

LAWS OF GUYANA

FRIENDLY SOCIETIES ACT

CHAPTER 36:04

Act

1 of 1893

Amended by

28	of	1907	4/1974
11	of	1908	
12	of	1948	
17	of	1954	
37	of	1961	
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CHAPTER 36:04
FRIENDLY SOCIETIES ACT

1 of 1893

An Act to make provision with respect to the Establishment, Registration, Incorporation, and Management of Friendly, and other Societies.

[1st April, 1894]

Short title.

1. This Act may be cited as the Friendly Societies Act.

Interpretation.

2. In this Act—

“amendment of rule” includes a new rule and a resolution rescinding a rule;

“branch” means any number of the members of a society, under the control of a central body, having a separate fund administered by themselves or by a committee of management of officers appointed by themselves;

“meeting” includes (where the rules of a society so allow) a meeting of delegates appointed by members;

“officer” means an officer of a society, and extends to any treasurer, secretary, or member of the committee of management of a society;

“person claiming through a member” includes the heirs, executors, administrators, and assigns of a member, and also his nominees where nomination is allowed;

“property” means movable and immovable property of every description, including books and papers;

“registered society” means a society registered or deemed to

be registered under this Act;

“the Registrar” means the Registrar of Friendly Societies appointed under this Act;

“rules” means rules for the time being in force;

“society” applies to a registered branch, unless the application is inconsistent with the position and objects of a branch.

PART I CONSTITUTION, REGISTRATION AND INCORPORATION

Classes and Objects of Societies

Classes of societies.
[12 of 1948
17 of 1954]
Friendly societies.

3. The following societies shall be societies to which this Act applies:

- (a) societies (herein called friendly societies) established to provide, by subscription of the members thereof, with or without the aid of donations, for—
 - (i) the relief or maintenance of the members, their wives, husbands, children, fathers, mothers, brothers, sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, in old age (which means any age after fifty), or in widowhood, or for the relief or maintenance of the orphan children of members during minority;
 - (ii) insuring money to be paid on

- the birth of a member's child, or on the death of a member, or for the funeral expenses of the wife, husband, or child, of a member, or of the widow of a deceased member;
- (iii) the relief or maintenance of the members when on travel in search of employment, or when in distressed circumstances, or in case of shipwreck or loss or damage of or to boats or nets;
- (iv) the endowment of members or nominees of members at any age; and
- (v) the insurance against fire, to any amount not exceeding seventy-five dollars in each case, of the tools or implements of the trade or calling of the members:

Provided that no society which contracts with any person for the assurance of an annuity exceeding two hundred and fifty dollars, or of a gross sum exceeding one thousand dollars, shall be registered under this Act;

- | | |
|-----------------------|--|
| Benevolent societies. | (b) societies (herein called benevolent societies) for any benevolent or charitable purposes; |
| Working men's clubs. | (c) societies (herein called working men's clubs) for purposes of social intercourse, mutual helpfulness, mental and moral improvement, and rational recreation; and |
| Specially authorised | (d) societies (herein called specially |

societies.

authorised societies) for any purpose authorised by the Minister as a purpose to which the powers and facilities of this Act ought to be extended.

Limitation as regards specially authorised societies.

4. The Minister may limit the application of this Act, as regards any specially authorised society to those of the provisions herein contained specified in the authority for registering that society.

No registration of banking society.

5.No society for carrying on the business of banking shall be registered under this Act:

Provided that the taking of deposits of not more than two dollars in any one payment, or more than one hundred dollars for any one depositor, payable on not less than two days' notice, shall not be deemed to be included in the business of banking within the meaning of this Act, if the society has not any withdrawable share capital.

Registrar of Friendly Societies

Appointment and remuneration.

6. (1) There shall be a Registrar of Friendly Societies who shall be a public officer.

First Schedule.

(2) For his services the Registrar shall be entitled to demand and receive the fees set forth in the First Schedule:

Provided that the Minister may alter or cancel those fees or any of them, or impose any additional fees under this Act.

Office.

7.The Registrar shall keep his office in the City of Georgetown.

Clerical assistance

8. The Registrar shall be furnished with clerical assistance out of any moneys provided by Parliament for that purpose.

General duties.
[17 of 1954]

9. (1) The Registrar shall keep a register of all societies registered under this Act, in the form approved by the Minister, and shall discharge all the duties required of him by this Act.

