

Western Australia

Friendly Societies Regulations 1924

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Friendly Societies Regulations 1924

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FORMS

NOTES

Western Australia

The Friendly Societies Act 1894-1923

Friendly Societies Regulations 1924

Colonial Secretary's Office,
Perth, 2nd October 1924.

His Excellency the Administrator in Council has been pleased to repeal the existing Regulations, and make the following Regulation in lieu thereof, under the *Friendly Societies Act 1894-1923*.

H. C. TRETOWAN,
Under Secretary.

Part 1A

[Heading inserted in Gazette 20 February 1987 p.453]

Preliminary

1A. Citation

These regulations may be cited as the *Friendly Societies Regulations 1924*.

[Regulation 1A inserted in Gazette 20 February 1987 p.453; amended in Gazette 9 February 1996 p.479.]

Part 1

APPLICATION TO REGISTER SOCIETIES OR AMENDMENT OF RULES

1. Application to register society

Every application to register a society under the *Friendly Societies Act 1894* (in these Regulations termed “**the Act**”) shall be sent to the Registrar of Friendly Societies (in these Regulations termed “the Registrar”), in Forms Nos. 1 or 1a annexed hereto. [Section 9 (1, 2) of the Act.]

- (a) Every application in Forms Nos. 1 or 1a must, when sent to the Registrar, be accompanied by two printed copies of the rules, certified as provided in Section 9 (5) of the Act. If the Registrar's certificate, under the said section, to the tables of contributions is desired, two printed copies of the rules and the fee prescribed by these Regulations for his certificate must be forwarded to him prior to making the application for registry. [S. 9 (5).]
- (b) A society or branch which has no central body within the State of Western Australia must make application for registration as a separate society. [S. 26 (6).]

2. Amendment of rules

An amendment of the rules of a society, which includes a resolution rescinding a rule or rules, may be either —

- (a) A complete amendment, consisting of the substitution of an entire set of rules for the existing rules, and bearing at the beginning words to the effect that “all previous rules are rescinded;” or
- (b) A partial amendment, consisting of any amendment which does not substitute an entire set of rules for the existing rules.

3. Application to register partial amendment of rules

An application to register a partial amendment of rules must be made by the secretary of the society in Form No. 2 annexed hereto, and the due making thereof must be evidenced by statutory declarations, which may be in Forms 3 and 4 annexed hereto, and the application must be accompanied by a printed copy of the existing rules marked to show where the alterations occur, and what they are, and by two printed copies of the amendment certified, if necessary, as provided in Section 11 (3) of the Act. If the Registrar's certificate, under the said section, to the amendment is desired, two printed copies of the amendment, with a printed copy of the existing rules duly marked as aforesaid, and the fee for his certificate, must be forwarded to him prior to making the application in Form No. 2. The Registrar may refuse to register a partial amendment of rules and require a complete amendment if, in his opinion, the condition of the registered rules renders it expedient. [S. 11 (1, 2, 3).]

4. Application to register complete amendment of rules

An application to register a complete amendment of rules must be made by the secretary of the society in Form No. 5 annexed hereto, and the due making thereof must be evidenced by statutory declarations, which may be in Forms Nos. 3 and 4 annexed hereto, and the application must be accompanied by a printed copy of the existing rules, and by two printed copies of the new rules certified as provided in Section 11 (3) of the Act, each copy being marked "P" and signed by three members and the secretary. If the Registrar's certificate, under the said section, to the tables of contributions is desired, two copies of the new rules, and the fee prescribed by these Regulations for his certificate, must be forwarded to him prior to making the application in Form No. 5. [S. 11 (1, 2, 3).]

CANCELLING AND SUSPENSION OF REGISTRY

5. Request to cancel registry

Every request to cancel the registry of a society or branch must be sent to the Registrar in Form No. 6 annexed hereto, and shall name some newspaper circulating in the locality in which the registered office of the society or branch is situated, wherein it is desired that the cancelling of registry be published, and shall be accompanied by the sum requisite to defray the expense of such publication, as well as of the publication of such cancelling in the *Gazette*. [S. 10.]

When a society determines to become a branch of another society, under Section 27 of the Act, no request to cancel the registry or advertisement thereof is necessary, nor further application or evidence in connection with any required amendment of rules than that provided under Regulation No. 45. [S. 27.]

6. Applications in duplicate; statutory declaration

Where the application is made to cancel registry under the compulsory powers of the Registrar, the Registrar may require such application to be made in duplicate in such form, and to be supported by such statutory declaration or declarations as he may direct. [S. 10 (1, b).]

7. Notice before cancelling or suspension of registry

Notice before cancelling or suspension of registry shall be in Form No. 7 annexed hereto. [S.10 (3).]

8. Cancelling of registry

The cancelling of registry shall be in Form No. 8 annexed hereto. [S. 10 (1).]

9. Suspension or renewal of suspension of registry

The suspension or renewal of suspension of registry shall be in Form No. 9 annexed hereto. [S. 10 (2).]

10. Advertisement of cancelling or suspension

The advertisement of cancelling or suspension shall be in Form No. 10 annexed hereto. [S. 10 (3).]

REGISTERED OFFICE

11. Notice of change of registered address

Notice of a change in the registered address of a society shall be sent to the Registrar within fourteen days after every such change, in duplicate, in Form No. 11 annexed hereto, and the Registrar shall sign the memorandum of receipt thereon and return one copy to the society. Notice of the registered address of a society on first registry shall be deemed to be given by the rule providing for the place of office. The place of business of a society registered before the first day of January, 1895, shall be deemed to be the registered office of the society until notice of change, duly set as herein provided, is received by the Registrar. [S. 12 (1, a).]

TRUSTEES, SECRETARY, OR TREASURER

12. Notice of resolution appointing trustees, secretary or treasurer

A copy of every resolution appointing or removing a trustee or trustees, secretary, or treasurer shall be sent to the Registrar within fourteen days after the meeting at which such resolution was passed, in duplicate, in Form No. 12, 12a, or 12b annexed hereto, and the Registrar shall sign the memorandum of receipt thereon, and return one copy to the society. [S. 12 (1, b).]

NOMINATIONS

13. Nominations

Every registered society and branch shall keep a record or register of all nominations made by members of persons to receive money payable on their deaths, and of all revocations and variations of such nominations; for the recording or registering of every such nomination, revocation, or variation, the rules of the society or branch may require the member nominating or revoking or varying a nomination to pay a sum not exceeding sixpence. The form for nomination, revocation, and variation recommended is that given in Form No. 13 annexed hereto. [S. 14 (2).]

JUVENILE SOCIETIES AND BRANCHES

14. Juvenile societies

Societies and branches consisting wholly of members under sixteen years of age may be registered, provided —

- (a) They are in connection with some institution or school, and managed by the managers or teachers thereof, or by a committee appointed wholly or partly by such managers or teachers.
- (b) They are in connection with some society registered under the Act, or a branch of any such society, and managed by the committee or officers of such society or branch, or by persons appointed wholly or partly by them.
- (c) The officers and members of the committee of management are not less than fourteen years of age.

15. Branches

The rules of every such society or branch shall contain provisions for the following matters in addition to those required in the case of other societies: —

- (a) Whether or not parents and guardians of members shall be entitled to be present and vote at meetings of the society, and perform acts of membership on behalf of their children and wards.
- (b) The giving of security by the treasurer.
- (c) The investment of the funds in a savings bank, or in Government or real securities of the State of Western Australia, or of the Commonwealth of Australia, but not otherwise.
- (d) The acceptance of a member into a registered society or branch, or the payment to him of a share of the accumulated funds, if any, of the juvenile society or branch on his attaining the age of 16 years. [S. 14 (7).]

DISPUTES

16. Reference of dispute to Registrar

The reference of a dispute to the Registrar shall be written on foolscap paper, in duplicate, in Form No. 14 annexed hereto. [S. 22 (1, a, b).]

17. Copy of reference to Minister

The Registrar, upon receipt of the reference, shall transmit one copy to the Minister for his consent. [S. 22 (1, a).]

18. Notice and requisition by Registrar

Every notice of hearing by the Registrar, and every requisition for the attendance of parties and witnesses and the production of books and documents, shall be in Form No. 15 annexed hereto. [S.22 (1, b).]

19. Notice of special requisition

When it is necessary to enforce the attendance of a particular witness or the production of a particular document, notice shall be given in Form No. 16 annexed hereto. [S. 22 (1, b).]

20. Order for discovery

If an order for discovery is necessary, it shall be in Form No. 17 annexed hereto. [S. 22 (1, c).]

21. Determination and order by registrar

The determination and order of the Registrar shall be in Form No. 18 annexed hereto, or as near thereto as the circumstances of the case may in his judgment allow. [S. 22 (1, a).]

INSPECTIONS AND SPECIAL MEETING

22. Application under special powers of Registrar

An application for appointment of inspectors, or for calling a special meeting, shall be sent to the Registrar, written on foolscap paper, in duplicate, in Form No. 19 annexed hereto, and shall be accompanied by a statutory declaration in Form No. 20, annexed hereto, by three at least of the applicants. [S. 23.]

23. Copy of application to Minister

The Registrar may, immediately upon receipt of the application, transmit one copy to the Minister for his consent, or may, before such transmission, give notice of the application to the society, and transmit to the Minister, with the application, any answer the society may make. [S. 23.]

24. Appointment of inspectors

The appointment of inspectors shall be in Form No. 21 annexed hereto, or as near thereto as circumstances may allow. [S. 23(1).]

25. Notice of special meeting

The notice of special meeting shall be in Form 22 annexed hereto, and shall be given either by letter addressed to every

member, or by advertisement, or in such other manner as the Registrar may direct. [S. 23 (2).]

26. Report of special meeting

The chairman of the special meeting shall make a report thereof to the Registrar in such form as he may direct.

SPECIAL RESOLUTIONS

27. Application to change name

Every application for approval of change of name must be made, in duplicate, in Form No. 23 annexed hereto, and must be supported by statutory declaration, which may be in the Forms Nos. 24 and 25 annexed hereto. If approved of by the Registrar, the word “approved” shall be written at the foot or end of each such copy, and the same shall be signed by the Registrar. [S. 24 (2), and S. 9 (3).]

28. Application to amalgamate societies

Every application to register a special resolution for the amalgamation of societies must be made by each of the societies, in duplicate, in Form No. 26 annexed hereto, and each application must be supported by statutory declarations, which may be in Forms Nos. 24 and 25. No acknowledgment of registry shall be given to either society until a special resolution in the above terms has been submitted for registry by the other or each of the others. [S. 24 (3).]

29. Application to register special resolution

An application to register a special resolution for transfer of engagements to another society or a company, or for amalgamation with a company, shall be in duplicate, in Form No. 27 annexed hereto, with necessary modifications to suit the facts, and must be supported by statutory declarations, which may be in Forms Nos. 24 and 25, and in Forms Nos. 28 or 29 annexed hereto, as the case may be. [S. 24 (3, 4).]

30. Application to convert society into company

Every application to register a special resolution for converting a society into a company must be, in duplicate, in Form No. 30 annexed hereto, and must be supported by statutory declarations, which may be in Forms Nos. 24 and 25.

[S. 24 (4).]

31. Registration of special resolution

A special resolution shall be registered by writing at the foot or end of each copy of the same the word “registered,” and by affixing to the same the seal and signature of the Registrar (see also Regulation No. 55). [S. 24 (6).]

32. Cancellation of registration

When the special resolution is for conversion into, amalgamation with, or transfer of all the engagements of a society to a company, the following words shall be added, together with the signature and seal of the Registrar: — “The registry of the society known as , register No. , is hereby cancelled.” [S. 24 (8).]

DISSOLUTION

33. Instrument of dissolution

The instrument of dissolution of a society shall be in Form No. 31 annexed hereto, and shall be signed in duplicate, and accompanied by a statutory declaration in Form No. 32 annexed hereto, and by a statement in Form No. 33 annexed hereto, naming some newspaper circulating in the locality in which the registered office of the society is situated wherein it is desired that the notice of dissolution shall be published, and by the sum requisite to defray the expenses of such publication, as well as of the publication of such notice in the *Gazette*. [S. 25 (2, 4).]

