mortgage, or incumbrance made to such officers, denoted by their official denomination and not by their own proper names, and the persons in whom the property of the society or registered branch shall for the time being be vested, shall be deemed to be the registered proprietors of the land so transferred, leased, mortgaged, or incumbered. When any instrument shall be presented for registration affecting the land included in any such transfer, lease, mortgage, or incumbrance, and shall purport to be executed by the persons in whom the property of the society or registered branch appears to the District Land Registrar to have been vested at the time of the execution of such instrument, he shall register the same; and no person claiming under any such instrument shall be affected by notice, direct or constructive, that the property of the society or registered branch was not vested in the persons executing the same, nor that such instrument was executed in contravention of the rules of the society or registered branch, or the terms of the mortgage, lease, or incumbrance; and no claim on the Assurance Fund shall arise from the fact that the property was not so vested, or that such instrument was so executed as aforesaid.

How property subject to "Land Transfer Act, 1870," to be dealt with.

In legal proceedings, property to be stated as property of trustees in their own names.

Discharge of mortgages by receipt indorsed.

Punishment of fraud or misappropriation.

(6.) In all legal proceedings whatsoever concerning any such property the same shall be stated to be the property of the trustees for the time being in their proper names as trustees for the society or branch (as the case may be) without further description.

(7.) A receipt under the hands of the trustees, in the form (4) contained in the Third Schedule to this Act, or in any form specified by the rules of the society or registered branch or any Schedule thereto, for all moneys secured to the society or registered branch by any mortgage or other assurance, such receipt being indorsed upon or annexed to such mortgage or other assurance, vacates the same, and vests the property therein comprised in the persons entitled to the equity of redemption of the same, without reconveyance or resurrender.

(8.) If any person obtains possession by false representation or imposition of any property of a society or registered branch, or having the same in his possession withholds or misapplies the same, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society or the registered branch and authorized by this Act, he shall, on the complaint of the society or the registered branch, or of any member authorized by the society or by the registered branch, or the trustees or committee of management of the same, or of the Registrar, be liable on summary conviction to a penalty not exceeding fifty pounds and costs, and to be ordered to deliver up all such property, or to repay all moneys applied improperly,

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and in default of such delivery or repayment, or of the payment of such penalty and costs aforesaid, to be imprisoned, with or without hard labour, for any time not exceeding six months; but nothing herein contained prevents any such person from being proceeded against by way of indictment, if not previously convicted of the same offence under the provisions of this Act.

(9.) Every person elected or appointed to be the treasurer, secretary, or other officer of a society or of a registered branch registered under this Act, or registered or established under any Act repealed hereby, or who shall act in the capacity of or be employed as such treasurer, secretary, or officer, is, for the purposes and within the meaning of the sixty-seventh, sixty-eighth, seventy-first, and seventy-second sections of "The Larceny Act, 1867," to be deemed to be the servant of the trustee or trustees for the time being of such society or of such registered branch, as the case may be; and any such person who commits an offence against the said provisions of "The Larceny Act, 1867," may be proceeded against, indicted, tried, and if convicted punished, in accordance with the provisions of the last-mentioned Act, as in the case of larceny or embezzlement by a clerk or a servant.

Treasurer of a society to be deemed to be servant of trustees within meaning of "The Larceny Act, 1867."

All other the provisions of "The Larceny Act, 1867," which would be applicable or extend to the case of larceny or embezzlement by clerks or servants, are to extend and apply to the treasurer secretary or other officer of any such society, and to the treasurer, secretary, or other officer of any registered branch.

(10.) Trustees of a society or of a registered branch are not liable to make good any deficiency in the funds of such society or registered branch, but are liable only for moneys actually received by them respectively on account of such society or registered branch.

Trustees not to be personally liable.

**16.** With respect to loans to members of registered societies, the following provisions shall have effect:—

Loans to members.

(1.) Not more than one-half of the amount of an assurance on the life of a member of at least one full year's standing may be advanced to him, on the written security of himself and two satisfactory sureties for repayment; and the amount advanced, with all interest thereon, may be deducted from the sum assured, without prejudice in the meantime to the operation of such security.

Limitation of loan

(2.) A society may, out of any separate loan fund to be formed by contributions or deposits of its members, make loans to its members on their personal security, with or without sureties, as may be provided by the rules, subject to the following restrictions:—

Loans may be made out of separate loan fund.

(a.) No loan can at any time be made out of moneys contributed for the other purposes of the society:

(b.) No member shall be capable of holding any interest in the loan fund exceeding two hundred pounds:

(c.) No society shall make any loan to a member on personal security beyond the amount fixed by the rules, or shall make any loan which, together with any moneys for the time being owing by a member to the society, shall exceed fifty pounds:

(d.) No society shall hold at any one time on deposit from its members any moneys beyond the amount fixed by the rules, which shall not exceed two-thirds of the total sums for the time being owing to the society by the members who have borrowed from the loan fund.

**17.** The rules of a society or of a registered branch may provide for accumulating at interest, for the use of any member of the same, any surplus of his contributions to the funds of the society or registered branch which may remain after providing for any assurance in respect of which the same are paid, and for the withdrawal of such accumulations from time to time.

Accumulating surplus of contributions for member's use.

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Officers in receipt or charge of money.

**18.** With respect to officers of registered societies having receipt or charge of money, the following provisions shall have effect:—

Security to be given.

(1.) Every officer, if the rules of the society or registered branch require, shall, before taking upon himself the execution of his office, become bound with one sufficient surety at the least in a bond in the form (5) contained in the Third Schedule to this Act, or give the security of a guarantee society, in such sum as the society or registered branch directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the society or registered branch at such times as its rules appoint, or as the society or registered branch or the trustees or committee of management thereof require him to do so, and for the payment by him of all sums due from him to the society or registered branch.

Accounts of officers.