(2) The Registrar shall, with the approval of the Minister—

- (a) prepare and cause to be circulated, for the use of societies, model forms of accounts, balance sheets, and valuations;
- (b) collect from the returns under this Act and from other sources, and publish and circulate, either generally or in any particular district, or otherwise make known, any information on the subject of the statistics of sickness and mortality, and the application thereof to the business offriendly societies, and from time to time publish, either generally or in particular districts, any particulars of their returns and valuations, and any other information useful to the members of or to persons interested in friendly or other societies registered or which might be registered under this Act, the Registrar from time to time thinks fit; and
- (c) cause to be compiled and published tables for the payment of sums of money on death, in sickness, or in old age, or on any other contingency forming the subject of an assurance authorised under this Act appearing

to be calculable:

Provided that the adoption of the tables by any society shall be optional.

Annual report of the Registrar. [37 of 1961]

10. The Registrar shall, in the month of January in every year, transmit to the Minister, to be laid before the National Assembly, a report of his proceedings and of the principal matters transacted by him, and of the valuations returned to or caused to be made by him, and generally of the working of this Act, during the preceding year.

Registration

Application for registration. Form 1. [17 of 1954]

11. (1) Where any number of persons not less than seven have established or intend to establish a society to which this Act applies, they shall make application in writing to the Registrar for that purpose.

(2) The application shall be signed by at least seven members, including the secretary.

(3) Two copies of the rules and two lists of the names of the officers (if any), shall be transmitted to the Registrar together with the application, and shall be signed by the persons who are required to sign the application.

Societies to be registered. [17 of 1954 6 of 1977]

12.(1) Every society to which this Act applies shall be registered under this Act:

Provided that it shall be deemed to be a sufficient compliance with this section if before any subscriptions or fees are collected from any member, the registrar, by writing under his hand permits any person therein, hereinafter referred to as "a permitted person", to take the necessary steps for the formation of a society, and if such society is in fact registered within six months of such permission being given as aforesaid.

(2) In the event of any contravention of this section, every society, trustee, member of committee or other officer of an unregistered society shall be liable to a fine of six hundred and fifty dollars for every day during which such society remains unregistered.

(3) Every permitted person shall, while such society is in process of formation cause to be kept proper books of accounts with respect to all subscriptions or fees received and all sums of money expended by such person, and the matter in respect of which the receipts and expenditure take place, and shall immediately prior to the registration of the said society, or at the end of the said period of six months, whichever shall occur sooner, send to the registrar a true return signed by him, of the receipts and expenditure, funds and effects collected, received and expended by him while such society was in process of formation.

(4) If it is shown that proper books of accounts were not kept by such permitted person throughout the said period of six months immediately preceding the registration of such society, such permitted person shall, unless he shows that he acted bona fide or that in the circumstances in which the affairs of the society in formation were carried on the default was excusable, be liable on summary conviction to a fine of twenty-six thousand dollars or to imprisonment for six months.

(5) The registrar shall, on being satisfied that any member or other person has subscribed to the funds so collected or received or has an interest therein, permit such member or other person to inspect without payment of any fee the said return at the office of the registrar during office hours.

(6) The registrar may at any time, either before or after the registration of a society, order the books, accounts,

vouchers, documents, securities and funds of such society during the period it was unregistered or in course of formation, to be inspected or audited by some fit and proper person appointed by him, and it shall be the duty of the permitted person and of every secretary, treasurer, trustee and member of the committee or other officer of the society to make available to the person so appointed, all the books, accounts, vouchers, documents, securities and funds for purpose of inspection, or audit; and the registrar may order such person to be paid out of the funds of the said unregistered society or society in formation, or from the Audit Fund as constituted under this Act, such fee as may be prescribed.

Registration of
societies.
[4 of 1972]

13. With respect to the registration of societies, the following provisions shall have effect:

- (a) no society shall be registered which does not consist of seven persons at least;
- (b) no society shall be registered under a name identical with that under which any other existing society is registered, or so nearly resembling that name as to be likely, or under any name likely, in the opinion of the Registrar, to deceive the members or the public as to its nature or its identity, and no society shall change its name without the sanction of the Registrar as hereinafter provided;
- (c) a society, other than a benevolent society or a working men's club, shall not be disentitled to registration by reason of any rule for, or practice of, dividing any part of the funds thereof,

if the rules thereof contain distinct provision for meeting all claims upon the society existing at the time of division before the division takes place.

Consideration of rules.

14. The Registrar shall advise with the secretary or other officer, if necessary, for the purpose of ascertaining whether the rules are calculated to carry into effect the intentions and objects of the persons who have formed or desire to form the society.

Acknowledgment of registration. Second Schedule. Form 2. Appeal from refusal to register.

15.(1) The Registrar, when satisfied that a society has complied with the provisions as to registration in force under this Act, shall enter the society accordingly in the register, and give to the society an acknowledgment of registration.

(2) If he refuses to register the society, the persons who signed the application for registration, or any of them, may, within fourteen days after the refusal has been notified to any of them, appeal therefrom to the Minister.