- (a) The instrument of dissolution of a branch shall be in Form No. 31 (with accompanying Forms Nos. 32 and 33) modified, as required, by the Registrar, and shall contain a certificate under the hand of the secretary of the society or central body that its consent has been given thereto. [S. 25 (13).]

34. Acknowledgment of registry

The Registrar shall return one of the duplicates to the society, with an acknowledgment of registry in Form No. 34 annexed hereto. [S. 25 (5).]

35. Alterations in instrument of dissolution

Alterations in the instrument of dissolution shall be signed, declared to, and registered in like manner as the instrument of dissolution. [S. 25 (3).]

36. Advertisement of dissolution

The advertisement of dissolution by instrument shall be in Form No. 35 annexed hereto. [S. 25 (6).]

37. Application for dissolution by award of Registrar

Every application for dissolution by award of the Registrar shall be in Form No. 36 annexed hereto, and shall name some newspaper circulating in the locality in which the registered office of the society is situated wherein it is desired that notice of the award shall be published, and with it shall be sent the sum requisite to defray the expenses of such publication, as well as of the publication of such notice in the *Gazette*. [S. 25 (11).]

38. Notice of investigation

The notice of investigation shall be in Form No. 37 annexed hereto, and the award in Form No. 38. [S. 25 (11, a).]

39. Award of Registrar for distribution of funds

The award of the Registrar for distribution of the funds shall be in Form No. 39 annexed hereto. [S. 25 (11, b).]

40. Notice of dissolution by award

The notice of dissolution by award shall be in Form No. 40 annexed hereto. [S. 22 (11, e).]

41. Notice of proceedings to set aside dissolution

The notice of a proceeding to set aside a dissolution, as provided in Section 25 of the Act, shall be in Form No. 47 annexed hereto, and the notice of an order setting aside a dissolution, in Form No. 48 annexed hereto. [S. 25 (12).]

SOCIETIES AND BRANCHES

42. Registered society not to be registered as a branch

No society registered, or deemed to be registered under the Act as a separate society, shall be registered as a branch of any other society, or included in any list of branches under section 26 of the Act, until its separate registry has been cancelled. [S. 26.]

43. Establishment of new branch

Notice of the establishment and application for registry of a new branch by a society under section 26 (3) of the Act shall be sent to the Registrar in Form No. 41 annexed hereto.

44. Branch rules

In registering branch rules the Registrar shall see —

(1st) That the objects of the branch are not other than those, or one or more of those, of the society.

(2nd) That provision is made for the control of the central body of the society over the branch. [S. 4, and s. 26 (2).]

- (3rd) That there is a separate fund administered by the branch, or by a committee or officers appointed by the branch.
- (4th) That matters specified in the second schedule to the Act, except as to annual returns to the Registrar, are provided for so far as the same are applicable to the branch in respect of any separate fund or funds. [2nd Sch.]

45. Conversion of society into branch

When the registry of any society is cancelled, with a view to its registry as a branch of any other society, notice for such registry must be given in Form No. 41, as in the establishment of a new branch. (See Regulation No. 5 (a)). [S. 27.]

46. Branch rules to be signed

Branch rules lodged with the application for registry of a society with branches must be signed by three members and the secretary of the branch to which they belong. [S. 26 (1, c).]

47. Amendment of branch rules

An application to register an amendment of branch rules must be made by the secretary of the branch through the secretary of the society, and must be countersigned by the secretary of the society. In all other respects the provisions of Regulations Nos. 3 and 4 must be complied with as far as the same are applicable. [S. 26 (4).]

48. Notice of appointment of branch trustees, secretary or treasurer

Notice of the appointment of a new trustee, secretary or treasurer of a branch or officer to sue and be sued on behalf of the same, and of any change in the registered address of the branch, shall be sent by the society to the Registrar within one month after such appointment or change, in duplicate, in Forms Nos. 42 and 43 annexed hereto respectively. [S. 26 (7).]

49. Annual returns

The annual returns (A and B) of a society with branches shall include the annual returns for all branches of the society. In the case of a society with branches as regards all funds under the control of the central body of such society, the quinquennial valuation shall be caused to be made, if the returns in lieu thereof forwarded by the central body, its committee or officers; but as regards all funds administered by any registered branch, or by a committee or officers appointed by it, such valuation shall be caused to be made, or the returns in lieu thereof forwarded by such branch, its committee or officers. [S. 12 (1, d, e).]

50. Valuation of assets and liabilities

No valuation of the assets and liabilities of a society or branch shall be deemed to be a valuation under the Act where the person by whom the same is made (whether a public valuer or not) has audited the accounts of the society or branch for the year next preceding the date at which the society or branch is valued. [S. 12 (1, e).]

51. Application of section 12 to branches

The provisions of subsection 1 of section 12 of the Act shall apply to a registered branch as if it were a registered society, except that every notice, copy of a resolution, and annual return required by the subsection to be sent to the Registrar, shall be sent through the society of which the branch forms part. [S. 12 (1).]

**APPLICATIONS FOR DISPENSING WITH CONSENTS TO
AMALGAMATION, ETC.****52. Publication of application to dispense with consent and prescribed conditions**

Notice of an application that any of the consents and conditions prescribed for an amalgamation or transfer of engagements may

be dispensed with shall be advertised in the *Gazette* at least one calendar month before application is made to the Registrar on that behalf. Such notice shall be in Form No. 44 annexed hereto. [S. 24, proviso (c).]

53. Application to dispense with consent and prescribed conditions

The application, that any of the consents and conditions prescribed for an amalgamation or transfer of engagements may be dispensed with, shall be in Form No. 45, annexed hereto, and shall be sent to the Registrar in duplicate, with a copy of the *Gazette* in which the advertisement of the same is published. [S. 24 proviso (c).]

54. Registrar may dispense with consent and prescribed conditions

If, after hearing the trustees or committee of management and other persons whom he considers entitled to be heard, and to whom such notice shall be given as the Registrar directs, the Registrar think fit to make the order applied for in whole or in part, he shall write at the foot of a copy of the application a memorandum in words or to the effect as follows: — “Subject to the consent of the Minister, I hereby order that the consents and conditions mentioned in the foregoing application [*or that the consents and conditions following mentioned in the foregoing application*] be dispensed with” — and shall sign such memorandum and transmit the copy of the application, with such memorandum thereon, to the Minister; and if the Minister think fit to consent to such order he shall write the words “I consent” at the foot thereof, sign the same, and return the same to the Registrar. [S. 24, proviso (c).]

55. Dispensation to be noted in register

In registering any special resolution for amalgamation or transfer of engagements, as prescribed by Regulation No. 31, where any prescribed consents or conditions have been

dispensed with, the words “and confirmed by the Registrar” shall be added after the word “registered.” [S. 24 (6), and s. 24, proviso (c).]

CERTIFICATE OF BIRTH OR DEATH

56. Certificate of birth or death

Every application under Section 14 (8) of the Act for a certificate of the birth or death of any person or child shall be in Form No. 46 annexed hereto, and shall be made by the secretary of the society or branch to which such certificate is to be produced. [S. 14 (8) and S. 37 (3).]

FEES FOR MATTERS TO BE TRANSACTED UNDER THE ACT

Actuarial Fees

57. Actuarial fees

The following actuarial fees shall be payable: —

- | | £ | s. | d. |
|---|---|------|-----|
| (a) On lodgment with the Registrar, or an actuary approved under the ninth section of the Act, of the rules of a society or branch, or a complete amendment thereof, for his certificate to the tables of contributions (unless, in the case of a branch, the rules submitted are identical with those of another registered branch of the same society). [S. (9) (5), s. 11 (3), and s. 47 (1,d) | 3 | 10s. | 0d. |
| (b) On lodgment with the Registrar, or an actuary approved under the ninth section of the Act, of a partial amendment of the rules of a society or branch affecting the | | | |

	£	s.	d.
tables of contributions or the existing scale of sick and funeral benefits, for his certificate. [S. 11 (3) and s. 47 (1, d)] .	1	10s.	0d.
(c)....For a table of contributions to be prepared by the Registrar adequate to provide the benefits promised by the rules or proposed rules of a society or branch (to include, in the case of the Registrar, a certificate under sections 9 (5) or 11 (3) of the Act. [S. 47 (1, d)]	5	5s.	0d.
(d) For a valuation of the assets and liabilities of a society or branch under section 12 of the Act by the Registrar, and actuary named by the Registrar, a public valuer, or a valuer appointed by the society or branch. [S. 12 (1, e) and s. 47 (1, d).] For the first 50 members or under, in each branch, or in each society (where the society has no branches)	1	0	0
For every additional member therein above 50 members	0	0	9

[Regulation 57 amended by Gazette 12 November 1948 p.2722.]

General Fees

58. General fees

The following general fees shall be payable: —

(a)	On the lodgment of an application for the registry of a society. [S. 9 (6)]	2	2	0
(b)	On the lodgment of an application for the registry of a partial amendment of the rules of a society or branch. [S. 11 (4)]	0	10	0
(c)	For a certificate under the hand of the Registrar in the form or to the effect of the seventh, eighth, or ninth schedules of the Act, in each case. [S. 34]	0	2	6
(d)	For the registry of a special resolution by any society (to include, in the case of a change of a name, the approval of the same). [S. 24 (6) and s. 47 (1, d)]	0	12	6
(e)	For every appointment of inspectors, or calling of a special meeting by the Registrar. [S. 23 (1, 2) and s. 47 (1, d)]	1	2	6
(f)	For the determination of the Registrar on a dispute or for his award for dissolution or distribution of funds. [S. 22 (1, a) and s. 47 (1, d)]	5	0s.	0d.
(g)	For an order of the Registrar dispensing with consents and conditions for amalgamation or transfer of engagements. [S. 24, proviso (c), and s. 47 (1, d)]	1	2	6

(h)	If more than one hearing or adjournment be necessary in case of any dispute or application for award of dissolution or distribution of funds, or order dispensing with consents and conditions for amalgamation or transfer of engagements, for every hearing after the first, and for every adjournment, an additional fee of [S. 22 (1, a), s. 24 proviso (c), and s. 47 (1, d)]	5	0s.	0d.
(i)	For an order for discovery by the Registrar under section 22 (1, e) of the Act. [S.22 (1, e) and s. 47 (1, d)]	0	2	6
(j)	For every document, except as after mentioned, required to be signed by the Registrar, or to bear the seal of the Registrar, not chargeable with any other fee to the Registrar. [S. 47 (1, d)]	0	2	6
(k)	For one or more inspections on the same day of documents in the custody of the Registrar relating to one and the same society. [S. 47 (1, d)]	0	2s.	6d.
(l)	For every copy or extract of any document in the custody of the Registrar — not exceeding 216 words	0	2s.	6d.

— if exceeding 216 words a fee per folio of 72 words for the additional words (in addition to the fee, if any, for the signature and seal of the Registrar) of [S. 47. (1, d)]	0	1s.	0d.
(m) For the registry in the Office of Titles of a certificate of trustees. [S. 33 (2), 3)]	0	2	6

[Regulation 58 amended by Gazette 12 November 1948 p.2722.]

59. Fees for inspection of certain documents

The foregoing fees for inspection of documents, and for copies or extracts of documents, shall be payable as well in respect to documents in the custody of the Registrar in reference to societies established under *An Ordinance for the regulation of Benefit Building Societies, 27 Vict. No. 7*, as under the Act. [S. 3 (3).]

60. Persons to whom fees payable

All fees which may be received by the Registrar under or by virtue of the Act and these Regulations shall be paid into the Treasury to the credit of the general revenue, but all fees payable under these Regulations to actuaries, public valuers, or valuers other than the Registrar shall be for their own use.

- (a) The Registrar, actuary, and public or other valuer may in any particular case, if they think fit, accept less than the fees prescribed under Regulations Nos. 57 and 58.