(2.) Every officer, his executors or administrators, shall, at such times as by the rules of the society or registered branch he should render account, or upon demand made, or notice in writing given or left at his last or usual place of residence, give in his account, as may be required by the society or registered branch, or by the trustees or committee of management of the society or registered branch, to be examined and allowed or disallowed by them, and shall, on the like demand or notice, pay over all moneys and deliver all property for the time being in his hands or custody to such person as the society or registered branch, or the committee of management, or the trustees appoint; and in case of any neglect or refusal to deliver such account, or to pay over such moneys or to deliver such property in manner aforesaid, the trustees or authorized officers of the society or registered branch may sue upon the bond or security before mentioned, or may apply to the Resident Magistrate's Court of the district in which the registered office of the society is situated, and the order of such Court shall be final and conclusive.

Legal proceedings.

**19.** With respect to legal proceedings against registered societies, the following provisions shall have effect:—

(1.) The trustees of any society or branch, or any other officers authorized by the rules thereof, may bring or defend, or cause to be brought or defended, any action, suit, or other legal proceeding in any Court whatsoever, touching or concerning any property, right, or claim of the society or branch, as the case may be, and shall sue and be sued, implead and be impleaded, in their proper names, without other description than the title of their office.

(2.) In legal proceedings which may be brought under this Act by a member or person claiming through a member, the society or registered branch may also be sued in the name, as defendant, of any officer or person who receives contributions or issues policies on behalf of the society or registered branch within the jurisdiction of the Court in which the legal proceeding is brought, with the addition of the words "on behalf of the Society" or "registered branch of the society" [*naming the same*].

(3.) No legal proceeding shall abate or be discontinued by the death, resignation, or removal from office of any officer, or by any act of such officer after the commencement of the proceedings.

(4.) The summons, writ, process, or other proceeding to be issued to or against the officer or other person sued on behalf of a society or registered branch shall be sufficiently served by personally serving such officer or other person, or by leaving a true copy thereof at the registered office of the society or registered branch, or at any place of business of the society or registered branch within the jurisdiction of the Court in which the proceeding is brought, or, if such office or place of business be closed, by posting such copy on the outer door of



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the same; but in all cases where the said summons, writ, process, or other proceeding shall not be served by means of such personal service or by leaving a true copy thereof at the registered office of the society or registered branch, a copy thereof shall be transmitted addressed to the committee of management at the registered office of the society or registered branch, and the same shall be enclosed in a registered letter posted at least six days before any further step shall be taken on such summons, writ, process, or other proceeding.

20. Every dispute between a member or person claiming through a member or under the rules of a registered society or registered branch, and the society or registered branch or an officer thereof, shall be decided in manner directed by the rules of the society or registered branch, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any Court of law or restrainable by injunction, and application for the enforcement thereof may be made to a Resident Magistrate's Court.

Provided as follows:—

- (a.) The parties to a dispute in a society or registered branch may, by consent (unless the rules of such society or registered branch expressly forbid it), refer such dispute to the Registrar, who shall, with the consent of the Governor, hear and determine such dispute, and shall have power to order the expenses of determining the same to be paid either out of the funds of the society or registered branch or by such parties to the dispute as he shall think fit; and such determination and order shall have the same effect and be enforceable in like manner as a decision made in the manner directed by the rules of the society or registered branch:
- (b.) The Registrar to whom any dispute is referred may administer oaths, and may require the attendance of all parties concerned, and of witnesses, and the production of all books and documents relating to the matter in question; and any person refusing to attend, or to produce any documents, or to give evidence before such Registrar, shall be guilty of an offence under this Act:
- (c.) Where the rules of a society or registered branch direct that disputes shall be referred to Justices, the dispute shall be determined by a Resident Magistrate's Court.
- (d.) Where the rules contain no direction as to disputes, or where no decision is made on a dispute within forty days after application to the society or registered branch for a reference under its rules, the member or person aggrieved may apply to a Resident Magistrate's Court, which may hear and determine the matter in dispute:
- (e.) The Court, or Registrar, may, at the request of either party, state a case for the opinion of the Supreme Court on any question of law, and may also grant to either party such discovery as to documents and otherwise, or such inspection of documents, as might be granted by any Court of law or equity, such discovery to be made on behalf of the society or registered branch by such officer of the same as such Court or Registrar may determine.

21. Upon the application of one-fifth of the whole number of members of a registered society, or of one hundred members in the case of a society of one thousand members and not exceeding ten thousand, or of five hundred members in the case of a society of more than ten thousand members, the Registrar, but with the consent of the Governor in every case, may—

Special powers of Registrar to be exercised on application from members.

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Inspectors.

(1.) Appoint one or more inspectors to examine into the affairs of such society, and to report thereon, who may require the production of all or any of the books and documents of the society, and may examine on oath its officers, members, agents, and servants in relation to its business, and may administer such oath accordingly :

Special meetings.

(2.) Call a special meeting of the society in such manner and at such time and place as the Registrar may direct, and may direct what matters shall be discussed and determined on at such meeting, which shall have all the powers of a meeting called according to the rules of the society, and shall in all cases have power to appoint its own chairman, any rule of the society to the contrary notwithstanding.

Provided that—

(a.) The application herein mentioned shall be supported by such evidence, for the purpose of showing that the applicants have good reason for requiring such inspection to be made or meeting to be called, and that they are not actuated by malicious motives in their application, and such notice thereof shall be given to the society, as the Registrar shall direct :

(b.) The Registrar may, if he think fit, require the applicants to give security for the costs of the proposed inspection or meeting, before appointing any inspector or calling such meeting :

(c.) All expenses of and incidental to any such inspection or meeting shall be defrayed either by the members applying for the same, or out of the funds of the society, as the Registrar shall direct :

(d.) This section shall not apply to a society with branches, unless with the consent of the central body of such society.

Special resolutions,  
and proceedings  
which may be taken  
thereon.

**22.** With respect to special resolutions by registered societies, and to the proceedings which may be taken by virtue thereof, the following provisions shall have effect :—

Special resolutions.