(3) If the refusal to register is overruled on appeal, an acknowledgment of registration shall thereupon be given to the society by the Registrar.

Effect of acknowledgment.

(4) The acknowledgment of registration shall be conclusive evidence for all purposes that the society therein mentioned is duly registered, unless it is proved that the registration has been suspended or cancelled under the provisions hereinafter contained.

Publication of acknowledgment.

(5) Immediately on giving an acknowledgment of registration to a society, the Registrar shall cause it to be published in the *Gazette* and in a newspaper of Guyana.

Disposal of copies of rules transmitted

16. On registering a society, the Registrar shall return to the society one of the copies of the rules, and one of the lists

with
application.

of the names of the officers, if any, transmitted with the application for registration, verified by his signature, and shall keep the other copy and the other list in his office.

Deposit of
acknowledg-
ment.

17. On being registered a society shall be bound to deposit the acknowledgment of registration, and the copy of the rules signed by the Registrar, in the deeds registry within one month after receiving them.

Change of
name of
society.

18. Any registered society may, by special resolution, with the approval in writing of the Registrar, change its name; but the change shall not affect any right or liability of the society or any member thereof, and any pending legal proceedings may be continued by or against the society notwithstanding the change.

Incorporation

Incorporation
of society.

19. (1) On registration a society shall, *ipso facto*, become and be a body corporate by the name described in the acknowledgment of registration and, subject to the rules of the society, of purchasing, receiving, possessing, holding, mortgaging, and otherwise dealing with property.

(2) The name of a registered society shall be engraved on its common seal.

Branches

Societies
having
branches.

20. With respect to societies having branches, the following provisions shall have effect:

- (a) with the application for registration there shall be transmitted to the Registrar—
 - (i) a list of every branch, and of the place wherein it is

-
- established;
- (ii) if the rules of all the branches (herein called branch rules) are or are intended to be identical, a statement to that effect, and two copies of those rules; and
 - (iii) if the branch rules are not or are not intended to be identical, a statement to that effect, and two copies of all branch rules;
- (b) a society having a fund under the control of a central body to which every branch is bound to contribute may be registered as a single society;
- (c) notice of the establishment of every new branch by a registered society, and of the place where it is established, and a statement whether or not the rules of that branch are identical with those of the other branches of the society, and, if not so, two copies of the rules of that branch, shall be transmitted, under the hand of the secretary, to the Registrar;
- Form 3.
Form 4.
- (d) until a branch (in the case hereinbefore mentioned) has been registered, the society shall not be entitled to any of the privileges of this Act in respect of that branch, and until a copy of any amendment of the rules of a branch has been registered, the amendment shall not take effect respecting that branch;
- (e) the provisions of this Act as to

appeals and the result thereof, as to amendments of rules, as to the acknowledgment of registration, and as to the evidence of registration and of rules, shall apply to branches and branch rules;

- (f) where a society has no fund under the control of a central body to which every branch is deemed to be, and must be registered as, a separate society, whether its rules are identical with those of other branches or not; and
- (g) a registered branch shall not be registered as a society except on production to the Registrar of a certificate, under the hand of the chief secretary or other principal officer of the society, that the branch has wholly seceded or has been expelled from the society:

Provided that the like appeal shall lie from the refusal of the chief secretary or other principal officer of the society, or from his omission after one month from the receipt of a request in writing made on behalf of a branch, to grant the certificate, as from the refusal of the Registrar to register a society.

Conversion of registered societies into branches.

21. With respect to the conversion of registered societies into branches, the following provisions shall have effect:

- (a) a society may, by a resolution passed by not less than three-fourths of the members or delegates present and

entitled to vote at any general meeting, of which notice specifying the intention to propose the resolution has been duly given according to the rules of the society, determine to become a branch under this Act of any other registered society, and also, if thought fit, of any registered branch thereof; and if the rules of that society do not comply with all the provisions of this Act and of any regulations made hereunder in respect of the registration of branches, the meeting at which the resolution is passed may amend those rules so as to bring them in compliance with this Act and those regulations;

- (b) a copy of the rules of the first-mentioned society, marked to show the amendments, if any, made at the meeting, and two copies of the resolution aforesaid, and of the amendments of rules (if any), each signed by the chairman of the meeting and by the secretary of the society so determining to become a branch of any other society and countersigned by the secretary of the other society, shall be transmitted to the Registrar, and if the Registrar finds that those rules, with or without the amendment aforesaid, comply with the provisions of this Act and of the regulations, he shall cancel the registration of the first- mentioned society and register it as a branch of the other society, and also, if so specified in the resolution

before- mentioned, of any branch of the other society, without further request or notice, and shall register the amendment of rules without further application or evidence, and until the registration the resolution aforesaid shall not take effect;

- (c) no advertisement of any cancellation of registration under this section shall be requisite; and
- (d) the rules of a society which becomes a branch under this section shall, so far as they are not contrary to any express provision of this Act or of the regulations aforesaid, and subject to any amendment thereof as hereinbefore provided, continue in force as the rules of that branch until amended.

