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**BILLE NA gCARA-CHUMANN (LEASU), 1976  
FRIENDLY SOCIETIES (AMENDMENT) BILL, 1976**

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*Mar a leasaíodh i gCoiste  
As amended in Committee*

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Definitions.
2. Alteration of restrictions on making of loans out of separate loan funds and acceptance of deposits.
3. Accounts of friendly societies and audits thereof.
4. Supervisory committees for certain specially authorised societies.
5. Registrar of Friendly Societies.
6. Amendment of section 77 of Principal Act.
7. Amendment of section 84 of Principal Act.
8. Approval of draft of regulations by Houses of the Oireachtas.
9. Short title, construction and collective citation.



BILLE NA gCARA-CHUMANN (LEASU), 1976  
FRIENDLY SOCIETIES (AMENDMENT) BILL, 1976

# BILL

*entitled*

AN ACT TO AMEND THE FRIENDLY SOCIETIES ACTS, 1896 5  
TO 1953.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :

Definitions.

1.—In this Act—

1896, c. 25.

“the Principal Act” means the Friendly Societies Act, 1896;

“the Acts” means the *Friendly Societies Acts, 1896 to 1976.* 10

Alteration of  
restrictions on  
making of loans  
out of separate  
loan funds and  
acceptance of  
deposits.

2.—The Minister may by regulations alter the restrictions set out  
in paragraphs (a) to (d) of section 46 of the Principal Act on—

(a) the making of loans out of a separate loan fund by regis-  
tered societies or a specified class or specified classes of  
registered society to members, and 15

(b) the acceptance of deposits by registered societies or a  
specified class or specified classes of registered society  
from members,

and the regulations may provide for different such restrictions in  
relation to different classes of societies. 20

Accounts of  
friendly  
societies  
and audits  
thereof.

3.—(1) The Minister may by regulations—

(a) require registered societies and their branches to keep such  
accounts and records of such matters and in such form  
as may be specified in the regulations,

(b) make such provision in relation to the audit of the accounts 25  
of registered societies and their branches (including the  
time and frequency thereof) as he thinks appropriate,

(c) provide that a person shall not audit the accounts of a  
registered society or a branch thereof for the purposes  
of section 26 of the Principal Act unless he possesses 30  
the qualifications specified in the regulations,

(d) require the committees of management of registered  
societies to lay before the annual general meetings of  
the societies copies of such accounts kept pursuant to  
regulations under this section as may be specified in the 35  
regulations.

(2) Regulations under this section may make different require-  
ments and provisions in relation to different classes of friendly  
societies.

(3) Regulations under this section shall have effect notwithstanding any provision of the Acts.

4.—(1) In this section “a society to which this section applies” means a registered society whose establishment as a specially authorised society was authorised under the Principal Act for the purpose of forming loan funds out of contributions or deposits of members and making loans thereout under section 46 of that Act.

Supervisory committees for certain specially authorised societies.

(2) A society to which this section applies shall, immediately after the first annual general meeting of the society to be held on or after the 1st day of January, 1977, have a supervisory committee.

(3) At the first annual general meeting to be held on or after the 1st day of January, 1977, of a society to which this section applies, and at each subsequent annual general meeting of the society, the members of the society present shall elect by secret ballot three members to form the supervisory committee of the society and the committee shall carry out functions and exercise powers corresponding to the functions and powers assigned to a Supervisory Committee under the Credit Union Act, 1966.

1966, No. 19.

(4) The supervisory committee of a society to which this section applies shall consist of two members of the society who are not officers of the society and a trustee of the society.

(5) The members of a supervisory committee of a society to which this section applies shall hold office until the conclusion of the next annual general meeting of the society following that at which they were elected.

(6) A casual vacancy on the supervisory committee of a society to which this section applies shall be filled by the remaining members of the committee by appointment from among the members of the society and the person so appointed shall hold office until the conclusion of the next annual general meeting of the society following his appointment.