(1.) A special resolution is one which is passed by a majority of not less than three-fourths of such members of a society for the time being entitled under the rules to vote as may be present in person or by proxy (where the rules allow proxies) at any general meeting of which notice specifying the intention to propose such resolutions has been duly given according to the rules, and which resolution is confirmed by a majority of such members for the time being entitled under the rules to vote as may be present in person or by proxy at a subsequent general meeting of which notice has been duly given, held not less than fourteen days nor more than one month from the day of the meeting at which such resolution was first passed. At any meeting mentioned in this section a declaration by the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact.

Change of name.

(2.) A society may, by special resolution, with the approval in writing of the Registrar, change its name ; but no such change shall affect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the trustees of the society, or any other officer who may sue or be sued on behalf of such society, notwithstanding its new name.

Amalgamation of societies.

(3.) Any two or more societies may, by special resolution of both or all such societies, become amalgamated together as one society, with or without any dissolution or division of the funds of such societies or either of them ; and any society may, by special resolution, transfer its engagements to any other registered society which may undertake to fulfil the engagements of such society.

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(4.) A society may by special resolution determine to convert itself into a company under "The Joint Stock Companies Act, 1860," or to amalgamate with or transfer its engagements to any such company.

Conversion of societies into companies, &c.

(5.) No amalgamation or transfer of engagements shall prejudice any right of a creditor of either or any society party thereto.

Rights of creditors.

(6.) A copy of every special resolution for any of the purposes mentioned in this section, signed by the chairman of the meeting and countersigned by the secretary, shall be sent to the Registrar and be registered by him, and until such copy is so registered such special resolution shall not take effect.

Registration of special resolutions.

(7.) If a special resolution for converting a society into a company contains the particulars by "The Joint Stock Companies Act, 1860," required to be contained in the memorandum of association of a company, and a copy thereof has been registered at the office of the Registrar, a copy of such resolution under the seal or stamp of the Registrar shall have the same effect as a memorandum of association duly signed and attested under the said Act.

Registration of copy of special resolution as memorandum of association.

(8.) If a society be registered as, or amalgamates with, or transfers all its engagements to a company, the registry of such society under this Act thereupon becomes void, and the same shall be cancelled by the Registrar; but the registration of a society as a company shall not affect any right or claim for the time being subsisting against such society, or any penalty for the time being incurred by such society; and for the purpose of enforcing any such right, claim, or penalty, the society may be sued and proceeded against in the same manner as if it had not become registered as a company; and every such right or claim, or the liability to such penalty, has priority, as against the property of such company, over all other rights or claims against or liabilities of such company.

Registry of society under Act to become void on registration as a company, &c.

Provided as follows as respects friendly societies:—

(a.) No special resolution by any society for any amalgamation or transfer of engagements under this section is valid unless five-sixths in value to be calculated as for dissolution of the members assent thereto either at the meetings at which such resolution is passed and confirmed, or one of them, or in writing, if such members were not present thereat, nor without the written consent of every person for the time being receiving or entitled to any relief, annuity, or other benefit from the funds of the society, unless the claim of such person be first duly satisfied, or adequate provision be made for satisfying such claim:

Proviso as to friendly societies.

(b.) The provisions hereinafter contained in case of dissolution as to the punishment of officers, and the remedy of members or persons dissatisfied with the provision made for satisfying their claims, shall apply to the case of amalgamation and transfer of engagements:

(c.) Upon application of the trustees or committee of management of a society desiring to amalgamate or transfer its engagements, notice of such application being published in the *Gazette*, the Registrar, after hearing such trustees or committee of management and any other persons whom he considers entitled to be heard upon the application, may, with the consent of the Governor, order that any of the consents and conditions prescribed in this Act, or in any regulations made under this Act, be dispensed with, and may confirm the amalgamation or transfer:

(d.) This section shall not apply to branches.

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Conversion of registered societies into branches.

**23.** With respect to the conversion of registered societies into branches the following provisions shall have effect:—

- (1.) A society registered before the first day of January, one thousand eight hundred and seventy-eight, may, by a resolution passed by three-fourths of the members or delegates present and entitled to vote at any general meeting of which notice, specifying the intention to propose such resolution, has been duly given according to the rules, determine to become a branch under this Act of any other registered society, and also, if thought fit, of any registered branch thereof; and if the rules of such society do not comply with all the provisions of this Act, and of regulations made by the Governor in respect of the registry of branches, the meeting at which such resolution is passed may amend such rules so as to bring the same in compliance with this Act and with such regulations.
- (2.) A copy of the rules of such first-mentioned society, marked to show the amendments, if any, made at such meeting, and two copies of such resolution as aforesaid, and of such amendment of rules, if any, each signed by the chairman of the meeting and by the secretary of the society so determining to become a branch of any other society, and countersigned by the secretary of such other society, shall be sent to the Registrar, and if the Registrar finds that such rules, with or without such amendment as aforesaid, comply with the provisions of this Act and of the regulations made by the Governor, he shall cancel the registry of such first-mentioned society, and register the same as a branch of such other society without further request or notice, and shall register such amendment of rules without further application or evidence; and until such registry such resolution as aforesaid shall not take effect.
- (3.) No advertisement of any cancelling of registry under this section shall be requisite.
- (4.) The rules of a society which becomes a branch under this section shall, so far as the same are not contrary to any express provision of this Act or of the regulations made by the Governor, and subject to any amendment thereof as hereinbefore provided, continue in force as the rules of such branch until amended.

Registered societies or branches may contribute to funds of other societies.

**24.** Nothing in this Act contained shall prevent any registered society or branch from contributing to the funds or taking part by delegates or otherwise in the government of any other registered society or registered branch of a society, as may be provided in the rules of such first-named society or branch, without becoming a branch under the Friendly Societies Acts of such other society or branch.

Form of acknowledgment of registry of branches.

**25.** The acknowledgment of registry of a branch, and of any amendment of the rules of a branch, shall be in the forms provided in the sixth and seventh forms in the Third Schedule to this Act.