Rules

General provisions.
[17 of 1954
4 of 1972]
Third
Schedule.

22. (1) The rules of every society for registration shall, according to the class in which the society is to be registered, contain provisions in respect of the several matters mentioned in the Third Schedule.

(2) A copy of the rules of a registered society shall be delivered by the society to any person on demand, on payment of a sum not exceeding sixty-five dollars.

Amendment.

23. (1) After the rules of a society have been registered, the society may, by resolution at a meeting specially called for that purpose, alter, amend, or revoke them, or any of them, or make new rules:

Provided that the alteration, amendment, revocation, or new rule, shall not take effect until it has been registered.

(2) Two copies of the proposed alterations or amendments, or of the new rules, as the case may be, signed by three members of the society and by the secretary or other officer, shall be transmitted to the Registrar, and to one of those copies there shall be attached a declaration by the secretary or one of the officers of the society that in making the alteration or amendment the rules of the society respecting the making, altering, amending, and revoking of rules have been duly observed.

Form 5.

(3) If the Registrar is satisfied that the alterations, amendments, or new rules, are not contrary to this Act and have been made in accordance with the rules, he shall give to the society an acknowledgment of registration thereof; and shall return one of the copies to the society, verified by his signature, and shall keep the other, with the declaration annexed, with the rules of the society in his custody.

(4) The provisions hereinbefore contained relating to appeals from a refusal to register a society shall apply to a refusal to register amendments of rules.

Operation.

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

(2) All moneys payable by a member to the society shall be deemed to be a debt due from him to the society, and shall be so recoverable in the magistrate's court or the High Court, as the case may be.

Amalgamation

Amalgamation, conversion and transfer of engagements of registered societies.

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

(2) A registered society may determine by special resolution to convert itself into a company, or to amalgamate with, or transfer its engagements to, a company, under the Companies Act.

(3) No amalgamation or transfer of engagements shall prejudice any right of a creditor of either or any registered society which is party thereto.

(4) If a special resolution for converting a registered society into a company contains the particulars by the Companies Act aforesaid required to be contained in the memorandum of association of a company, and a copy thereof has been registered by the Registrar, a copy of the resolution certified by the Registrar shall have the same effect as a memorandum of association duly signed and attested under that Act.

(5) If a registered society is registered as, or amalgamates with, or transfers all its engagements to, a company, the registration of the society under this Act shall thereupon be void and shall be cancelled by the Registrar; but the registration of a society as a company shall not affect any right or claim for the time being subsisting against that society, or any penalty for the time being incurred by it; and, for the purpose of enforcing that right, claim, or penalty, the society may be sued and proceeded against in the same manner as if it had not become registered as a company; and

c. 89:01

the right or claim, or the liability to the penalty, shall have priority, as against the property of the company, over all other rights or claims against or liabilities of the company:

Provided, respecting friendly societies, that—

- (a) no special resolution by a society for any amalgamation or transfer of engagements under this section shall be valid unless five-sixths in value (to be calculated as for dissolution) of the members assent thereto, either at the meetings at which the resolution is passed and confirmed, or one of them, or in writing, if those members were not present thereat, or without the consent in writing of everyone for the time being receiving or entitled to any relief, annuity, or other benefit from the funds of the society, unless his claim is first duly satisfied, or adequate provision is made for satisfying it;
- (b) the provisions hereinafter contained in case of dissolution as to the punishment of officers, and the remedy of members or persons dissatisfied with the provision made for satisfying their claims, shall apply to the case of amalgamation and transfer of engagements; and
- (c) on the application of the committee of management of a society desiring to amalgamate or transfer its engagements notice of the application being published in the *Gazette*, the

Registrar, after hearing the committee of management and any other persons whom he considers entitled to be heard on the application, may, with the consent of the Minister, order that any of the consents and conditions prescribed in or under this Act, or in any regulations made thereunder, be dispensed with, and may confirm the amalgamation or transfer.

(6) This section shall not apply to branches.