61. Fees on application for investigation of society

Where an application is made for an investigation into the affairs of a society with a view to the dissolution thereof, upon the ground that the rates of contributions fixed in the rules of such society added to the funds invested or otherwise possessed

by the society are insufficient to cover the benefits assured, the Registrar may, if he thinks fit, at any time before making his award, require the payment of such fee as he may deem reasonable, not exceeding the scale fixed by Regulation No. 57 (d), with reasonable travelling expenses added in any case in which they may be actually incurred, and if such investigation be made by the Registrar himself such fee shall be payable into the Treasury to the credit of the general revenue, but if it be made by any other person such fee shall be for use of such person. [S. 25 (11), and s. 47 (1, d).]

62. No fees payable for certain matters

No fee is payable under these Regulations for the registry or recording of —

The cancelling or suspension or registry of a society.
[S. 10.]

Any notice of change of office or place of business, or of the appointment of trustees. [S. 12 (1, a, b.), and s. 26 (7).]

Any instrument of dissolution or any amendment therein. [S. 25 (5).]

Notice of establishment of a branch, or registry of a branch the rules whereof are identical with the rules of any other registered branch of the same society.
[S. 26 (3, 4).]

Any document or copy of document supplied to a public department.

Any matter in respect of which a fee is chargeable under or by virtue of the Act or of any other Statute, in addition to any fee therein prescribed. [S. 9 (6), and s. 11 (4).]

- (a) The Registrar may dispense with the fee for inspection of documents in cases where he may consider it for the public interest to do so.
[S. 47 (1, d).]

- (b) When a fee is payable under the Act on the Lodgment with the Registrar of any application to register any society, or any amendment of rules, no further fee shall be payable under the Regulations in respect of the acknowledgment of registry of such society or amendment of rules. [S. 9 (6), and S. 11 (4).]

MODIFICATION OF FORMS

63. Modification of forms

When anything is required to be in any of the forms annexed hereto, it shall be sufficient if it be to the like effect, and any of such forms may be modified by the authority of the Registrar to suit particular cases, and the Registrar may require further evidence by statutory declaration in addition to that prescribed by these Regulations in any case in which to him it may seem expedient. The Registrar may dispense with the obligation to supply a duplicate of any document where such obligation is imposed only by the Regulations.

SEAL OF THE REGISTRAR

64. Seal of the Registrar

The seal of the Registrar shall bear the Royal Arms, and the words “Seal of The Registrar of Friendly Societies” around or above, and the words “Western Australia” below. [S. 47 (1, a).]

MISCELLANEOUS

65. Duties of officers and committee members

Every duty by these Regulations imposed upon any society or branch shall be deemed a duty imposed upon every officer charged by the rules of the society or branch with performing the same, and by every member of the committee of management thereof who is proved not to have been ignorant of

or not to have endeavoured to prevent any breach of any such duty complained of.

66. Inspection of documents

Documents relating to any society in the custody of the Registrar may be inspected at the Friendly Societies' office, on application made by any person having an interest in the funds thereof, to the Registrar during office hours and on payment of the prescribed fees, subject in every case to the approval of the Registrar. [S. 47 (1, c).]

67. Penalty for breach of regulations

Every society or branch, and every officer or member thereof, guilty of any act or default contrary to these Regulations, shall for every such act or default be liable to a penalty not exceeding £20. [S. 47 (2).]

68. Discharge of mortgage

A memorandum of discharge or partial discharge of a mortgage may be in Form No. 53. [S. 15 (9, e).]

69. Registration of certificate at Office of Titles

The manner in which a certificate of the trustees of any friendly society or branch may be registered in the Office of Titles shall be by depositing the same with the Registrar of Titles in the same way as a power of attorney is deposited. The registration fee shall be two shillings and sixpence. [S. 33 (2, 3).]

70. Calculation of interest under section 12

The interest at four and a half per centum per annum referred to in Subsections 3 and 4 of Section 12 of the Act shall be calculated on the total amount of any particular fund at the beginning of the year.

70A. Prescribed amount under section 7

For the purposes of section 7 (2) of the Act the prescribed amount is \$100 000.

*[Regulation 70A inserted by Gazette 20 February 1987 p.453;
amended in Gazette 9 February 1996 p.479.]*

Part 2

Friendly societies recreation reserves

ELECTION AND REGISTRY OF BOARD OF MANAGEMENT

71. Election of Board of Management

As soon as convenient after the publication of these Regulations in the *Government Gazette*, each society or branch of a society now or hereafter registered, the place of business whereof is situated within the district specified in connection with any grant of freehold, or leasehold lands to friendly societies for purposes of recreation, may, at a meeting of the society or branch specially called for that purpose, seven days' notice of which has been given to each member thereof residing within 20 miles of the place of business, elect not more than three of its members to form a Board of Management of such lands (hereinafter termed "The Board"), and in like manner may remove such or subsequently elected members, and appoint other or others in lieu thereof. Provided that in the case of a registered society with registered branches the society as well as such branches as have a registered office in a magisterial district within which the lands or any part thereof are situated may elect not more than three representatives. [S. 43 (1 and 2), S.47 (1, e).]

72. Registry of Board

Within fourteen days after the date of such meeting the secretary of the society or branch shall, for purposes of registry, send to the Registrar of Friendly Societies (hereinafter termed "The Registrar") a notice in duplicate, in Form No. 49 annexed hereto, wherein the names of the members elected shall be given in order according to the number of votes obtained, the name of the member that obtained the greatest number of votes to come first if two or more members obtain an equal number of votes, their order shall be determined at the meeting by the chairman or presiding officer. [S. 43 (3) and S. 47 (1, a, f).]

73. Registrar to call first Board meeting

The Registrar, shall, on receipt of a notice, in duplicate, in Form No. 49, from two or more societies or branches, call the first meeting of the Board by writing at the foot of one copy of the notice in each case the date of such meeting, and returning the same to the society or branch with his seal and signature affixed thereto. [S. 47 (1, o).]

74. Registered societies and branches may elect representatives

Only registered societies and branches shall be entitled to elect representatives upon the Board, and such persons elected shall be deemed to be members of the Board from and after the date of their registry by the Registrar. [S. 43, (1, 2) and S. 47 (1, e).]

75. Term of office of Board members

Of the members representing any society or branch upon the Board the member whose name comes first in order in Form No. 49 shall retain office until the expiration of twelve months dating from the first day of February or August, whichever next ensues; the member whose name comes next in order shall retain office until the expiration of six months, dating from such first day of February or August; and the member whose name stands third in order, if any, shall retain office until such first day of February or August. [S. 47 (1, h).]

76. Election of representatives

Each society and branch which is represented upon the Board shall (unless it desires to discontinue such representation), at the half-yearly or quarterly meeting of such society or branch immediately preceding the first day of February and August respectively, or at a special or ordinary meeting of the society or branch prior or subsequent to such first day of February and August, notice of which has been given as prescribed in Regulation No. 71 for a first election, elect one of its members to take the place of its representative retiring on such first day of

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February and August; and the member so elected shall, if registered, enter upon office on the first day of February or August as the case may be, or, if not then registered, on the date of such registration, and shall retain office until the expiration of eighteen months, dating from the first day of February or August as the case may be. The retiring representative shall, if otherwise qualified, be eligible for re-election. [S. 47 (1, e, h).]

77. Casual vacancies

When any representative on the Board dies, resigns, becomes incapable of acting, ceases to be a member of his society or branch, absents himself from the meetings of the Board for three consecutive months, or is removed from the Board by his society or branch during his term of office, his seat on the Board shall thereupon become vacant. Such vacancy shall be filled, and the member elected registered in the manner provided in Regulation No. 71 for a first election, and the new representative shall hold office from the date of his resignation until the expiration of the term of the member whose place he fills. [S. 47 (1, h).]

OFFICERS OF THE BOARD AND TRUSTEES

78. Election of officers and trustees

The Board shall at its first meeting elect from the members thereof a Chairman, Secretary, and Treasurer, who shall hold office in each case during the pleasure of the Board, and so long as they respectively continue to hold seats upon the Board. At the same or any subsequent meeting the Board shall elect from the members thereof, or from the members of the societies and branches represented thereon, three trustees to take the place of the trustees in whose names the lands granted were vested prior thereto. [A. 44 an S. 47 (1, f, g).]

79. Notice of appointment of officers and trustees

A notice, in duplicate, in Form No. 50 annexed hereto, of the appointment of the Chairman, Secretary, Treasurer, and three trustees, and of any subsequent change thereof, shall, within seven days after the meeting at which the election took place, be sent to the Registrar, signed by the officers named therein and the member presiding; and as soon as possible a statement of the names and occupations of the three trustees shall be lodged with the Registrar of Titles, together with any further particulars he may require, and the fee, as provided by Section 44 of the "*Friendly Societies Act 1894-1923*" (hereinafter termed "The Act"). No person appointed as above shall be deemed to be a Trustee until his name has been registered as such by the Registrar and the Registrar of Titles, but the Chairman, Secretary, and Treasurer shall hold office from the date of their registry by the Registrar. As provided in Section 46 of the Act, all legal proceedings shall be instituted and carried on in the names of the Chairman or Secretary of the Board for the time being. [S. 44, S. 46 and S. 47 (1, f, h).]

80. Casual vacancies

When any vacancy occurs in the trusteeship of the lands under the control of the Board, or in the office of Chairman, Secretary, or Treasurer of the Board by death, resignation, removal or otherwise, the Board shall, as soon as possible, meet and elect, by a majority of the votes of the members present, a suitable person to fill the vacancy. [S. 44 (2) and S. 47 (1, g).]

81. Officers in receipt of money

All officers of the Board in receipt or charge of money shall be secured in the manner provided in Section 19 of the Act for officers of Friendly Societies. [S. 47 (1, o).]

82. Remuneration of Secretary or Treasurer

The Board may, out of any moneys under its control other than loan moneys, allow such remuneration to the Secretary and Treasurer as it may think fit for the performance of their duties. [S. 47 (1, o).]

BOARD MEETINGS

83. Board meetings

The Board shall meet once at least in every month, or oftener if so determined, for the transaction of the business thereof, at such place and on such day or days as may be decided upon, and at such meetings an attendance of one or more representatives from a majority of the societies and branches represented on the Board shall form a quorum. The Chairman, or in his absence a member chosen by the remaining members of the Board then present, shall preside over all meetings of the Board. [S. 47 (1, o).]

84. Minutes to be kept

The Board shall keep a book or books in which shall be entered minutes of all proceedings and transactions, and the Chairman or presiding member shall see that such proceedings are duly entered, and shall subscribe the same with his own hand, and the names of the members present at every meeting shall be entered in such minutes. [S. 47 (1, o).]

MANAGEMENT OF RECREATION RESERVES

85. Management of land vested in Board

The Board shall have the entire management and control of all lands granted for purposes of recreation to persons in trust for the societies and branches represented thereon. [S. 47 (1, i).]

86. Board may organise sporting events

The Board may hold upon the lands under its control any kind of sports or other gatherings, and may impose and fix such sum as it thinks fit as a charge for admission to such sports or gatherings to any person, including members of any friendly society or branch, and may refuse admission to any person, and eject any person for non-payment of the admission charge, or for disorderly behaviour, or other misconduct. [S. 47 (1, 1).]

87. Board may sell right to organise sporting events

The Board may sell to any person or persons the right to hold sports or gatherings, and the persons purchasing such right shall, subject to the consent of the Board, have all the powers of the Board with respect to imposing and fixing a charge for admission, refusing admission, ejecting persons for non-payment of such charge, or for disorderly behaviour or other misconduct. [S. 47 (1, 1).]

88. Profits to be used for maintenance etc

The profits arising from any such sports or gatherings, or from any such sale as aforesaid, shall be devoted by the Board exclusively to the maintenance, management, and improvement of the lands and premises under the control of the Board, and the incidental expenses incurred by the Board in the transaction of its affairs. [S. 47 (1, m).]