Dissolution of societies.

**26.** With respect to the dissolution of registered societies, the following provisions shall have effect:—

How societies may be dissolved.

(1.) A society may terminate or be dissolved in any of the following ways:—

- (a.) Upon the happening of any event declared by the rules to be the termination of the society:
- (b.) As respects all societies other than friendly societies, by the consent of three-fourths of the members, testified by their signatures to the instrument of dissolution:

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- (c.) As respects friendly societies, by the consent of five-sixths in value of the members (including honorary members, if any), testified by their signatures to the instrument of dissolution, and also by the written consent of every person for the time being receiving or entitled to receive any relief, annuity, or other benefit from the funds of the society, unless the claim of such person be first duly satisfied, or adequate provision made for satisfying such claim, and in the case of a branch society with the consent of the central body of the society, or in accordance with the general rules of the society :
- (d.) By the award of the Registrar in the cases herein specified.
- (2.) The instrument of dissolution shall set forth—
- (a.) The liabilities and assets of the society in detail :
- (b.) The number of members and the nature of their interests in the society respectively :
- (c.) The claims of creditors (if any), and the provision to be made for their payment :
- (d.) The intended appropriation or division of the funds and property of the society, unless the same be stated in the instrument of dissolution to be left to the award of the Registrar.
- (3.) Alterations in the instrument of dissolution may be made with the like consents as hereinbefore provided, testified in the same manner.
- (4.) A statutory declaration shall be made by one of the trustees, or by three members and the secretary of the society, that the provisions of this Act have been complied with, and shall be sent to the Registrar with the instrument of dissolution; and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanour.
- (5.) The instrument of dissolution and all alterations therein shall be registered in manner herein provided for the registry of rules, and shall be binding upon all the members of the society.
- (6.) The Registrar shall cause a notice of the dissolution to be advertised at the expense of the society in the manner provided by this Act for advertising an award of the Registrar for dissolution; and unless, within three months from the date of the *Gazette* in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society, and such dissolution is set aside accordingly, the society shall be legally dissolved from the date of such advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto.
- (7.) As respects friendly societies,—
- (a.) The value of members shall be ascertained by giving one vote to every member, and an additional vote for every five years that he has been a member, but to no one member more than five votes in the whole :
- (b.) No instrument of dissolution shall direct or contain any provision for a division or appropriation of the funds of the society, or any part thereof, otherwise than for the purpose of carrying into effect the objects of the society as declared in the rules thereof for the time being, unless the claim of every member or person claiming any relief, annuity, or other benefit from the funds thereof be first duly satisfied, or adequate provision be made for satisfying such claim :

Contents of instrument of dissolution.

Alterations in instrument of dissolution.

Statutory declaration.

Registry of instrument of dissolution.

Notice of dissolution.

Special provisions as to friendly societies.

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Dissolution by award,  
&c.

- (c.) Any officer or person aiding or abetting in the dissolution of a society, otherwise than as in this Act provided, shall, on summary conviction, be liable to be committed to the common gaol, there to be kept to hard labour for any term not exceeding three months :
- (d.) If any member of a dissolved society, or person claiming any relief, annuity, or other benefit from the funds thereof, be dissatisfied with the provision made for satisfying his claim, such member or other person may apply to the Resident Magistrate's Court of the district within which the chief or any other place of business of the society is situate for relief or other order, and such Court shall have the same powers in the matter as in regard to the settlement of disputes under this Act.
- (8.) With respect to dissolutions and the distribution of funds upon the award of the Registrar,—
- (a.) Upon the application of one-fifth of the whole number of members of any registered society, or of one hundred members in the case of a society of one thousand members and not exceeding ten thousand, or of five hundred members in the case of a society of more than ten thousand members, made in writing under their hands, setting forth that the funds of the society are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of such society are insufficient to cover the benefits assured, and the grounds upon which such insufficiency is alleged, and requesting an investigation into the affairs of such society with a view to the dissolution thereof, the Registrar may by himself, or by any actuary whom the Registrar may appoint in writing under his hand, investigate the affairs of the society, giving nevertheless not less than two months' previous notice in writing to the society whose affairs are to be investigated at the registered office of such society :
- (b.) If upon such investigation it appears that the funds of the society are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society are insufficient to cover the benefits assured to be given by the same, the Registrar may, if he considers it expedient so to do, award that the society shall be dissolved, and its affairs wound up, and shall direct in what manner the assets of the society shall be divided or appropriated : Provided always that the Registrar may suspend his award for such period as he may deem necessary to enable the society to make such alterations and adjustment of contributions and benefits as will in his judgment prevent the necessity of such award of dissolution being made :
- (c.) A Registrar proceeding under this section has all the same powers and authorities, enforceable by the same penalties, as in the case of a dispute referred to him under this Act :
- (d.) Every award under this or the last preceding section, whether for dissolution or distribution of funds, is final and conclusive on the society in respect of which the same is made, and on all members of the same, and other persons having any claim on the funds of the society, without appeal, and shall be enforced in the same manner as if decision on a dispute under this Act ; and the expenses of every investigation and award, and of publishing every

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notice of dissolution, shall be paid out of the funds of the society before any other appropriation thereof shall be made :

- (e.) Notice of every award for dissolution shall, within twenty-one days after the same shall have been made, be advertised in the *Gazette*, and in some newspaper circulating in the city, town, or place in which the registered office of the society is situated, and unless, within three months from the date of the *Gazette* in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society, consequent upon such award, and such dissolution is set aside accordingly, the society shall be legally dissolved from the date of such advertisement, and the requisite consents to the application to the Registrar shall be considered to have been duly obtained without proof of the signatures thereto. Notice shall be sent to the Registrar of any proceeding to set aside the dissolution of a society or branch not less than seven days before it is commenced, by the person taking such proceeding, and of any order setting a dissolution aside, by the society or branch within seven days after such order is made.