General Provisions

General duties
and obligations of
registered
societies.
[17 of 1954]

26. With respect to the duties and obligations of registered societies, the following provisions shall have effect:

- (a) every society shall—
 - (i) have an office (hereinafter referred to as “the registered office”) to which all communications and notices may be addressed, and notice of the situation of the office, and of every change therein, shall be sent to the Registrar and be published in the *Gazette*;
 - (ii) paint or affix, and keep painted or affixed, its name on the outside of every office or place in which the business of the society is carried on, in a conspicuous position, in letters easily legible, and have its name mentioned in legible characters in all notices,

advertisements, and other official publications of the society, and in all bills of exchange, promissory notes, endorsements, cheques, and orders for money or goods purporting to be signed by or on behalf of the society, and in all bills of parcels, invoices, receipts, and letters of credit of the society;

- (iii) cause its accounts to be regularly entered in the prescribed books, separate accounts being kept of all moneys received or paid on account of every particular fund or benefit assured by the society for which a separate table of contributions is adopted, distinct from all moneys received and paid on account of any other benefit or fund;
- (iv) keep a separate account of the expenses of management of the society and of all contributions on account thereof;
- (v) once at least in every year, submit its accounts to the registrar for audit as hereinafter provided;
- (vi) once in every year, before the first day of May, submit to the registrar or other person appointed to audit a general statement (to be called "the annual return") of the receipts

- and expenditure, funds and effects, of the society, and the statement shall show separately the expenditure in respect of the several objects of the society, and shall be made out to the thirty-first day of December then last inclusively;
- (vii) within six months after the 31st December, 1892, and so again within six months after the expiration of every five years succeeding, send to the Registrar a return (to be called "the quinquennial return") of the sickness and mortality experienced by the society during the five years ending with the 31st December last past; and an abstract of the returns shall be transmitted by the Registrar to the Minister, to be laid before the National Assembly;
- (viii) once at least in every five years, either cause its assets and liabilities to be valued, by one of the public valuers appointed as hereinafter mentioned, or by a valuer to be appointed by the society, and send to the Registrar a report, signed by the valuer, and stating his address and calling or profession, on the condition of the society, and an abstract to be made by him of the results of his valuation, together with a

return containing information with respect to the benefits assured and the contributions receivable by the society, and to its funds and effects, debts and credits, which the Registrar from time to time requires, or send to the Registrar a return of the benefits assured and contributions receivable from all the members of the society, and of all its funds and effects, debts and credits, accompanied by any evidence in support thereof prescribed by the Registrar, in which case the Registrar shall cause the assets and liabilities of the society to be valued and reported on by some actuary, and shall send to the society a copy of his report and an abstract of the results of his valuation;

- (ix) allow any member or person having an interest in the funds of the society to inspect its books at all reasonable hours at its registered office or any place where they are kept, except that that member or person, unless he is an officer of the society or is specially authorised by a resolution of the society to do so, shall not have the right to inspect the loan account of any other member without the other member's written consent;

- (x) supply gratuitously every member or person interested in the funds of the society, on his application, with a copy of the last annual return of the society for the time being:

Provided that it shall be deemed a sufficient compliance with this requirement if the society supplies gratuitously every member or person interested with a balance sheet or other document, duly audited, containing the same particulars as to its receipts and expenditure, funds and effects, as are contained in the annual return; and

- (xi) keep a copy of the last annual balance sheet for the time being, and of the last quinquennial valuation for the time being, together with the report of the auditor or auditors, if any, always hung up or deposited in a conspicuous place at the registered office.

Paragraph (a) shall apply to a registered branch of a society as if it were a registered society, except that every notice, copy of a resolution, and annual return thereby required to be sent to the Registrar shall be sent through an officer appointed in that behalf by the society of which the branch forms part;

- (b) no society shall pay any sum of money upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of the death under the hand

of the person having the care of the register of deaths in which the death is or ought to be entered:

Provided that this paragraph shall not apply to deaths at sea;

- (c) it shall be an offence under this Act if any registered society, or any officer or member thereof—
 - (i) fails to give notice, send or transmit any return or document, or do or allow to be done any act or thing which the society, officer, or person, is by this Act, or by any regulation made thereunder, required to give, send, transmit, do, or allow to be done; or
 - (ii) wilfully refuses or neglects to do any act or to furnish any information required for the purposes of this Act by the Registrar or other person authorised under this Act, or does any act or thing forbidden by this Act or by any regulation made thereunder; or
 - (iii) makes any return or wilfully furnishes information in any respect false or insufficient;
- (d) every offence by a society under this Act shall be deemed to have been also committed by every officer thereof bound by its rules to fulfil any duty whereof the offence is a breach, or, if

there is not that officer, then by every member of the committee of management of the society, unless the member is proved to have been ignorant of or to have attempted to prevent the commission of the offence; and every act or default under this Act constituting an offence shall, if continued, constitute a new offence in every week during which it continues;

- (e) every annual or other return, abstract of valuation, and other document required for the purposes of this Act shall be made in the form and contain the particulars prescribed by the Registrar; and
- (f) all documents by this section required to be sent to the Registrar shall be deposited with the rules of the societies to which they respectively relate, and shall be registered or recorded by the Registrar, with any observations thereon he thinks proper:

Provided that the Registrar may, with the approval of the Minister, dispense with the quinquennial return and with the valuation herein required in respect of societies to whose purposes or to the nature of whose operations he deems them inapplicable; and may also dispense with the quinquennial return in cases where, at the request of a society, by inspection of the books thereof by himself or by any person appointed by him for that purpose, he obtains information he deems sufficient of the sickness and mortality experienced by the society; and the provisions herein contained with respect

to the quinquennial return and valuation shall not apply to benevolent societies or working men's clubs, or to specially authorised societies, unless it is so directed in the authority for registering them.