BOARD MAY RAISE MONEYS BY MORTGAGE**89. Board may raise moneys by mortgage**

The Board may raise moneys by way of mortgage of the lands under its control, or any part thereof, for the purpose of improving such lands; subject to the following conditions: —

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- (a) The amount of money to be borrowed, the several works proposed to be executed, and the amount proposed to be expended upon each of such works shall be first approved by a majority of two-thirds of all the members of the Board;
- (b) A statement in writing setting out the above particulars, and a memorandum of the consent of the Board, signed by the Chairman thereof, shall be forwarded to the Registrar for the approval of the Governor in Council;
- (c) The consent of at least three-fourths in number of the societies and branches represented on the Board shall be obtained, signified by a majority of the votes of the members of each such society or branch present and entitled to vote at a special meeting of the same called for that purpose, and communicated to the Board to the effect in Form No. 51 annexed hereto, and a memorandum thereof shall be sent to the Registrar by the Board in Form No. 52 annexed hereto, accompanied by the consents in Form No. 51 received from the societies and branches. [S. 45 and S. 47 (1, n).]

BOARD ACCOUNTS

90. Moneys to be used to best advantage

It shall be the duty of the Board to see that all moneys received by them are expended to the best advantage, and for the particular purpose for which the expenditure of such moneys is authorised. [S. 47 (1, m).]

91. Accounts to be kept

The Board shall cause accounts to be kept showing full particulars of all moneys received and expended, and shall keep separate accounts of all receipts and expenditure in reference to moneys raised by way of mortgage. [S. 47 (1, n, o).]

92. Audit

The Board shall once at least in every year submit its accounts and securities for audit and inspection by two auditors, whom it shall appoint for that purpose; such auditors shall have access to all the books, papers, deeds, documents and accounts of the Board, and shall examine, and, if correct, sign the Annual Statement furnished by the Secretary to the Registrar and to the societies and branches represented on the Board. [S. 47 (1, k).]

ANNUAL RETURNS

93. Annual returns

The Secretary of the Board shall, on or before the 1st day of September in every year, furnish the Registrar and each of the societies or branches represented on the Board, with a statement in writing showing the receipts and expenditure of the Board, duly audited, for the year ending the 30th day of June next preceding, together with a report showing the existing condition of the lands, property, and premises under the management of the Board, and the nature and extent of any improvements effected thereon during such year. [S. 47. (1, j).]

94. Board to correct errors in accounts

If, in the opinion of the Registrar, the Statement of Accounts contained in the Annual Return is incomplete, erroneous, or misleading in any particular, or if the accounts, vouchers, ledgers, books, papers, or documents (which the Board is hereby required to produce when so requested by the Registrar, disclose any improper expenditure or deficiency, the Board shall amend such statement and the books of account to the satisfaction of the Registrar; and the members of the Board shall be personally liable to make good the amount of any improper expenditure or deficiency. [S. 47 (1, j).]

r. 95.

BOARD MAY MAKE BY-LAWS

95. By-laws

The Board may recommend the Governor to make By-laws for the purpose of regulating its proceedings and the duties of its officers, together with any other matters deemed necessary, and may likewise recommend the Governor to amend and repeal such By-laws from time to time. Provided that the same shall not be contrary to the Act and the Regulations gazetted thereunder, and that such recommendation shall be forwarded to the Registrar for his submission to the Minister accompanied by such remarks by the Registrar as he considers necessary. Such By-laws and amendments shall, when adopted, be submitted to the Registrar for registry, and shall not come into force until they are registered. The fee payable for registry of By-laws shall be Ten shillings, and for registry of an amendment thereof, Five shillings. [S. 47 (1, d, o).]

PENALTY FOR OFFENCES AGAINST THESE REGULATIONS

96. Penalty for breach of regulations

The Board, and every officer and member thereof, shall, if guilty of any act or default contrary to these Regulations, for every such act or default be liable to a penalty not exceeding £5. [S. 47 (2).]

FORMS

Form No. 1

[Regs, 1, 14]

Friendly Societies Act 1894-1923

APPLICATION TO REGISTER A SOCIETY

Name of Society

To the Registrar of Friendly Societies.

Application to register a society under the above-named Act under the name of _____ is made by ten persons whose names are subscribed at the foot hereof.

1. The society is one having branches.*
2. The matters hereinafter mentioned are provided for in the rules as follow, that is to say: —
 - *(1) The name of the society in rule No.
 - *(2) The place of office of the society in rule No.
 - *(3) The whole of the objects for which the society is to be established in rule No.
 - *(4) The purposes for which the funds are to be applicable in rule No.
 - *(5) The terms of admission of members in rule No. _____, and the scale of entrance fees and contributions payable thereby in rule No.
 - *(6) The conditions under which any member may become entitled to any benefit in rule No. _____, and the scale of sick and funeral benefits promised to members in rules Nos.
 - *(7) The fines, forfeitures, or penalties to be imposed on any member or officer in rule No. _____, and their destination in rule No.
 - *(8) The mode of holding meetings in rule No.
 - *(9) The right of voting in rule No.
 - *(10) The manner of making, altering, and rescinding rules in rule No.
 - *(11) The appointment and removal of a committee of management (by the name of _____) in rule No.
 - *(12) The appointment and removal of trustees in rule No. _____, and the sending to the Registrar notice of every appointment of a new trustee within 14 days in rule No.

Forms

- *(13) The appointment of a secretary in rule No. , and the appointment of a treasurer in rule No.
- *(14) The appointment of other officers in rule No.
- (15) The composition of the central body in rule No. *
- (16) The control to be exercised by the central body over the branches in rule No. *
- (17) The mode of convening general meetings for passing or confirming special resolutions in accordance with section 24 of the Act in rule No.
- *(18) The investment of the funds in rule No. , and the manner in which the moneys received are divided between the several funds in rule No.
- *(19) The keeping of the accounts in rule No.
- (20) The keeping of all moneys received or paid on account of each and every particular fund or benefit separate and distinct, and entering them in a separate account distinct from the moneys received and paid on account of any other fund or benefit in rule No.
- *(21) The audit of the accounts at least once a year in rule No.
- *(22) The furnishing of return A to the Registrar every year in due time in rule No.
- *(23) The furnishing of return B to the Registrar every year in due time in rule No.
- *(24) The inspection of the books of the society by every person having an interest in the funds of the society in rule No.
- *(25) The manner of settling disputes between the society or any officer thereof and any of its members, or any person claiming through a member or under the rules, in rule No.
- *(26) The provision for the meeting of all claims upon the society existing at the time of division before any such division takes place, in rule No. **
- (27) The provision for the amalgamation of branches in rule No. , and the provision defining the rights of the members of an amalgamated branch in rule No. .*
- (28) A valuation once at least in every five years of the assets and liabilities of the society, including the estimated risks and contributions, in rule No.

- (29) The provision as to what constitutes the termination of the society or any branch thereof, in rule No.
 - (30) The provision fixing the conditions under which a branch may secede from the society.*
 - (31) The supplying gratuitously any member or person interested on demand with a copy of the last Return A, or other authorised document in lieu thereof, is provided for in rule No.
 - (32) The keeping a copy of the last annual balance sheet, with the auditors' report (if any), and of the last quinquennial valuation always hung up at the registered office is provided for in rule No.
3. The tables of contributions are certified by _____ Registrar of Friendly Societies [or an actuary approved under the ninth section of "The Friendly Societies Act"].
-

* If this is not the case a line should be drawn through this statement.

* If the society is not one with branches a line should be drawn through this statement.

** If the society does not divide its funds a line should be drawn through this statement.

4. With this application are sent —

- (a) Two printed copies of the rules, each marked "A" and signed by each of the applicants, together with the certificate of the Registrar [*or an actuary approved under the ninth section of "The Friendly Societies Act"*] to the tables of contributions.
- (b) A list, marked "B," of the names of the secretary and of every trustee and every officer (if any other than the trustees) authorised to sue and be sued on behalf of the society.
- (c) A list, marked "C," of every branch and of every place wherein the same is established, and of every trustee and every officer (if any other than the trustees) authorised to sue and be sued on behalf of each branch respectively.**
- (d) Two copies, marked "D," of the branch rules which are intended to be identical [or two copies of the rules of every branch which are not intended to be identical].
 - 1. Member.
 - 2. "

Forms

- 3. ”
- 4. ”
- 5. ”
- 6. ”
- 7. ”
- 8. ”
- 9. ”
- 10. ”

Secretary.

Dated this day of 19 .

**Matters required by the Act to be provided for by the rules.

N.B. — If the society intends to avail itself of any or all of the following provisions of the Act, rules therefor must be made, and it should be stated in each case by what rule or rules effect has been given thereto: —

- (a) Section 15 (2), as to the power of the society or any branch thereof to purchase and lease land and buildings, and to erect buildings for offices, etc.
- (b) Sections 15 (4), as to vesting the property of any branch wholly or partly in the trustees of the parent society.
- (c) Section 15 (6), as to the advisability of the society or central body being answerable for a part at least of the benefits promised by the branches thereof.
- (d) Section 15 (9), as to discharge or partial discharge of mortgages by receipt in a form other than that given in the third schedule to the Act.
- (e) Section 18, as to accumulation and withdrawal of surplus contributions.
- (f) Section 19, as to security and rendering of accounts by officers.
- (g) Section 22 (1, c.), as to referring disputes to justices.
- (h) Section 26 (7), as to whether the branches (if any) shall have trustees distinct from the trustees of the society.
- (i) Section 38, as to power of contributing to or taking part in the management of other societies.
- (j) Regulation No. 13, as to making a charge for recording nominations, etc.

Form No. 1a

[Reg. 1]

(For specially authorised societies under Section 8)
(As Modified by the Registrar of Friendly Societies)

Friendly Societies Act 1894-1923

APPLICATION TO REGISTER A FRIENDLY SOCIETY
SPECIALLY AUTHORISED UNDER SECTION 8

Name of Society

Register No.

To the Registrar of Friendly Societies.

Application to register the above-named society, under the above name, is made by the ten persons whose names are subscribed at the foot hereof.

1. The registered address of the society is intended to be
2. The matters hereinafter mentioned are provided for in the rules as follows, that is to say: —
 - (1) The name of the society, in Rule No.
 - (2) The place of office of the society, in Rule No.
 - (3) The whole of the objects for which the society is established, in Rule No.
 - (4) The purposes for which the funds are applicable, in Rule No.
 - (5) The terms of admission of members, in Rule No. , and the scale of entrance fees and contributions payable thereby, in Rule No.
 - (6) The conditions under which any member may become entitled to any benefit, in Rule No.
 - (7) The fines, forfeitures, or penalties to be imposed on any member or officer, in Rules Nos. , and their destination, in Rule No.
 - (8) The mode of holding meetings, in Rule No.
 - (9) The right of voting, in Rule No.
 - (10) The manner of making, altering, and rescinding rules, in Rule No.
 - (11) The appointment and removal of a committee of management (by the name of), in Rule No.

Forms

- (12) The appointment and removal of trustees, in Rule No. , and the sending to the Registrar notice of every appointment of a new trustee, in Rule No.
 - (13) The appointment of a secretary, in Rule No. , and the appointment of a treasurer, in Rule No.
 - (14) The appointment of other officers, in Rules Nos.
 - (15) The investment of the funds, in Rule No.
 - (16) The keeping of the accounts, in Rule No.
 - (17) The audit of the accounts at least once a year, in Rule No.
 - (18) The furnishing of Return A to the Registrar every year in due time, in Rule No.
 - (19) The inspection of the books of the society by every person having an interest in the funds of the society, in Rule No.
 - (20) The manner of settling disputes with a member, or any person claiming through a member, or under the rules, in Rule No.
 - (21) The supplying, gratuitously, any member or person interested, on demand, with a copy of the last Return A, or other authorised document in lieu thereof, in Rule No.
 - (22) The keeping a copy of the last annual balance sheet, with the Auditor's report (if any), and of the last quinquennial valuation, always hung up at the registered office, in Rule No.
3. With this application are sent —
- (a) Two printed copies of the society's rules signed by each of the applicants.
 - (b) A list, in duplicate, of the trustees, secretary, and treasurer of the society, and each of the trustees named therein.
 - 1. Member of Society.
 - 2. " "
 - 3. " "
 - 4. " "
 - 5. " "
 - 6. " "
 - 7. " "
 - 8. " "
 - 9. " "

10. ” ”

11. Secretary of Society.

Secretary's address

Dated this day of , 19 .