(9.) The provisions of the present section shall not apply to any society having branches without the consent of the central body of such society. Consent of central body.

27. No person, by reason of his enrolment or service in the Militia or as a Volunteer in any corps of Volunteers whatsoever, shall lose or forfeit any interest he possesses at the time of his being so enrolled or serving in any friendly society or branch, registered or unregistered, or be fined for absence from or non-attendance at any meeting of the society or branch, such absence or non-attendance being occasioned by the discharge of his military or naval duty as certified by his commanding officer, any rules of such society or branch to the contrary notwithstanding, and any dispute between any such society or branch and such person by reason of such enrolment or service shall be decided by a Resident Magistrate's Court. Militiamen and Volunteers not to lose benefits.

28. No member of a registered friendly society, nor any person claiming through a member, shall be entitled to receive more than two hundred pounds by way of gross sum, together with any bonuses or additions declared upon assurances not exceeding that amount, or (except as provided by section five of this Act) fifty pounds a year by way of annuity, from any one or more such societies ; and any such society may require a member, or person claiming through a member, to make and sign a statutory declaration that the total amount to which such member or person is entitled from one or more such societies does not exceed the sums aforesaid ; and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanour. Limitations of benefits.

29. With respect to payments on the death of children under ten years of age, the following provisions shall have effect :— Payments on death of children.

(1.) No society or registered branch shall insure or pay on the death of a child under five years of age any sum of money which, added to any amount payable on the death of such child by any other society or registered branch, exceeds six pounds, or on the death of a child under ten years of age any sum of money which, added to any amount payable on the death of such child by any other society or registered branch, exceeds ten pounds. Limitation of payments.

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Who may receive payments.

(2.) No society or registered branch shall pay any sum on the death of a child under ten years of age except to the parent of such child, or to the personal representative of such parent, and upon the production by such parent or his personal representative of a certificate of death issued by the Registrar of Births and Deaths, or other person having the care of the register of deaths, containing the particulars after mentioned.

Particulars of certificates.

(3.) Whenever a certificate of the death of a child is applied for for the purpose of obtaining a sum of money from a society or registered branch, the name of such society or registered branch and the sum sought to be obtained therefrom shall be stated to the Registrar of Births and Deaths, who shall write on or at the foot of such certificate the words "to be produced to the Society" or "registered branch of the Society" [*naming the same*] "said to be liable for payment of the sum of £" [*stating the same*], and all certificates of the same death shall be numbered in consecutive order, and the sum charged by the Registrar of Births and Deaths for each such certificate shall not exceed one shilling.

Registrars of Births and Deaths only to give certificates in certain cases.

(4.) No Registrar of Births and Deaths shall give any one or more certificates of death for the payment in the whole of any sum of money exceeding six pounds on the death of a child under five years, or for the payment in the whole of a sum exceeding ten pounds on the death of a child under ten years; and no such certificate shall be granted unless the cause of death has been previously entered in the register of deaths on the certificate of a Coroner or of a registered medical practitioner who attended such deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner, or of other satisfactory evidence of the same.

Inquiry to be made by societies.

(5.) Any society or registered branch to which is produced a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, be bound to inquire whether any and what sums of money have been paid on the same death by any other society or registered branch.

Offences under this section.

(6.) It shall be an offence under this Act—

(a.) If any society or registered branch pays money on the death of a child under ten years of age otherwise than is provided by this Act;

(b.) If any parent or personal representative of a parent claiming money on the death of a child produces any certificate of such death other than is herein provided to the society or registered branch or societies or registered branches from which the money is claimed, or produces a false certificate, or one fraudulently obtained, or in any way attempts to defeat the provisions of this Act with respect to payments upon the death of children.

Extent of word "society."

(7.) The word "society" in the present section shall include all industrial assurance companies assuring the payment of money on the death of children under the age of ten years.

Assurances on children's lives not to be void under 14 Geo. III., c. 48.

(8.) No assurance made or to be made by any industrial assurance company of a sum of money payable on the death of a child under the age of ten years which would be valid if effected with a registered society or registered branch shall be invalidated by reason of any provision contained in the Act of the fourteenth year of His late Majesty King George the Third, chapter forty-eight, for regulating insurances upon lives and for prohibiting all such insurances except in cases where the person insuring shall have an interest in the life of the persons insured.



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(9.) Provided that nothing in this section contained shall apply to insurances on the lives of children of any age, where the person insuring has an interest in the life of the person insured, or to existing contracts.

Insurable interests.

**30.** The provisions of the present section apply only to societies having branches :

Societies with branches.

(1.) The application for registry shall be accompanied with—

How to be registered.

(a.) A list of every branch, and of the place wherein the same is established :

(b.) If any branch is to have trustees or officers authorized to sue and be sued on its behalf other than the trustees or officers authorized to sue and be sued on behalf of the society, a list of the names of all such trustees or officers, distinguishing the branches for which they are authorized to sue and be sued :

(c.) If the rules of all the branches (herein called "branch rules") are or are intended to be identical, a statement to that effect, and copies of such rules :

(d.) If the branch rules are not or are not intended to be identical, a statement to that effect, and copies of all branch rules.

(2.) A society having a fund under the control of a central body to which every branch is bound to contribute may be registered as a single society.

Registering of branch rules.

(3.) Notice of the establishment of every new branch by a registered society, and of the place where the same is established, and if such branch is to have trustees or officers authorized to sue and be sued on its behalf other than the trustees or officers authorized to sue and be sued on behalf of the society, a list of the names of such trustees or officers, and a statement whether or not the rules of such branch are identical with those of the other branches of the society, and, if not so, a copy of the rules of such branch, shall be sent under the hand of the secretary to the Registrar.

Notice of establishment of new branches.

(4.) Until a copy of the rules of a branch (in the case hereinbefore mentioned) has been registered, as by this Act required, the society is not entitled to any of the privileges of this Act in respect of such branch; and until a copy of any amendment of the rules of a branch has been so registered, the same does not take effect as respects such branch.