Audit.
[17 of 1954]

27. (1) The Registrar shall audit or cause to be audited by some person authorised by him by general or special order in writing the accounts of every society once at least in every year.

(2) The audit under subsection (1) shall include an examination of the annual return mentioned in this Act, a verification of the annual return with the accounts and vouchers relating thereto, and a valuation of the assets and liabilities of the society.

(3) The Registrar and every other person appointed to audit the accounts of a society shall have access to all the books and accounts of the society and shall have power when necessary—

- (a) to summon at the time of his audit, any officer, agent, servant or member of the society who he has reason to believe can give material information in regard to any transactions of the society or the management of its affairs;
- (b) to require the production of any book or document relating to the affairs of or any cash or securities belonging to the society by the officer, agent, servant or member in possession of such book, document, cash or securities.

Establishment
of Reserve
Fund.
[17 or 1954
37 of 1961]

28. (1) (a) For the purpose of this section every society which declares a bonus in any year shall establish and maintain a Reserve Fund.
- (b) Where a society declares in any year the payment of a bonus in respect of the twelve months preceding such declaration of bonus, it shall before such declaration set aside out of the excess of revenue over expenditure for that period such sum or proportion thereof as the society may deem expedient, being a sum not less than five per cent of such excess, and shall forthwith credit the same to the Reserve Fund.
- (c) The Reserve Fund shall, with the consent of the Registrar, be utilised in expenditure of any extraordinary nature which may be necessary or desirable in carrying out the objects of the society. The Reserve Fund shall not be utilised however in paying a bonus or making any payment whatsoever in the nature of a bonus.
- (d) All moneys accruing to the Reserve Fund shall from time to time be invested by the society in the manner provided by section 37 of this Act. For the purposes of investment under this section, an investment shall not include the lending out of moneys to members under this Act.
- (e) A society may, with the express

permission in writing of the Registrar, at the end of every five years calculated from the date on which this section shall come into effect, or from the date of its registration, whichever is the later, apply any part of such Reserve Fund, not exceeding fifty per cent of the amount at which such Reserve Fund shall then stand, for any of the objects or purposes defined or established under the rules of the society save that no portion thereof shall be applied in paying a bonus or in making any payment whatsoever in the nature of a bonus.

- (2) (a) Where the business of a society includes the providing for an endowment of a member or the nominee of a member at any age or the assuring of a certain annuity, such society shall, in general meeting, set aside in each year out of its net profits as shown by the annual return of the society to the preceding 31st December such sum or proportion thereof as the society may deem expedient not being less than thirty-three and one-third per cent of its net profits as aforesaid yearly for a period of not less than three years consecutively immediately following the registration of such society and thereafter such sum or proportion thereof not being less than twenty per cent of its net profits as aforesaid yearly to be accumulated as a Reserve Fund.

- (b) The moneys comprised in such Reserve Fund shall be deposited and kept deposited in an account in a bank approved by the Registrar in the name or names of the trustee or trustees of the society and shall be specially appropriated to meeting the liabilities of the society in respect of claims and demands arising under or in connection with the aforesaid business of the society:

Provided that such Reserve Fund or part thereof may be invested by the trustee or trustees, as the case may be, in the securities or investments authorised under this Act and the interest accruing on all such securities or investments shall be paid directly to such Reserve Fund and shall not be applied for any purpose other than those to which the said Reserve Fund is applicable.

- (c) Every society transacting such business as aforesaid shall whenever it is intended to make a distribution by way of bonus cause an investigation to be made into its financial condition including a valuation of its liabilities by an auditor approved by the Registrar and shall before making any such distribution file with the Registrar a report of such auditor approving or sanctioning such distribution as aforesaid.

Membership of
infants.
[O. 4/1974]

29. A person under the age of eighteen years but above the age of sixteen years may be a member of a registered society, unless provision is made in the rules

thereof to the contrary, and may, subject to the rules of the society, enjoy all the rights of a member (except as herein provided), and execute all instruments, and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee of management, manager, or treasurer of the society:

Provided that—

- (a) societies and branches, consisting wholly of members of any age under twenty-one years, but exceeding three years, may be allowed to register under this Act, subject to regulations made in that behalf; and
- (b) no rule or practice in force at the commencement of this Act for the admission of members under sixteen years of age shall be deemed contrary to any express provision of this Act touching any society already incorporated.