Forms

Form No. 2

[Regs. 3, 47]

Friendly Societies Act 1894-1923

APPLICATION TO REGISTER A PARTIAL AMENDMENT OF RULES

Name of Society

To the Registrar of Friendly Societies.

Application to register a partial amendment of the rules of the is made by the person whose name is subscribed at the foot hereof.

With this application are sent —

- (a) A copy of the registered rules marked to show where the alterations occur and what they are.
- (b) Two printed copies of the amendment, each marked “O” and signed by the secretary and three members of the society.
- (c) Evidence by statutory declaration on forms Nos. 3 and 4 that the amendment now submitted for registry has been duly made by the society.

Secretary.

Registered Office

Dated this day of , 19 .

Form No. 3

[Regs. 3, 4, 47]

Friendly Societies Act 1894-1923

DECLARATION IN SUPPORT OF AMENDMENT OF
RULES BY SECRETARY

Name of Society

I, _____ of _____, do solemnly and
sincerely declare as follows, that is to say: —

1. That I am secretary of the above-named society, and the signature of _____ to the amendment of rules annexed hereto is my signature.
2. That the amendment of rules annexed hereto has been duly made by the said society, and to the best of my knowledge and belief the same is not contrary to the provisions of “Friendly Societies Act 1894-1923,” and to the best of my knowledge and belief the due making thereof is not disputed by any member of the society, or any person claiming to be a member. [If such be the case add, except by _____, naming the objectors.]
3. That the amendment annexed hereto was signed in my presence by _____ whose signatures are affixed thereto, and they are all members of the society.

And I make this solemn declaration by virtue of Section 106 of
“*The Evidence Act 1906.*”

Declared at _____, in the State of Western Australia, this
day of _____, 19____, before me _____, J.P.

Forms

Form No. 4

[Regs. 3, 4, 47]

Friendly Societies Act 1894-1923

DECLARATION IN SUPPORT OF AMENDMENT OF
RULES BY TRUSTEE OF SOCIETY (OR SECRETARY OF CENTRAL
BODY)

Name of Society

I, _____ of _____, do solemnly and
sincerely declare as follows, that is to say: —

1. That I am a trustee of the above-named society [or, in case of
branch rules, secretary of the society know as _____ of which the
above-named society is a branch].
2. That to the best of my knowledge and belief the amendment of
rules annexed hereto has been duly made by the above-named society [or
in the case of branch rules has been duly made in conformity with the
rules of the society and branch in that behalf, and is not contrary to the
provisions of “Friendly Societies Act 1894-1923”], and the due making
thereof is not disputed by any member of the society or any person
claiming to be a member. [If such be the case add except by
naming the objectors.]
3. That the signature of _____ to the annexed paper
writing is the signature of the secretary of the above-named society.
And I make, etc.

Form No. 5

[Regs. 4, 47]

Friendly Societies Act 1894-1923

APPLICATION TO REGISTER A COMPLETE AMENDMENT OF RULES

Name of Society

To the Registrar of Friendly Societies.

Application to register a complete amendment of the rules of the above-named society is made by the person whose name is subscribed at the foot hereof.

1. The society is one having branches.*
2. The matters hereinafter mentioned are provided for in the rules as follow, that is to say: —
 - (1) The name of the society in rule No.
 - (2) The registered address of the society in rule No.
 - (3) The whole of the objects for which the society is established in Rule No.
 - (4) The purposes for which the funds are to be applicable in rule No.
 - (5) The terms of admission of members in rule No. , and the scale of entrance fees and contributions payable thereby in rule No.
 - (6) The conditions under which any member may become entitled to any benefit in rule No. , and the scale of sick and funeral benefits promised to members in rules Nos.
 - (7) The fines, forfeitures, or penalties to be imposed on any member or officer in rule No. , and their destination in rule No.
 - (8) The mode of holding meetings in rule No.
 - (9) The right of voting in rule No.
 - (10) The manner of making, altering, and rescinding rules in rule No.
 - (11) The appointment and removal of a committee of management (by name of) in rule No.

Forms

- (12) The appointment and removal of trustees in rule No. , and the sending to the Registrar notice of every appointment of a new trustee within 14 days in rule No.
- (13) The appointment of a secretary in rule No. , and the appointment of a treasurer in rule No.
- (14) The appointment of other officers in rule No.
- (15) The composition of the central body in rule No. *
- (16) The control to be exercised by the central body over the branches in rule No. *
- (17) The mode of convening general meetings for passing or confirming special resolutions in accordance with section 24 of the Act, in rule No.
- (18) The investment of the funds in rule No. , and the manner in which the moneys received are divided between the several funds in rule No.
- (19) The keeping of the accounts in rule No.
- (20) The keeping all moneys received or paid on account of each and every particular fund or benefit separate and distinct, and entering them in a separate account, distinct from the moneys received and paid on account of any other fund or benefit in rule No.
- (21) The audit of the accounts at least once a year in rule No.
- (22) The furnishing of return A to the Registrar every year in due time, in rule No.
- (23) The furnishing of return B to the Registrar every year in due time, in rule No.
- (24) The inspection of the books of the society by every person having an interest in the funds of the society in rule No.
- (25) The manner of settling disputes between the society and any of its members, or any person claiming through a member or under the rules, in rule No.
- (26) The provision for the meeting of all claims upon the society existing at the time of division before any such division takes place, in rule No. *

(27) The provision for the amalgamation of branches in rule No. , and the provision defining the right of the members of an amalgamated branch, in rule No. *

(28) A valuation once at least in every five years of the assets and liabilities of the society, including the estimated risks and contributions, in rule No.

(29) The provision as to what constitutes the termination of the society or any branch thereof, in rule No.

(30) The provision fixing the conditions under which a branch may secede from the society in Rule No. *

(31) The supplying gratuitously any member or person interested, on demand, with a copy of the last Return A or other authorised document in lieu thereof, is provided for in rule No.

(32) The keeping a copy of the last annual balance sheet, with the auditors' report (if any), and of the last quinquennial valuation, always hung up at the registered office, is provided for in rule No.

3. The tables of contributions are certified by Registrar of Friendly Societies [or an Actuary approved under the ninth section of "The Friendly Societies Act"].

With this application are sent —

(a) A copy of the registered rules.

(b) Two printed copies of the new rules proposed by way of complete amendment, each marked "P," and signed by the secretary and three members of the society, together with the tables of contributions certified as aforesaid.

(c) Evidence by statutory declaration on forms Nos. 3 and 4 that the amendment now submitted for registry has been duly made by the society.

Secretary.

Registered Office,

Dated this day of 19 .

* If the society is not one with branches a line should be drawn through this statement.

* If the society does not divide its funds a line should be drawn through this statement.

Forms

N.B. — If the society intends to avail itself of any or all of the following provisions of the Act, rules therefor must be made, and it should be stated in each case by what rule or rules effect has been given thereto: —

- (a) Section 15 (2), as to the power of the society or any branch thereof to purchase and lease land and buildings, and to erect buildings for officer, etc.
- (b) Section 15 (4), as to vesting the property of any branch wholly or partly in the trustees of the parent society.
- (c) Section 15 (6), as the advisability of the society or central body being answerable for a part at least of the benefits promised by the branches thereof.
- (d) Section 15 (9), as to discharge or partial discharge of mortgages by receipt in a form other than that given in the third schedule to the Act.
- (e) Section 18 as to accumulation and withdrawal of surplus contributions.
- (f) Section 19 as to security and rendering of accounts by officers.
- (g) Section 22 (1, c), as to referring disputes to justices.
- (h) Section 26 (7), as to whether the branches (if any) shall have trustees distinct from the trustees of the society.
- (i) Section 38, as to power of contributing to or taking part in the management of other societies.
- (j) Regulation No. 13, as to making a charge for recording nominations, etc.

Form No. 6

[Reg. 5]

Friendly Societies Act 1894-1923

REQUEST TO CANCEL REGISTRY

Name of society

To the Registrar of Friendly Societies.

1. The above-named society desires that its registry under "The Friendly Societies Act" may be cancelled on the following ground, viz.: —

And at a general meeting duly held on the _____ day of _____, 19____, it was resolved as follows: — "That the trustees be authorised to request the Registrar to cancel the registry of this society."

2. This request is made by the trustees accordingly.

3. It is desired that notice of such cancelling be published in the [naming some newspaper], circulating in the locality in which the registered office of the society is situated.

4. The sum of _____, being the cost of publishing such notice in the said newspaper, and the further sum of _____, for the cost of publishing the same in the "Government Gazette," are herewith transmitted.

Trustees.

Registered Office,

Dated this _____ day of _____, 19____.

N.B. — This form may be used for the Request to Cancel Registry of a Branch, but, in that case, a certificate under the hand of the secretary of the society or central body that its consent has been given thereto must be appended.

Forms

Form No. 7

[Reg. 7]

Friendly Societies Act 1894-1923

NOTICE BEFORE CANCELLING OR SUSPENSION OF REGISTRY

Name of society

Notice is hereby given to the above-named society that it is the intention of the Registrar to proceed on the day of , 19 , to cancel [or to suspend for] the registry of the society, unless cause be shown to the contrary in the meantime.

The ground of such proposed cancelling [or suspension] is as follows: —

Registrar of Friendly Societies.

Dated this day of , 19 .

Form No. 8

[Reg. 8]

Friendly Societies Act 1894-1923

CANCELLING OF REGISTRY

Name of society

The registry of the above-named society is hereby cancelled at its request [or as the case may be. If thought fit, the ground of the cancelling may be added].

Registrar of Friendly Societies.

Dated this day of , 19 .

Form No. 10

[Reg. 10]

Friendly Societies Act 1894-1923

ADVERTISEMENT OF CANCELLING OR SUSPENSION

Notice is hereby given that the Registrar of Friendly Societies has, pursuant to "*The Friendly Societies Act 1894-1923*," sec. 10, by writing under his hand, dated the day of , 19 , cancelled [or suspended for] the registry of the society known as , register No. , held at on the ground following, that is to say: —

The society (subject to the right of appeal given by the said Act) ceases to enjoy [during such suspension] the privileges of a registered society, but without prejudice to any liability incurred by the society, which may be enforced against it as if such cancelling [or suspension] had not taken place.

Friendly Societies Office,

Dated this day of , 19 .

Registrar of Friendly Societies.

Forms

Form No. 11

[Reg. 11]

Friendly Societies Act 1894-1923

NOTICE OF CHANGE OF REGISTERED ADDRESS

Name of society

Notice is hereby given that the registered address of the
above-named society is changed from and is now

Dated this day of , 19 .

Secretary.

To the Registrar of Friendly Societies.

Registered this day of , 19 .

[Seal and signature of Registrar.]

Form No. 12

[Reg. 12]

Friendly Societies Act 1894-1923

NOTICE OF RESOLUTION APPOINTING TRUSTEES OF SOCIETY

Name of society

At a meeting of the above-named society, duly convened as provided by the rules, and held the _____ day of _____, 19____, it was resolved by a majority of the members present and entitled to vote —

That

	Name in full	Occupation
Address		

_____ be a trustee (or trustees) of the society. [If it is not a first appointment add in place of _____ deceased, or resigned, or removed, as the case may be.]

Trustee.

Trustee.

Trustee.

Trustee.

Trustee.

Secretary.

Registered Office of Society,

Dated this _____ day of _____, 19____.

Registered this _____ day of _____ 19____.

[Seal and signature of Registrar.]

N.B. — This notice must be signed by the new Trustee of Trustees and the Secretary.

Forms

Form No. 12a

[Reg. 12]

Friendly Societies Act 1894-1923

NOTICE OF RESOLUTION APPOINTING SECRETARY OF SOCIETY

Name of society

Place of regular meetings

To the Registrar of Friendly Societies

At a meeting of the above-named society, duly convened as provided by the rules, held the day of , 19 , it was resolved by a majority of the members present and entitled to vote,

That*

Address

Occupation

be the secretary of such society in place of*

The above-named officer is not a trustee of the said society, and he is secured in accordance with the above-named Act in the following manner and amount: —

Manner secured by the ** guarantee society, or by ***

Amount of security, £

Trustee of above-named Society.

Secretary of above-named Society.

Dated this day of , 19 .

Registered this ***** day of , 19 .