Until copies of branch rules registered, Act not to apply to branch.

(5.) The provisions of this Act as to revision of rules by the Revising Barrister, as to appeals and the result thereof, as to amendments of rules, as to the acknowledgment of registry, and the evidence of registry and of rules, apply to branch rules.

Application of previous provisions.

(6.) Where a society has no fund under the control of a central body to which every branch is bound to contribute, every branch is deemed to be and must be registered as a separate society, whether its rules are identical with those of other branches or not.

Where branches must be separately registered.

**31.** The provisions of the present section apply only to friendly societies and branches and, except as after mentioned, industrial assurance companies receiving contributions by means of collectors at a greater distance than ten miles from the registered office of the society.

Societies receiving contributions by collectors.

(1.) The society or registered branch shall deliver to every person, on his becoming a member of or insuring with a society or registered branch, a copy of the rules of the society or registered branch, together with a printed policy signed by two of the committee or managers of the society or registered branch and by the secretary, at a price not exceeding sixpence for the rules and sixpence for the policy; in the case of a family enrolled in one book or card, one copy of rules and one family policy shall be sufficient.

Members to receive copies of rules and policies.

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Notice to be given  
before forfeiture.

(2.) No forfeiture is incurred by any member or person insured by reason of any default in paying any contribution, until after a written or printed notice has been delivered or sent by post prepaid to him, or left at his last-known place of abode, by or on behalf of the society or registered branch, stating the amount due by him, and apprising him that, in case of default of payment by him within a reasonable time, not being less than fourteen days, and at a place to be specified in such notice, his interest or benefit will be forfeited, and after default has been made by him in paying his contribution in accordance with such notice.

No transfers without  
written consent.

(3.) No member of or person insured with any society or registered branch can, unless in the case of an amalgamation, transfer of engagements, or conversion into a company under section twenty-two of this Act, or as respects an industrial assurance company of an amalgamation or transfer of business under "The Life Assurance Companies Act, 1873," become or be made a member of or be insured with any other society or registered branch without his written consent, or, in the case of an infant, without that of his father or other guardian; and the society or registered branch to which such member or person is sought to be transferred shall, within seven days from his application for admission to the same, give notice thereof in writing to the society or registered branch from which he is sought to be transferred.

The provisions of this subsection shall apply to all friendly societies, whether registered under this Act or unregistered; and industrial assurance companies receiving contributions by means of collectors.

No collector to be  
member of committee  
of management.

(4.) No collector, whilst he is such, is capable of being a member of the committee of management, or other governing body (by whatever name) of the society or registered branch, or of holding any other office in the society or registered branch, except that of superintending collector within an area to be from time to time specified.

Collectors not to  
vote.

(5.) No collector of a society or registered branch is capable of voting at or taking part in the proceedings of any meeting of the same.

One general meeting,  
every year.

(6.) At least one general meeting of the society or registered branch shall be held in every year.

Notices of meetings.

(7.) Except where the day, hour, and place of an annual or other periodical meeting is fixed by the rules, notice of every general meeting shall be given by the society or registered branch to the members by advertisement to be published at least twice in two or more of the newspapers in general circulation in every city, town, or place where the society or registered branch carries on business, or shall be delivered in writing or sent by post prepaid to every member. Such notice shall specify the day, hour, and place, and the objects of the meeting, and, in case any amendment of a rule is intended to be proposed, shall contain a copy of every such amendment; and the society or registered branch shall publish the last of such advertisements, or deliver or send such notice as aforesaid, at least fourteen days before the day appointed for such meeting, and shall during such fourteen days keep affixed a copy of such notice in legible characters in some conspicuous place in or outside of every office at which the business of the society or registered branch is carried on.

Balance-sheets.

(8.) A copy of every balance-sheet of a society or registered branch shall, during the seven days next preceding the meeting at which the same is to be presented, be kept open by the society or registered branch for inspection at every office at which the business of the society or registered branch is carried on, and shall be delivered or sent prepaid to every member on demand.

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(9.) The annual returns shall be certified by some person not an officer of the society or registered branch (otherwise than as auditor thereof), carrying on publicly the business of an accountant, and if not so certified shall be deemed not to have been made.

Certification of annual returns.

(10.) In all disputes between a society or a registered branch and any member or person insured, or any person claiming through a member or person insured, or under the rules, such member or person may, notwithstanding any provisions of the rules of such society or registered branch to the contrary, apply to the Resident Magistrate's Court having jurisdiction for the place where such member or other person resides, and such Court may settle such dispute in manner herein provided.

Disputes.

(11.) In proving service of any notice by this section authorized to be sent by post, it is sufficient to prove that such notice was properly directed, and was put, as a prepaid letter, into the post office in such time as to admit of its being delivered in due course of delivery within the period, if any, prescribed for sending the same.

Service by post.

(12.) It shall be an offence under this Act—

Offences under this section.

(a.) If any collector of a society or registered branch to which this section applies becomes a member of the committee, or holds any other office in the same (except as aforesaid), or if any member of the committee of management becomes a collector, or if any collector votes at or takes part in the proceedings of a general meeting:

(b.) If any person attempts to transfer a member or person insured from one society or registered branch to another without such written consent as herein mentioned:

(c.) If a society or registered branch to which a member or person is sought to be transferred fails to give such notice as hereinbefore required.

(13.) All the provisions of the present section apply to societies existing at the commencement of this Act, and shall be contained in the rules of all future societies to which this section applies; and any act or omission which by virtue of this and any other section of this Act would be an offence on the part of a registered society or registered branch shall be an offence on the part of any other society or branch to which this Act applies, and of any officer of such society or branch bound to fulfil the duty, if any, whereof such offence is a breach.

Provisions of present section to be contained in rules.

The word "society" or "registered branch" in the present section shall, except in provisions one, eight, and nine, include all industrial assurance companies, but nothing in the present section contained shall apply to any assurance with any such company the premiums in respect of which are receivable at greater periodical intervals than two months.

