

FRIENDLY SOCIETIES.

21° GEO. V., No. XXXVIII.

No. 38 of 1930.

AN ACT to amend the Friendly Societies Act, 1894-1923.

[Assented to 22nd December, 1930.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Friendly Societies Act Amendment Act, 1930*, and shall be read and construed as one with the Friendly Societies Act, 1894-1923 (hereinafter called the "principal Act"). Short title.

2. In this Act, subject to the context—

Interpretation.

"Contributions" include contributions, subscriptions, levies, and fees; and

"Society" means a friendly society registered under the principal Act, and includes a branch.

3. (1.) Notwithstanding anything in the principal Act or in the rules of any society, it shall be lawful for the committee of management of any society to suspend, wholly or partially, at any time and from time to time, the liability of any member to make all or any of the contributions required by the principal Act or the rules of the society, for such period as to such committee shall seem fit; but the benefit of any suspension—

Liability to make contributions may be suspended in the case of necessitous members.

- (a) shall only be granted to a member so long as he is in necessitous circumstances owing to unemployment;
- (b) shall not at any time be available to more than one-tenth of the members of the Society;
- (c) shall not be granted to any member except with the approval of the registrar;

- (d) may be limited to contributions of any particular kind;
- (e) may at any time be removed and determined by the committee or the registrar, notwithstanding that the period fixed for the duration thereof has not expired.

(2.) This section or any suspension granted thereunder shall not continue in operation after a date to be fixed by proclamation for the termination of the section.

Effect of suspension.

4. (1) A member of any society, whilst he is entitled to the benefit of any suspension, shall not be called upon to pay to the society any contributions to which the suspension applies; but after the end or determination of the suspension he shall, except in so far as the society by resolution passed at a general meeting of the members decides otherwise, be liable to pay all such contributions as would have been payable by him, if he had not been granted the benefit of the suspension, at such time and in such manner as the committee may decide.

(2) Notwithstanding the suspension, the member affected shall be entitled to all such benefits as he would have been entitled to if he had paid his contributions, subject to any suspension or modification of such benefits which the committee may, with the approval of the registrar, deem just or expedient.

Provision for payment of contributions of members entitled to benefit of suspension, and for adjustment of financial position of societies.

5. (1) Any society which has granted any suspension under this Act—

- (a) may, with the approval of the registrar, pay out of its consolidated sick and funeral benefit fund, the contributions (except medical fees) of any member entitled to the benefit of the suspension;
- (b) may, with the like approval, pay out of the fund aforesaid the medical fees of any such member who is married, or the payment of whose medical fees would entitle any person (in addition to himself) to medical attendance;
- (c) shall impose such levy on those of its members who have not been granted any suspension as shall be deemed by the registrar necessary to maintain the stability of the society;

- (d) shall open a "Contributions in suspense account," to which shall be debited all payments made under paragraph (a) or (b) of this section;
- (e) shall submit to the registrar quarterly a full and true statement and account showing the state of the said account and the extent to which the finances of the society are affected by the operation of the suspension;
- (d) shall make such reasonable adjustment of the finances and accounts of the society as the registrar shall deem necessary in consequence of the suspension.

(2) The registrar may make such reasonable requisitions on any society with regard to any of the matters aforesaid as he shall judge necessary, and the society shall comply with such requisitions.

6. (1) Any levy imposed under the last preceding section shall be deemed to have been duly and legally made under the rules of the society and in accordance with the principal Act, and shall be enforceable accordingly, and failure to pay the same shall have the same effect as failure to pay any ordinary contribution by a member. Enforcement of levies.

(2) Failure on the part of any society to impose any levy pursuant to the direction of the registrar shall be a ground for cancellation or suspension of the registration of the society as if it were mentioned as such a ground in section ten of the principal Act.

7. Any suspension of the nature and kind authorised by this Act, purporting to have been granted by any society before the commencement of this Act but since the 1st day of August, 1930, is hereby validated and shall be deemed to have been granted under this Act. Retrospective operation.