Registrar of Friendly Societies.

* State name in full, address, and occupation of *new* secretary.

* State name in full of the retiring officer, and whether deceased, resigned, removed, or retired.

** State name of guarantee society.

*** If secured otherwise, state the manner.

**** Ordinary signature.

***** Leave this part for the Registrar.

Form No. 12b

[Reg. 12]

Friendly Societies Act 1894-1923

NOTICE OF RESOLUTION APPOINTING TREASURER OF SOCIETY

Name of society

Place of regular meetings

To the Registrar of Friendly Societies.

At a meeting of the above-named society, duly convened as provided by the rules, held the day of , 19 , it was resolved by a majority of the members present and entitled to vote,

That*

Address

Occupation

be the treasurer of such society in place of*

The above-named officer is not a trustee of the said society, and he is secured in accordance with the above-named Act in the following manner and amount: —

Manner secured by the** guarantee society, or by***

Amount of security, £

Secretary of above-named Society.

Dated this day of , 19 .

Registered this ***** day of , 19 .

Registrar of Friendly Societies.

* State name in full, address, and occupation of *new* treasurer.

* State name in full of the retiring officer, and whether deceased, resigned, removed, or retired.

** State name of guarantee society.

*** If secured otherwise, state the manner.

**** Ordinary signature.

***** Leave this part for the Registrar.

Forms

Form No. 13

[Reg. 13]

Friendly Societies Act 1894-1923

FORM OF NOMINATION, REVOCATION, AND VARIATION

(1) Nomination

Branch of the _____ Friendly Society, registered pursuant to the "*Friendly Societies Act*," I hereby nominate _____, of _____, in the State of Western Australia, to receive the money payable at my death under the rules of the branch and society above named.

Signature.

Dated this _____ day of _____, 19 ____.

Signature of Witness.

(2) Revocation

I hereby revoke the above nomination.

Signature.

Dated this _____ day of _____, 19 ____.

Signature of Witness.

(3) Variation

I hereby vary the above nomination as follows: —

I nominate _____, of _____, in the State of Western Australia, to receive the money payable at my death as aforesaid, in lieu of the above named.

Signature.

Dated this _____ day of _____, 19 ____.

Signature of Witness.

Form No. 14

[Reg. 16]

Friendly Societies Act 1894-1923

REFERENCE OF A DISPUTE TO THE REGISTRAR

Dispute between _____ and _____ [an officer of]
the society known as _____

The above parties, by consent, refer the dispute between them
to the Registrar of Friendly Societies.

The said _____ states as follows: —

(1) That he is a member [or claims through _____ a member, or
under the rules] of the said society.

(2) That he claims to be entitled as follows [give particulars of
claim]: —

(3) That the claim is proposed to be supported by the evidence of
the following witnesses, and by the production of the following books and
documents: —

The said _____ as an officer [or as trustees] of the said
society states [or state] as follows: —

(1) That he [or the society] disputes the claim of the said _____ on
the following grounds: —

(2) That his case [*or* the case of the society] is proposed to be
supported by the evidence of the following witnesses, and by the production of
the following books and documents: —

Signature of the claimant

Address of claimant

Signature of the officer or signatures of the trustees

Registered Office,

Dated this _____ day of _____, 19 ____ .

Forms

Form No. 15

[Reg. 18]

Friendly Societies Act 1894-1923
NOTICE AND REQUISITION BY REGISTRAR
IN A DISPUTE

Dispute between _____ and [_____ an officer of]
the society known as

To

Take notice that I shall proceed to hear and determine the matter in dispute, which has been referred to me, pursuant to the above-named Act, on the _____ day of _____ next, at _____ o'clock in the noon, at _____ and that I shall require the attendance there of all parties concerned, and of the witnesses named, and the production of the books and documents specified in the statement made by you in the reference of the dispute.

Registrar of Friendly Societies.

Dated this _____ day of _____, 19 ____.

Form No. 16

[Reg. 19]

Friendly Societies Act 1894-1923
SPECIAL REQUISITION TO WITNESS

Dispute between _____ and [_____ an officer of]
the society known as

To

Pursuant to Section 22 of the above-named Act, you are required to attend at _____ on the _____ day of _____ next, at _____ o'clock in the _____ noon, to give evidence relating to the matter in question, and to produce the following books and documents: —

Registrar of Friendly Societies.

Dated this _____ day of _____, 19 ____.

N.B. — If you do not comply with this requisition you will be guilty of an offence under the above-named Act and become liable to a penalty.

Form No. 17

[Reg. 20]

Friendly Societies Act 1894-1923

ORDER FOR DISCOVERY

In the matter of a dispute between _____ and [_____
an officer of] the society known as _____ referred to me pursuant
to the above-named Act.

I, _____ Registrar of Friendly Societies, order and direct
as follows: —

(1) That within fourteen days from the service of this order
do deposit at my office [*state where*] for inspection by the parties the following
documents [*state documents*]: —

(2) That on the _____ day of _____ next, at _____ o'clock in the
noon [an officer of the society*] _____ do appear before me, at
my office above-named, and make discovery upon oath of all things within his
knowledge [as such officer*] relative to the following matters [*state the matters
as to which discovery is granted*]: —

Given under my hand this _____ day of _____, 19____.

Registrar of Friendly Societies.

* These words will be omitted if the discovery is to be made by
the other party to the dispute.

Form No. 18

[Reg. 21]

Friendly Societies Act 1894-1923

DETERMINATION AND ORDER

In the matter of a dispute between _____ and [_____
officer of] the society known as _____, referred to me pursuant
to the above-named Act.

I, _____ Registrar of Friendly Societies,
determine as follows: —

Particulars of Registrar's determination.

The expenses hereof are ordered to be paid out of the funds of
the Society (*or as the case may be*).

Given under my hand this _____ day of _____, 19____.

Forms

Registrar of Friendly Societies.

N.B. — Application for the enforcement of this order may be made to any two or more justices of the peace in the district wherein the parties to the dispute or any of them reside.

Form No. 19

[Reg. 22]

Friendly Societies Act 1894-1923

APPLICATION UNDER SPECIAL POWERS OF REGISTRAR

Name of Society

Application made pursuant to Section 23 of the above-named

Act.

1. The above-named society has members.
2. This application is signed by members.
3. The application is that the Registrar may appoint inspectors [*or* may call a special meeting] pursuant to the said section.
4. The grounds of the application are as follows [*state the grounds fully*]: —
5. The applicants are prepared to support the application by the following evidence, for the purpose of showing that they have good reason for making the application, and are not actuated by malicious motives in doing so, viz., by a statutory declaration annexed hereto by [*state names*] three of the present applicants, and [*here state the nature of the evidence proposed to be given*]: —
6. The applicants are prepared, if required, to give security for costs to the extent of [*state amount*].

Signature of applicants.*

Address to which communications are to be sent.

Dated this day of , 19 .

* Signature by mark must be attested by some one not an applicant.

Form No. 20

[Reg. 22]

Friendly Societies Act 1894-1923

DECLARATION IN SUPPORT OF APPLICATION UNDER SPECIAL
POWERS OF REGISTRAR

Name of Society

We, three of the members of the above-named society, do solemnly and sincerely declare that the persons whose signatures are appended to the application, a copy of which is hereunto annexed, are to the best of our knowledge and belief *bona fide* members of the society, and that we are not, nor to the best of our knowledge and belief is any person whose signature is appended to such application, actuated by malicious motives, and that to the best of our knowledge and belief there is good reason for making such application.

And we make, etc.

Form No. 21

[Reg. 24]

Friendly Societies Act 1894-1923
APPOINTMENT OF INSPECTORS

Name of Society

Register No.

Pursuant to Section 23 of the above-named Act I hereby appoint [and] inspector [*or* inspectors] to examine into the affairs of the above-named society, and to report thereon.

One copy of the application for inspection is sent herewith for the guidance of the inspector [*or* inspectors].

He [*or* they] 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.

This inspection is to commence on the day of next at o'clock in the noon, and is to be held at Registrar of Friendly Societies.

Dated this day of , 19 .

Form No. 22

[Reg. 25]

Forms

Friendly Societies Act 1894-1923

NOTICE OF A SPECIAL MEETING TO BE HELD BY THE REGISTRAR'S
DIRECTION

Name of Society

Register No.

Notice is hereby given that a special meeting of the above-named society will be held by direction of the Registrar, pursuant to Section 23 of the above-named Act, on _____, the _____ day of next, at _____ o'clock in the _____ noon, at _____, which meeting shall appoint its own chairman, and shall then proceed to discuss and determine on the following matters [*state them*]: —

Registrar of Friendly Societies.

Dated this _____ day of _____, 19 ____.

Form No. 23

[Reg. 27]

Friendly Societies Act 1894-1923

APPLICATION FOR APPROVAL OF CHANGE OF NAME,
AND REGISTRY OF SPECIAL RESOLUTION

Name already registered

To the Registrar of Friendly Societies.

Application for approval of a change of name of the above-mentioned society, and for registry of a special resolution to that effect is made by the persons whose names are subscribed at the foot hereof.

The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of the society [*add some being present by proxy where the rules allow proxies*] of which notice was duly given, held on the _____ day of _____, 19 ____, and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting [*add some being present by proxy where the rules allow proxies*] of which notice was duly given, held on the _____ day of _____, 19 ____, pursuant to Section 24 of the above-named Act.

[*The resolution to be copied at length.*]

Chairman of the first general meeting.

Secretary.

Chairman of the subsequent general meeting.

Registered Office,

Dated this day of , 19 .

Form No. 24

[Regs. 27, 28, 29, 30]

Friendly Societies Act 1984-1923

DECLARATION OF OFFICER TO ACCOMPANY APPLICATION FOR
REGISTRY OF SPECIAL RESOLUTION

Name of Society

I, of , an officer of the
above-named society, do solemnly and sincerely declare that the statements in
the annexed application are, to the best of my knowledge and belief, true, and
that in making the special resolution mentioned in such application the
provisions of Section 24 of the above-named Act have been duly complied with:
And in particular that notice of the meeting held at the day of
, 19 , at which the special resolution, application for registry of which is
appended to this declaration, was passed, was duly given according to the rules
of the above-named society in manner following, that is to say: —

And that notice of the meeting held at the
day of , 19 , at which such special resolution was confirmed, was
duly given according to the rules of the above-named society in manner
following, that is to say: —

And I make, etc.

N.B. — In the case of an amalgamation with a society, the
declaration must be made by the secretary of each society.

Form No. 25

[Regs. 27, 28, 29 30]

Friendly Societies Act 1894-1923

DECLARATION OF CHAIRMAN OF GENERAL MEETING TO
ACCOMPANY APPLICATION FOR REGISTRY OF SPECIAL
RESOLUTION

Name of Society

I, of , do solemnly and
sincerely declare that I was the chairman of a general meeting of the
above-named society held at on the day of , 19

Forms

, at the hour of in the noon, at which meeting members were present personally [and members, in addition, were present by proxy], and the resolution, application for registry of which is appended to this declaration, was carried [*or confirmed*] by a majority of members; members voting in favour of it, and members voting against it [*or unanimously*].

And I make, etc.

Form No. 26

[Reg. 28]

Friendly Societies Act 1894-1923

APPLICATION FOR REGISTRY OF A SPECIAL RESOLUTION FOR
AMALGAMATION OF SOCIETIES

Name of Society*

Name of Society

[*And so on if more than two.*]

To the Registrar of Friendly Societies.

Application for registry of a special resolution for the amalgamation of the above-mentioned societies is made by the persons whose names are subscribed at the foot hereof.

1. The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of the first-named society [*add, some being present by proxy where the rules allow proxies*] of which notice was duly given, held on the day of , 19 , and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting [*add some being present by proxy where the rules allow proxies*] of which notice was duly given, held on the day of , 19 , pursuant to Section 24 of the above-named Act: —

[*The resolution to be copied at length.*]

2. The number of votes [*see Section 24, proviso (a)*] to which all the members of the first-named society are entitled, pursuant to Section 25 (7) of the above-named act, is , the number of votes of the members who assented at the said meeting is , and the written consents of members entitled to votes, and of every person for the time being receiving or entitled to any relief or other benefits from the funds of the society, are appended hereto, except the consents of whose claims have

been duly satisfied or have been provided for [*state in what manner such provision has been made*].