32. The provisions of the present section apply only to registered cattle insurance societies, and to such specially authorized societies as the Governor may allow to take the benefit of the present section:

As to cattle insurance and certain other societies.

(1.) The rules bind the society or registered branch and the members thereof, and all persons claiming through them respectively, to the same extent as if each member had subscribed his name and affixed his seal thereto, and there were in such rules contained a covenant on the part of himself, his heirs, executors, and administrators, to conform to such rules subject to the provisions of this Act.

Rules to have effect of covenant by members.

(2.) All moneys payable by a member to the society or registered branch are deemed to be a debt due from such member to the society or registered branch, and are recoverable as such in any Court of competent jurisdiction in the district in which such member resides.

Money payable by members to be recoverable as debt.

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Penalties.

**33.** With respect to penalties under this Act, the following provisions shall have effect :—

Penalty for falsification.

(1.) If any person wilfully sends, makes, orders, or allows to be made or sent, any entry, erasure in, or omission from any balance-sheet of a registered society or registered branch, or any contribution or collecting book, or any return or document required to be sent, produced, or delivered for the purposes of this Act, with intent to falsify the same, or to evade any of the provisions of this Act, he is liable to a penalty not exceeding fifty pounds, recoverable at the suit of the Registrar or of any person aggrieved.

Penalties for ordinary offences.

(2.) Every society, registered branch, officer or member of a society or registered branch, or other person guilty of an offence under this Act for which no penalty is expressly provided herein, is liable to a penalty of not less than one pound and not more than five pounds, recoverable at the suit of the Registrar or of any person aggrieved.

Recovery of penalties.

(3.) All penalties imposed by this Act, or to be imposed by any regulations under the same, or by the rules of a registered society or registered branch, are recoverable in a summary way before any Resident Magistrate or two or more Justices of the Peace.

Summary procedure.

**34.** With respect to offences and penalties thereon made, the following provisions shall have effect :—

Proceedings may be taken under "The Justices of the Peace Act, 1866."

(1.) All offences and penalties under this Act may be prosecuted and recovered in a summary way, in the manner directed by "The Justices of the Peace Act, 1866," or any Acts amending the same, as respects a prosecution against a society or a registered branch or its officers in the place where the registered office of the society or registered branch is, or where the offence has been committed, or as respects any prosecution against any person other than a society or registered branch or its officers in the place where such person is resident at the time of the institution of such prosecution, or where the offence has been committed.

Description of offences.

(2.) In any information or complaint under this Act it is sufficient to describe the offence in the words of this Act, and no exception, exemption, proviso, excuse, or qualification accompanying the description of the offence in this Act need be specified or negatived.

Procedure on application to Resident Magistrate's Court.

**35.** Every application authorized or required to be made to a Resident Magistrate's Court for the settlement of disputes, or for any relief, direction, adjudication, or order, shall be made to such Court in a summary way. Every Resident Magistrate's Court shall have power to entertain such application, and give such relief and make such orders and directions in relation to the matter of such application as the case may require.

Where the order of a Resident Magistrate's Court shall be for the payment of money, the same may be enforced in the same manner as the ordinary judgments or orders of such Court are enforced.

How orders of Resident Magistrate's Court enforced.

Where the order of such Court shall be for the doing of some act not being the payment of money, the Court may order the party to do such act, and that, in default of his doing it, he shall pay a certain sum of money; and in case he refuse to do the act required upon demand, the sum of money mentioned in the order may then be recovered and enforced in the same manner as a judgment or order for debt or damages in such Court.

Public Auditors.

**36.** The Governor may from time to time appoint fit and proper persons to be Auditors and Valuers for the purposes of this Act, and may determine from time to time the rates of remuneration to be paid by societies for the services of such Auditors and Valuers: Provided that it shall not be compulsory upon any society to employ any Auditor or Valuer under this provision.

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**37.** The Governor may from time to time determine a scale of fees to be paid for matters to be transacted or for the inspection of documents under this Act; but no fee shall be payable on the registry of any friendly, benevolent, or cattle insurance society, or working men's club, or of any amendment of the rules of the same.

Fees.

All fees which may be received by any Registrar under or by virtue of this Act shall be paid into the consolidated revenue of the colony.

**38.** The Colonial Treasurer shall, out of money to be provided by the General Assembly, pay such sums of money for defraying the expenses of carrying this Act into execution, whether as salary or remuneration to the Registrar or Revising Barrister, or as salaries or remuneration for actuaries, accountants, clerks, servants, and inspectors, computation of tables, publication of documents, diffusion of information, expenses of prosecutions, travelling expenses, and other allowances of the Registrar, and all other expenses which may be incurred for carrying out the purposes of this Act, and may also pay to any Auditors or Valuers to be appointed under this Act, such remuneration (if any) as the Colonial Treasurer shall from time to time allow.

Payment of salaries and expenses.

**39.** The Governor may from time to time make regulations respecting registry and procedure under this Act, and the seal and forms to be used for such registry, and the duties and functions of the Registrar, and the inspection of documents kept by the Registrar under this Act, and generally for carrying this Act into effect.

Regulations to be made for carrying out the Act.

All such regulations shall be laid before both Houses of the General Assembly within ten days after the approval thereof if the General Assembly is then sitting, or if not then sitting, then within ten days from the then next assembling of the General Assembly. A copy of such regulations shall be sent by post to every registered society or branch at least one month previous to being laid before both Houses.

**40.** Every instrument or document, copy or extract of an instrument or document, bearing the seal or stamp of the Registrar, shall be received in evidence without further proof; and every document purporting to be signed by the Registrar, or any Inspector, or Public Auditor or Valuer under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.

Evidence of documents.

## SCHEDULES.

Schedules.

## SCHEDULE I.

First Schedule.