5.—(1) The registrar of friendly societies shall be paid such remuneration as the Minister, with the consent of the Minister for the Public Service, determines.

Registrar of Friendly Societies.

(2) The registrar of friendly societies may be removed from office by the Minister. The reasons for the removal shall be conveyed to the registrar.

(3) So much of section 4 (2) of the Friendly Societies Act, 1936, as requires that the registrar of friendly societies shall be a barrister is hereby repealed and in lieu thereof it is hereby enacted that the registrar of friendly societies shall be a person having such qualifications as may be determined by the Minister.

1936, No. 51.

(4) In the absence of the registrar of friendly societies, his powers, functions and duties may be exercised and performed by such person as the Minister may for the time being authorise.

(5) Sections 1 and 5 of the Principal Act shall be construed and have effect in accordance with the provisions of this section.

6.—Section 77 of the Principal Act is hereby amended by the insertion in paragraph (b) of subsection (1) after “Act” of “or regulations under the *Friendly Societies Acts, 1896 to 1976*”, and the said paragraph (b), as so amended, is set out in the Table to this section.

Amendment of section 77 of Principal Act.

TABLE.

(b) with the approval of the Minister, on proof to his satisfaction that an acknowledgement 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 a registrar whom it may concern violated any of the provisions of this Act or regulations under the *Friendly Societies Acts, 1896 to 1976*, or has ceased to exist, 5

Amendment of section 84 of Principal Act.

7.—Section 84 of the Principal Act is hereby amended by the insertion after “by this Act” in paragraphs (a) and (b) of “or regulations under the *Friendly Societies Acts, 1896 to 1976*,” and the said paragraphs (a) and (b), as so amended, are set out in the Table to this section. 10

TABLE

(a) a registered society or branch or an officer or member thereof fails to give any notice, send any return or document, do or allow to be done anything which the society, branch, officer, or person is by this Act or regulations under the *Friendly Societies Acts, 1896 to 1976*, required to give, send, do, or allow to be done : or 20

(b) a registered society or branch or an officer or member thereof wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the chief or other registrar or by any other person authorised under this Act, or does anything forbidden by this Act or regulations under the *Friendly Societies Acts, 1896 to 1976*, : or 25

Approval of draft of regulations by Houses of the Oireachtas.

8.—Where a regulation is proposed to be made under this Act, a draft thereof shall be laid before each House of the Oireachtas and the regulation shall not be made until a resolution approving of the draft has been passed by each such House. 30

Short title, construction and collective citation.

9.—(1) This Act may be cited as the *Friendly Societies (Amendment) Act, 1976*.

(2) The *Friendly Societies Acts, 1896 to 1953*, and this Act shall be construed together as one and may be cited together as the *Friendly Societies Acts, 1896 to 1976*. 35

BILL

BILLE

the Bill is intended to (amend)  
the Act

(amend) the Bill  
the Bill

to amend the Friendly Societies Act  
1968 to 1973

Acht do hainn Aithin na hEam-Chumann 1968  
go 1973

Presented by the Minister for Industry and  
Commerce

Presented by the Minister for Industry and  
Commerce

Enacted by the Oireachtas on 17th  
November 1975

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BILLE NA gCARA-CHUMANN (LEASU),  
1976

FRIENDLY SOCIETIES (AMENDMENT)  
BILL, 1976

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## BILLE

*(mar a leasáiodh i gCoiste)  
dá ngairtear*

Acht do leasú Achta na gCara-Chumann, 1896  
go 1953.

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## BILL

*(as amended in Committee)  
entitled*

An Act to amend the Friendly Societies Acts,  
1896 to 1953.

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*An tAire Tionscail agus Tráchtála a thiolaic*

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*Presented by the Minister for Industry and  
Commerce*

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*Ordáiodh ag Dáil Éireann a chlóbhualadh,  
17 Samhain, 1976*

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