Chairman of the first general meeting.

Secretary of the first-named society.

Chairman of the subsequent general meeting.

Registered office of the first-named society.

Dated this day of , 19 .

* In the copies of this application by each society, its own name should appear first.

Form No. 27

[Reg. 29]

Friendly Societies Act 1894-1923

APPLICATION FOR REGISTRY OF A SPECIAL RESOLUTION FOR A
TRANSFER OF ENGAGEMENTS

Name of society transferring its engagements (a)

Name of society undertaking to fulfil transferred engagements

(b)

To the Registrar of Friendly Societies.

Application for registry of a special resolution for transfer of engagements of the above-named (a) society is made by the persons whose names are subscribed hereto.

1. The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of such (a) society [*add, some being present by proxy where the rules allow proxies*], of which notice was duly given, held at the day of , 19 , and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting [*add, some being present by proxy where the rules allow proxies*], of which notice was duly given, held at on the day of 19 : —

[*The resolution to be copied at length.*]

2. The number of votes [*see section 24, proviso (a)*] to which all the members of the first-named (a) society are entitled pursuant to section 25 (7) of the above-named Act is ; the number of votes of the members who assented at the said meeting is ; and the written consents of members entitled to votes, and of every person for the time being receiving or

Forms

entitled to any relief or other benefit from the funds of the society, are appended hereto, except the consents of _____, whose claims have been duly satisfied or have been provided for [*state in what manner such provision has been made*].

3. The above-named (*b*) society has [*state in what manner*] undertaken to fulfil the engagements of the above-named (*a*) society, as testified by the signatures of the trustees and secretary of the said (*b*) society to this application, and by the declaration of the secretary of the same sent with this application.

{Chairman of the first general meeting.

Secretary of the (*a*) society.

{Chairman of the second general meeting.

Trustee of the (*b*) society.

Secretary of the (*b*) society.

Registered Office of (*a*) society.

Dated this _____ day of _____, 19__.

Form No. 28

[Reg. 29]

Friendly Societies Act 1894-1923

**DECLARATION BY SECRETARY OF SOCIETY ACCEPTING TRANSFER
OF ENGAGEMENTS**

Name of society

I, _____, of _____, secretary of the above-named society, do solemnly and sincerely declare that by a resolution of a meeting of the society, held on the _____ day of _____, 19__, at [*or as the case may be, stating by what authority the transfer is accepted*], the society has undertaken to fulfil all the engagements of the society known as

And I make, etc.

Form No. 29

[Reg. 29]

Friendly Societies Act 1894-1923

**DECLARATION BY SECRETARY OF COMPANY AGREEING TO
AMALGAMATION OR TRANSFER**

Name of company

I, _____, of _____, secretary of the above-named company, do solemnly and sincerely declare that, by a resolution of a special general meeting of the company, held on the _____ day of _____, 19____, at _____ [or as the case may be, stating by what authority the amalgamation is _____ agreed to, or the transfer of engagements accepted], the company has agreed to an amalgamation with [or undertake to fulfil all the engagements of] the society known as

And I make, etc.

Form No. 30

[Reg. 30]

Friendly Societies Act 1894-1923

APPLICATION FOR REGISTRY OF A SPECIAL RESOLUTION FOR
CONVERSION INTO A COMPANY

Name of society

To the Registrar of Friendly Societies.

Application for registry of a special resolution for conversion of the above-named society into a company is made by the persons whose names are subscribed at the foot hereof.

The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of the said society [add, some being present by proxy, where the rules allow proxies], of which notice was duly given, held on the _____ day of _____, 19____, and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting [add, some being present by proxy, where the rules allow proxies], of which notice was duly given, held on the _____ day of _____, 19____, pursuant to section 24 of the above-named Act.

[The resolution to be copied at length.]

{Chairman of the first general meeting.

Secretary.

Chairman of the subsequent general meeting.

Registered Office,

Dated this _____ day of _____, 19____.

Form No. 31

[Reg. 33]

Forms

Friendly Societies Act 1894-1923

INSTRUMENT OF DISSOLUTION

Name of society

Instrument of dissolution of the made the day
of , 19 , pursuant to the *Friendly Societies Act, 1894-1923*,
sec. 25, and signed by five-sixths in value of the members (including honorary
members, *if any*) and by every person for the time being receiving or entitled to
receive any relief or other benefit from the funds of the society [except
whose claims have been duly satisfied, or have been provided for (*state in what
manner such provision has been made*).]

It is agreed and declared as follows: —

(1) The liabilities of the society are as follows [*here set them out in
detail*]: —

(2) The assets of the society are the following [*here set them out in
detail*]: —

(3) The number of members is

(4) The nature of the interests of the members is as follows: —

(5) The society has no creditors other than the members [*or the
society has, besides its members, the following creditors, to each of whom is
owing the amount set opposite his name, amounting on the whole to
(set out list of creditors and amounts owing to them)*]. Provision has been made
for the payment of such creditors in manner following (*here set out
provision*): —

(6) The funds and property of the society shall be appropriated and
divided in the following manner [*or in such manner as the Registrar may award
(see Regulation No. 39)*]: —

[*Here insert any other provisions the society desires to insert as
to the dissolution.*]

Signature of members

Number of Votes of each member

Signatures of persons receiving or entitled to receive any relief
or other benefit from the funds of the society.

Schedule

List of members who have not signed

No. of votes of each

the foregoing instrument

N.B. — All signatures by marks only must be attested by a witness who does not sign as a member.

Form No. 32

[Reg. 33]

Friendly Societies Act 1894-1923

DECLARATION TO ACCOMPANY INSTRUMENT OF DISSOLUTION

Name of society

We, _____, of _____, and _____, of _____, and _____, of _____, one of the trustees [*or* three members] and the secretary respectively of the above-named society, do solemnly and sincerely declare that the facts alleged or recited in the instrument of dissolution [*or* the alteration of the instrument of dissolution] appended to this declaration and the schedule thereto are, to the best of our knowledge and belief, true; and in making the said instrument the provisions of the Act have been complied with.

And we make, etc.

Form No. 33

[Reg. 33]

Friendly Societies Act 1894-1923

STATEMENT TO ACCOMPANY INSTRUMENT OF DISSOLUTION

Name of society

The Registrar of Friendly Societies is hereby informed that it is desired by the members whose names are subscribed at the foot hereof that notice of dissolution of the above-named society be published in the [*naming some newspaper*] circulating in the locality in which the registered office of the society is situated.

The sum of _____, being the cost of publishing such notice in the said newspaper, and the further sum of _____, being the cost of

Forms

publishing the same in the *Government Gazette*, are herewith transmitted to the Registrar.

[Signatures of members.]*

Registered office.

Dated this day of , 19 .

* Any signature by mark only must be attested by a witness who does not sign as a member.

Form No. 34

[Reg. 34]

Friendly Societies Act 1894-1923

ACKNOWLEDGMENT OF REGISTRY OF
INSTRUMENT OF DISSOLUTION

Name of society

Register No.

The foregoing instrument of dissolution [*or alteration of instrument of dissolution*] of the society known as , register No. , is registered under the *Friendly Societies Act, 1894-1923*.

Given under my hand this day of ,
19 .

Registrar of Friendly Societies.

Form No. 35

[Reg. 36]

Friendly Societies Act 1894-1923

ADVERTISEMENT OF DISSOLUTION BY INSTRUMENT

Notice is hereby given that the society known as , register No. , held at , is dissolved by instrument registered at this office the day of , 19 , unless within three months from the date of the *Gazette* in which this advertisement appears proceedings be commenced by some member or other person interested in or having any claim on the funds of the society, to set aside such dissolution, and the same be set aside accordingly.

Registrar of Friendly Societies.

Dated this day of , 19 .

Form No. 36

[Reg. 37]

Friendly Societies Act 1894-1923

APPLICATION TO THE REGISTRAR FOR AN
AWARD OF DISSOLUTION

Name of society

To the Registrar of Friendly Societies.

Application for an award of dissolution of the above-named society is made by the members whose names are subscribed at the foot hereof.

1. The society consists of _____ members _____, of whom have signed this application.

2. The funds of the society are insufficient to meet the existing claims thereon [*or the rates of contribution fixed in the rules of the society added to the funds invested or otherwise possessed by the society are insufficient to cover the benefits assured*].

3. The grounds upon which such insufficiency is alleged are as follow [*state grounds*]: —

4. The Registrar is hereby requested to make, or cause to be made, pursuant to the *Friendly Societies Act, 1894-1923*, section 25, an investigation into the affairs of the society, with a view to the solution thereof.

5. It is desired that notice of the award of dissolution be published in the _____ [*naming some newspaper*], circulating in the locality in which the registered office of the society is situated.

6. The sum of _____, being the cost of publishing such notice in the said newspaper, and the further sum of _____, being the cost of publishing the same in the *Government Gazette*, are herewith transmitted.

[*Signatures of members.*]*

Registered office,

Dated this _____ day of _____, 19 _____.

* Any signature by mark only must be attested by a witness who does not sign as a member

Form No. 37

[Reg. 38]

Friendly Societies Act 1894-1923

Forms

NOTICE OF INVESTIGATION

Name of society

Register No.

Notice is hereby given that the Registrar of Friendly Societies will proceed by himself [*or by* *actuary or public auditor*, whom such Registrar hereby appoints for the purpose] to investigate the affairs of the above-named society, in compliance with an application in that behalf made, pursuant to section 25 of the above-named Act, on the day of , 19 , at o'clock in the noon, at

Registrar of Friendly Societies.

Registered Address of Society

Dated this day of , 19 .

[*To be addressed to the society at its registered office.*]

Form No. 38

[Reg. 38]

Friendly Societies Act 1894-1923

AWARD OF DISSOLUTION

Name of society

Register No.

Pursuant to section 25 of the above-named Act I hereby award that the society shall be dissolved and its affairs wound up as from the day of , 19 , and I direct that the assets of the said society shall be divided and appropriated in the following manner: —

Registrar of Friendly Societies.

Registered Address of Society

Dated this day of , 19 .

Form No. 39

[Reg. 39]

Friendly Societies Act 1894-1923

AWARD FOR DISTRIBUTION

Name of society

Register No.

Pursuant to section 25 of the above-named Act, and to the instrument of dissolution of the above-named society, registered on the day of _____, 19____, I hereby award and direct that the assets of the society shall be divided and appropriated in the following manner: —

Registrar of Friendly Societies.

Registered Address of Society

Dated this _____ day of _____, 19____.

Form No. 40

[Reg. 40]

Friendly Societies Act 1894-1923

ADVERTISEMENT OF DISSOLUTION BY AWARD

Notice is hereby given that on the _____ day of _____ the Registrar of Friendly Societies signed an award for the dissolution of the society known as _____, registered No. _____, held at _____, and that such society is thereby dissolved, unless within three months from the date of the *Gazette* in which this advertisement appears proceedings be commenced by a member or other person interested in or having any claim on the funds of the society to set aside such dissolution, and the same be set aside accordingly.

Registrar of Friendly Societies.

Dated this _____ day of _____, 19____.

Form No. 41

[Regs. 43, 45]

Friendly Societies Act 1894-1923

NOTICE OF ESTABLISHMENT AND APPLICATION
FOR REGISTRATION OF BRANCH*

Name of society

To the Registrar of Friendly Societies.

1. Application is made for the registration of a branch of the above-mentioned society.
2. The branch has been established at _____ and is called _____
[if the branch was formerly a registered society state the name it then held].
3. The branch is [or is not] to have trustees [or officers, I any other than the trustees to sue and be sued on its behalf] other than those of the

Forms

society. [*If so add, and the following names of such trustees or officers*]
(*describing them*): —

4. The rules of the branch are [*or are not*] identical with those of the other branches of the society. [*If not so add, and an application for the registry of the same in Form A, with two copies of the rules of the branch, duly signed, are sent herewith.*]

5. The rules of the society, Nos. _____, contain provisions sufficient for the government of its branches.

Secretary of the Society.