## ACTS AND ENACTMENTS REPEALED.

Date of Act.	Short Title of Act.
31 Victoria, No. 27 ...	"The Friendly Societies Act, 1867."
39 Victoria, No. 84 ...	"The Friendly Societies Act Amendment Act, 1875."

## SCHEDULE II.

Second Schedule.

## MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT.

1. The name and place of office of the society.
2. The whole of the objects for which the society is to be established, the purposes for which the funds thereof shall be applicable, the terms of admission of members, the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member.

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3. The mode of holding meetings and right of voting, and the manner of making, altering, or rescinding rules.
  4. The appointment and removal of a committee of management (by whatever name), of a treasurer and other officers, and of trustees, and, in the case of a society with branches, the composition of the central body, and the conditions under which a branch may secede from the society.
  5. The investment of the funds, the keeping of the accounts, and the audit of the same once a year at least.
  6. Annual returns to the Registrar of the receipts, funds, effects, and expenditure, and number of members of the society.
  7. The inspection of the books of the society by every person having an interest in the funds of the society.
  8. The manner in which disputes between the society and any of its members, or any person claiming through a member or under the rules, shall be settled.
  9. In case of dividing societies, a provision for meeting all claims upon the society existing at the time of division before any such division takes place.
- And also in the case of friendly and cattle insurance societies,—
1. The keeping separate accounts of all moneys received or paid on account of every particular fund or benefit assured for which a separate table of contributions payable shall have been adopted, and the keeping separate accounts of the expenses of management, and of all contributions on account thereof.
  2. (Except as to cattle insurance societies) returns every five years to the Registrar of the sickness and mortality of the society.
  3. (Except as to cattle insurance societies) a valuation once at least in every five years of the assets and liabilities of the society, including the estimated risks and contributions.
  4. The voluntary dissolution of the society by consent of not less than five-sixths in value of the members, and of every person for the time being entitled to any benefit from the funds of the society, unless his claim be first satisfied or adequately provided for.
  5. The right of one-fifth of the total number of members, or of one hundred members in the case of a society of one thousand members and not exceeding ten thousand, or of five hundred members in the case of a society of more than ten thousand members, to apply to the Registrar for an investigation of the affairs of the society, or for winding up the same.

## Third Schedule.

## SCHEDULE III.

## (1.) FORM OF REVISING BARRISTERS' CERTIFICATE.

I HEREBY certify that the foregoing rules [*or the alterations or amendments of the rules*] of the Society, at \_\_\_\_\_, in the Colony of New Zealand, are in conformity with law and the provisions of "The Friendly Societies Act, 1877."

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

[Signature],  
Revising Barrister.

## (2.) ACKNOWLEDGMENT OF REGISTRY OF SOCIETY.

THE Society is registered as a friendly society [*cattle insurance society, benevolent society, working men's club, or specially authorized society*], under "The Friendly Societies Act, 1877," this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

[Seal or stamp of Registrar.]

## (3.) ACKNOWLEDGMENT OF REGISTRY OF AMENDMENT OF RULES.

THE foregoing amendment of the rules of the \_\_\_\_\_ Society is registered under "The Friendly Societies Act, 1877," this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

[Seal or stamp of Registrar.]

## (4.) FORM OF RECEIPT TO BE INDORSED ON MORTGAGE OR FURTHER CHARGE.

THE Trustees of the \_\_\_\_\_ Society hereby acknowledge to have received all moneys intended to be secured by the within [*or above*] written deeds.

Signed [Signatures of Trustees],  
Trustees.

Countersigned [Signature of Secretary],  
Secretary.

*Friendly Societies.*

## (5.) FORM OF BOND.

Know all men by these presents, that we, A.B. of \_\_\_\_\_, one of the officers of the Society, established at \_\_\_\_\_, in the Colony of New Zealand, and C.D. of \_\_\_\_\_, in the said colony (as surety on behalf of the said A.B.), are jointly and severally held and firmly bound to A.B. of \_\_\_\_\_, C.D. of \_\_\_\_\_, and E.F. of \_\_\_\_\_, the trustees of the said society, in the sum of \_\_\_\_\_ to be paid to the said A.B., C.D., and E.F., as such trustees, or their successors, trustees for the time being, or their certain attorney; for which payment well and truly to be made we jointly and severally bind ourselves, and each of us by himself, our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals. Dated the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_.

Whereas the above-bounden A.B. has been duly appointed to the office of \_\_\_\_\_ of the \_\_\_\_\_ Society, established as aforesaid, and he, together with the above-bounden C.D. as his surety, have entered into the above-written bond, subject to the condition hereinafter contained: Now therefore the condition of the above-written bond is such, that if the said A.B. do render a just and true account of all moneys received and paid by him on account of the said society, at such times as the rules thereof appoint, and do pay over all the moneys remaining in his hands, and assign and transfer or deliver all property (including books and papers) belonging to the said society in his hands or custody to such person or persons as the said society or the trustees or committee of management thereof shall appoint, according to the rules of the said society, together with the proper and legal receipts or vouchers for such payments, then the above-written bond shall be void, otherwise shall remain in full force.

Signed, sealed, and delivered in the presence of  
[two witnesses]

A.B. } Signatures  
C.D. } and Seals.  
E.F. }

## (6.) ACKNOWLEDGMENT OF REGISTRY OF BRANCH.

THE \_\_\_\_\_ is registered as a branch of the \_\_\_\_\_ Society (and of the \_\_\_\_\_ branch of the same), under "The Friendly Societies Act, 1877," this \_\_\_\_\_ day of \_\_\_\_\_.

## (7.) ACKNOWLEDGMENT OF REGISTRY OF AMENDMENT OF BRANCH RULES.

THE foregoing amendment of the branch rules of the \_\_\_\_\_ is registered under "The Friendly Societies Act, 1877," this \_\_\_\_\_ day of \_\_\_\_\_.

WELLINGTON, NEW ZEALAND:

Printed under authority of the New Zealand Government, by GEORGE DIDSBURY, Government Printer.