Fee for certificate of birth or death of member of friendly society.
[6 of 1997]

30. For the purposes of this Act, a certificate of the birth or death of any member of, or person insured or to be insured with, a registered society shall be given under his hand by the person having the care of the register of births or deaths in which the birth or death is entered, for a sum not exceeding sixty-five dollars.

PART II MANAGEMENT AND ADMINISTRATION

Officers of registered societies having charge of money.

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

Form 6.

- (a) every officer, if the rules of the society so require, shall, before taking upon himself the execution of his office, give the security required by the committee of management of the society, in an obligation by himself and one or more sureties, or give the security of a guarantee society, in the sum directed by the committee of management, for his rendering a just and true account of all moneys received and paid by him on account of the society at the times appointed by its rules, or when the committee of management thereof requires him to do so, and for the payment by him of all sums due from him to the society;
- (b) no one who enters into the obligation as surety, and no guarantee society which gives the security, shall be entitled to the benefit of any exception or shall be permitted in any action or proceeding thereon to rely on any exception or matter of defence, except that the principal has performed his obligation; and
- (c) every officer, or his executors or administrators shall, at the times when, by the rules of the society, he should render account, or upon demand made or notice in writing given or left at his last or usual place of residence, give in his account as required by the society or by the committee of management thereof, to be examined and allowed or

disallowed by them, and shall, on the like demand or notice, pay over all moneys and deliver all property for the time being in his custody or possession to the person appointed by the society or the committee of management; and, in case of any refusal or neglect to deliver the account, or to pay over the moneys, or to deliver the property in manner aforesaid, the society may sue upon the obligation or security before-mentioned or may apply to a magistrate, whose order shall be final and conclusive.

Limitations of
office holders.
[17 of 1954
6 of 1997]

32. (1) No person shall, without the permission in writing of the Registrar, hold both the offices of president and treasurer of the same society:

Provided that such permission shall only be granted with the approval of the Minister.

(2) No person shall hold both the offices of secretary and treasurer of the same society.

(3) No person shall hold the office of treasurer in more than one society.

(4) No person holding any other office therein, shall be or act as the medical officer, dentist, optician or druggist of any society.

(5) No person shall hold the offices of secretary and trustee or treasurer and trustee of the same society thereof.

(6) Any person contravening any of the provisions

of this section shall be liable to a fine of sixteen thousand two hundred and fifty dollars.

Bankrupt, etc.,
not to be officer
of society.
[17 of 1954]
c. 12:21

33. (1) No person who is an undischarged bankrupt or has compounded with his creditors or has made an arrangement or composition with his creditors under the Insolvency Act or any other Act, shall be appointed, or if appointed shall act as the president, vice-president, secretary, assistant secretary, treasurer or trustee of a society.

(2) Any person acting in contravention of subsection (1) shall be liable to a fine of nine thousand seven hundred and fifty dollars.

(3) A person shall be disqualified for being elected, and for being an officer of any registered society if, within the previous ten years he has been convicted of any offence involving dishonesty. If any person who, under this subsection is disqualified for being elected and for being an officer of any registered society, or if elected to be an officer of any registered society, has become disqualified to hold such office, acts as an officer of a society, he shall be liable on summary conviction to a fine of twenty-six thousand dollars or to imprisonment for six months.

Priority of
claim of
registered
society on
death or
insolvency of
officer.

34. On the death or insolvency of any officer of a registered society having in his custody or possession, by virtue of his office, any money or property belonging to the society, or if any execution, attachment, or other process is issued against that officer or against his property, his heirs, executors, or administrators, or assignee in insolvency, or the marshal or other person executing the process, shall, upon demand in writing of any person authorised by the society, or by the committee of management thereof, to make the demand, pay the money and deliver over the property to the committee of management of the society in preference to any other debts or claims against the estate of the officer.

Fraud or misappropriation with respect to property of registered society.
[6 of 1997]

35. Anyone who obtains possession, by false representation or imposition, of any property of a registered society, or, having the property in his possession, withholds or misapplies it, or wilfully applies any part of it to purposes other than those expressed or directed in the rules of the society and authorised by this Act, shall, on the complaint of the society or of any member authorised by the society or by the committee of management thereof, or, in the case of a branch, on the complaint of the central body of the society of which the branch forms part, or of any member of the society or branch authorised by the central body, or, in any case, on the complaint of any member of the society or branch authorised by the Registrar, or of the Registrar, be liable to a fine of nineteen thousand five hundred dollars, and to be ordered to deliver up the property and to repay all moneys applied improperly, and, in default of delivery or repayment or of the payment of the penalty and costs aforesaid, to be imprisoned for three months; but nothing herein contained shall prevent the person from being prosecuted by way of indictment or otherwise, if not previously convicted of the same offence under this Act.