Registered Office of the Society,

Dated this _____ day of _____, 19 ____.

* This form may be adapted, by authority of the Registrar, so as to include any number of branches.

Form No. 42

[Reg. 48]

Friendly Societies Act 1894-1923

NOTICE OF RESOLUTION APPOINTING
BRANCH TRUSTEES

Name of society

Name and place of branch

To the Registrar of Friendly Societies.

At a meeting of the above-named branch of the above-named society, duly convened as provided by the rules, held the _____ day of _____, 19 ____, it was resolved by a majority of the members present and entitled to vote,

That

Name	Occupation	Address
:	:	:
:	:	:
:	:	:
and	:	:

[*give full names, addresses, and descriptions*], be a trustee [*or trustees*] of such branch [*or officers to sue and be sued on behalf of such*]

Forms

Manner secured by the** guarantee society, or by***
Amount of security, £

Secretary of above-named Society.

Dated this day of , 19 .

Registered this ***** day of , 19

Registrar of Friendly Societies.

* State name in full, address, and occupation of *new* secretary.

* State name in full of the retiring officer, and whether deceased,
resigned, removed, or retired.

** State name of guarantee society.

*** If secured otherwise, state the manner.

**** Ordinary signature.

***** Leave this part for the Registrar.

Form No. 42b

[Reg. 48]

Friendly Societies Act 1894-1923

NOTICE OF RESOLUTION APPOINTING TREASURER OF BRANCH

Name of Society

Name of Branch

Place of regular meetings

To the Registrar of Friendly Societies.

At a meeting of the above-named branch of the above-named
society, duly convened as provided by the rules, held the day of ,
19 , it was resolved by a majority of the members present and entitled to vote,

That*

Address

Occupation

be the Treasurer of such branch in place of*

The above-named officer is not a trustee of the said branch of
the said society, and he is secured in accordance with the above-named Act in
the following manner and amount: —

Manner secured by the ** guarantee society, or by ***
Amount of security, £

Secretary of above-named Society.

Dated this day of , 19 .

Registered this ***** day of , 19

Registrar of Friendly Societies.

* State name in full, address, and occupation of *new* treasurer.

* State name in full of the retiring officer, and whether deceased,
resigned, removed, or retired.

** State name of guarantee society.

*** If secured otherwise, state the manner.

**** Ordinary signature.

***** Leave this part for the Registrar.

Form No. 43

[Reg. 48]

NOTICE OF CHANGE OF REGISTERED ADDRESS OF BRANCH

To the Registrar of Friendly Societies.

Name of society

Name of branch

Notice is hereby given that the registered address of the
above-named branch is changed from and is now

Dated this day of , 19 .

Secretary of the society.

Registered this day of , 19 .

[Seal and signature of Registrar.]

Form No. 44

[Reg. 52]

Friendly Societies Act 1894-1923

Forms

ADVERTISEMENT OF APPLICATION FOR
DISPENSING WITH CONSENTS OR CONDITIONS FOR
AMALGAMATION OR TRANSFER OF ENGAGEMENTS

Notice is hereby given that the society known as
, the registered office of which is at , desires to amalgamate
with [or transfer all its engagements to] the society known as [or
the , a company under the *Companies Act, 1893*, or as the case
may be]: And that on the day of , 19 , the trustees [or
committee of management] of the first named society intend to apply to the
Registrar of Friendly Societies that the following consents and conditions
prescribed by the *Friendly Societies Act, 1894-1923*, for an amalgamation [or
transfer of engagements] may be dispensed with, viz.: —
[State what consents and conditions.]

Trustees [or members of the

* committee of management] of
said first-named society.

Friendly Societies Act 1894-1923

N.B. — To be published in the *Gazette* one calendar month at
least before the application is made.

Form No. 45

[Reg. 53]

Friendly Societies Act 1894-1923

APPLICATION FOR DISPENSING WITH CONSENTS OR CONDITIONS
FOR AMALGAMATION OR TRANSFER OF
ENGAGEMENTS

To the Registrar of Friendly Societies.

Name of society

Application is made by the trustees [or committee of
management] of the above-named society for the purpose hereinafter
mentioned: —

(1) The above-named society desires to amalgamate with [or
transfer all its engagements to] the society known as [or the , a
company under the *Companies Act, 1893*].

(2) The trustees [*or* committee of management] of the first-named society hereby apply to the Registrar that the following consents and conditions prescribed by the *Friendly Societies Act, 1894-1923*, for an amalgamation [*or* transfer of engagements] may be dispensed with, viz.: —

[*State consents and conditions.*]

(3) Notice of the intention to make the present application was advertised in the *Government Gazette* on the _____ day of _____, 19____, being one calendar month previous to the date of this application, and a copy of the *Gazette* in which such notice appears is sent herewith.

Trustees [*or* members of the

* committee of management] of
said first-named society.

Dated this _____ day of _____, 19____.

Form No. 46

[Reg. 56]

Friendly Societies Act 1894-1923

APPLICATION FOR A CERTIFICATE OF
BIRTH OR DEATH

Name of society or branch

To the Registrar General [*or* District Registrar of Births and

Deaths
at _____].

Application is made by the person whose name is subscribed at the foot hereof for a certificate [*or* certificates] as follows: —

(A) *For Certificate of Birth.*

When and where born	Name and Surname	Names of parents	Purpose for which required
---------------------	------------------	------------------	----------------------------

(B) *For Certificate of Death*

Forms

When and where died	Name and Surname	Rank or Profession	Age at Death	Purpose for which required
---------------------	------------------	--------------------	--------------	----------------------------

Dated this day of , 19 .
Secretary.

N.B. — In the case of a certificate of the death of a child, the sum of money which is sought to be obtained from the society or branch must be stated in the fifth column of table (B); also the words prescribed by section 37 (3) of the *Friendly Societies Act* require to be written by the Registrar General or District Registrar of Deaths on or at the foot of the certificate of the death of a child when issued under that Act.

Form No. 47

[Reg. 41]

Friendly Societies Act 1894-1923

NOTICE OF PROCEEDING TO SET ASIDE DISSOLUTION OF SOCIETY
OR BRANCH

Name of society

Name of branch

Registered address of branch

To the Registrar of Friendly Societies.

Whereas on the day of , 19 , the above-named society [*or* the above-named branch] was dissolved [*or* purported to be dissolved] by an instrument of dissolution purporting to be duly registered [*or* by the award of the Registrar]:

I hereby give you notice that I intend, after not less than seven days from this date hereof, to take proceedings for setting aside such dissolution in the Court.

Dated this day of , 19 .

Signature.

Address.

Form No. 48

[Reg. 41]

Friendly Societies Act 1894-1923

NOTICE OF ORDER TO SET ASIDE DISSOLUTION

Name of society

Name of branch

Registered address of branch

To the Registrar of Friendly Societies.

Whereas on the day of , 19 , the above-named society [*or* the above-named branch] was dissolved [*or* purported to be dissolved] by an instrument of dissolution purporting to be duly registered [*or* by the award of the Registrar]:

The above-named society [*or* branch] hereby gives you notice that by an order of the Court, dated the day of , 19 , a copy whereof is hereto annexed, the dissolution of the said society [*or* branch] was set aside.

Secretary.

Registered address.

Dated this day of , 19 .

N.B. — This notice must be sent within seven days after the order to set aside dissolution is made, and a copy of the order must be annexed thereto.

Form No. 49

[Regs. 72, 73, 75]

Friendly Societies Act 1894-1923

NOTICE OF ELECTION OF MEMBERS OF BOARD OF MANAGEMENT

Name of society

Name of branch

Date of registration

Place of meeting

To the Registrar of Friendly Societies.

1. At a special meeting of the above-named branch of the above-named society, duly convened, as required by Regulation No. 71, and held on the day of , 19 , it was resolved, by a majority of the members present and entitled to vote: —

Forms

That (1)
(2)
and (3)
members of the above-named branch (society) be members of
the Board of Management of the District Friendly Societies Recreation
Reserve, situated at *

2. I hereby certify that the above names are written in the order
required by Regulation No. 72.

Dated this day of , 19 .
Secretary.

Form No. 50

[Reg. 79]

Friendly Societies Act 1894-1923

NOTICE OF ELECTION OF OFFICERS OF BOARD OF MANAGEMENT
AND TRUSTEES

The Board of Management of the District
Friendly Societies Recreation Reserve, situated at

To the Registrar of Friendly Societies.

At a meeting of the above-named Board, held at on
the day of , 19 , it was resolved, by a majority of the
members present and entitled to vote, that the following persons hold the several
offices placed opposite their names, that is to say: —

That* of be Chairman,
”* ” ” Secretary,
”* ” ” Treasurer,
”* ” }
”* ” } ” Trustees,
and* ” }

in place of the persons whose names appear on the Deed of
Grant of the above Reserve.

Dated this day of , 19 .

Signatures of above-named persons: —

Chairman.

Treasurer.

Trustee.

”

”

Secretary.

Signature of member presiding.

* When the election relates to the filling of an interim vacancy, the words “in place of” should be here inserted, and the name of the retiring member added, with the cause of such retirement.

** Names in full, occupations, and addresses required. When the election relates to the filling of an interim vacancy, the words “in place of,” and the name of the retiring officer, should be added, with the cause of such retirement.

Form No. 51

[Reg. 89]

Friendly Societies Act 1894-1923

NOTICE OF CONSENT OF SOCIETY OR BRANCH TO MORTGAGE OF
RECREATION RESERVE

Name of society

Name of branch

Date of registration

Place of meeting

At a special meeting of the above-named branch of the above-named society, held on the day of , 19 , it was resolved by a majority of the members present and entitled to vote: —

That this branch (society) give its consent to the proposal of the Board of Management of the District Friendly Societies Recreation Reserve, situated at , to raise money by a mortgage on the said Reserve, for the purpose of improving such Reserve, as follows: —

[*State, in brief, particulars of the proposal.*]

Dated this day of , 19 .

Signature of Secretary of society or branch, as the case may be.

Form No. 52

Forms

[Reg. 89]

Friendly Societies Act 1894-1923

MEMORANDUM OF CONSENT OF BOARD AND OF SOCIETIES AND BRANCHES TO MORTGAGE OF RECREATION RESERVE

The Board of Management of the District Friendly Societies Recreation Reserve, situated at

To the Registrar of Friendly Societies.

1. At a meeting of the above-named Board, held at on the day of , 19 , it was resolved by a two-thirds majority of the members present and entitled to vote that a sum of money be raised by mortgage of the lands held by such Board for the purpose of improving such lands, on the following terms: —

[State full particulars.]

2. The number of societies and branches represented on the Board is , and the consent of of such societies and branches has been obtained to the above proposal, as signified by the accompanying notices of consent in Form No. 51 received from such societies and branches.

3. The consent of the Board and of three-fourths in number of the societies and branches represented thereon having been obtained to the above proposal, it is hereby requested that the same be submitted for the approval of His Excellency the Governor.

Dated this day of , 19 .

Signature of Chairman of Board.

Signature of Secretary of Board.

Form No. 53

[Reg. 68]

Friendly Societies Act 1894-1923

DISCHARGE OF MORTGAGE BY A FRIENDLY SOCIETY OR BRANCH

Name of Society or Branch in full

We,, Trustees of (.), hereby discharge the land described in the Schedule below from the whole of the moneys secured by an instrument of mortgage to secure and registered in the Office of Titles and numbered

Schedule

Dated the day of, 192 .

Signed by the said in the presence of, —

.....

.....

Note — If the discharge is a partial one (1) on the payment of a sum of money, or (2) without the payment of any moneys, insert immediately after the name of the society or branch the following words: (1) “In consideration of the payment of the sum of,” of (2) “Being satisfied with the remaining security.”

Notes

- ^{1.} This is a compilation of the *Friendly Societies Regulations 1924* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Friendly Society Regulations 1924</i>	3 Oct 1924 pp.1854-82 20 Feb 1987 p.453 12 Nov 1948 p.2722 20 Feb 1987 p.453	3 Oct 1924
<i>Friendly Societies Amendment Regulations 1996</i>	9 Feb 1996 p.479	9 Feb 1996