CONTRACTS

Contracts on behalf of registered society.

36. (1) Contracts on behalf of a registered society may be made, varied, or discharged as follows:

- (a) any transport, mortgage, or contract which, if made between private persons, would be by law required to be in writing, and any document required to be executed by the society, may be passed, received, or executed, on behalf of the society in writing, either under the common seal of the society, or under the signature of two members of the committee of management and the secretary, and

may in the same manner be varied or discharged;

- (b) any contract which, if made between private persons, would be by law required to be in writing and signed by the person to be charged therewith, may be made on behalf of the society in writing by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged;
- (c) any contract which, if made between private persons, would be by law valid though made by parol only and not reduced into writing, may be made by parol on behalf of the society by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged; and
- (d) a signature purporting to be made by a person holding any office in the society attached to a writing whereby any contract purports to be made, varied, or discharged, by or on behalf of the society, shall prima facie be taken to be the signature of a person who, at the time when the signature was made, holds the office so stated.

(2) All contracts made, varied, or discharged according to the provisions herein contained shall, so far as concerns the form thereof, be effectual in law and binding on the society and all other parties thereto, their heirs, executors,

or administrators, as the case may be.

PROPERTY AND FUNDS

Property and
funds of
registered
societies.

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

- (a) the committee of management of the society, or a majority of the members thereof present and entitled to vote in general meeting, may from time to time invest the funds of the society, or any part thereof, to any amount in any of the following ways:
 - (i) in any government or post office savings bank in Guyana;
 - (ii) in any government funds of a Commonwealth territory;
 - (iii) in the purchase of land, and in the erection or alteration of offices or other buildings thereon; and
 - (iv) upon any other security expressly directed by the rules of the society, not being personal security, except as hereinafter authorised with respect to loans;
- (b) a society, or any branch of a society, may (if the rules thereof so provide) hold, purchase, or take on lease any land, and may sell, exchange, mortgage, lease, or build upon the same (with power to alter and pull down buildings and again rebuild) and no purchaser, assignee,

mortgagee, or tenant shall be bound to inquire as to the authority for any sale, exchange, mortgage, or lease by the committee of management, and the receipt of the members of the committee of management, or of a majority thereof, shall be a discharge for all moneys arising from or in connection with the sale, exchange, mortgage, or lease;

- (c) for the purposes of this section, no branch of a registered society need be separately registered.

LOANS AND PAYMENTS

Loans to members of registered societies.
[37 of 1961]

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

- (i) no loan can at any time be made out of moneys contributed for the other purposes of the society;
- (ii) no member shall be capable of holding any interest in the loan fund exceeding one thousand dollars;
- (iii) no society shall make any loan to a member on personal security beyond the amount fixed by the rules, or make any loan which, together with any moneys for the time being owing by a member to the society, exceeds two hundred and fifty dollars; and
- (iv) no society shall hold at any one time on deposit from its members any

moneys beyond the amount fixed by the rules, which shall not exceed two-thirds of the total sums for the time being owing to the society by the members who have borrowed from the loan fund.

Accumulation at interest of surplus contributions.

39. The rules of a society may provide for accumulating at interest, for the use of any member thereof, any surplus of his contributions to the funds of the society remaining after providing for any assurance in respect of which they are paid, and for the withdrawal of the accumulations from time to time.

Limitation of interest of member of registered friendly society.

40. (1) No member of a registered friendly society, nor any person claiming through a member, shall be entitled to receive more than two hundred and fifty dollars a year by way of annuity, or one thousand dollars by way of gross sum, together with any bonuses or additions declared upon assurances not exceeding that amount, from any one or more societies.

(2) The society may require a member, or person claiming through a member, to make and sign a declaration that the total amount to which he is entitled from one or more of those societies does not exceed the sums aforesaid; and anyone who knowingly makes a false or fraudulent declaration in the matter shall be guilty of a misdemeanour.

Payments on death of children under 5 or 10 years of age. [37 of 1961]

41. With respect to payments on the death of children under five or ten years of age, the following provisions shall have effect:

- (a) no society shall insure or pay on the death of a child under five years of age any sum of money which, added to any amount payable on the death of the child by any other society,

exceeds sixty dollars, or on the death of a child under ten years of age any sum on money which, added to any amount payable on the death of the child by any other society, exceeds eighty dollars;

- (b) no society shall pay any sum on the death of a child under ten years of age except to the parent of the child or to the personal representative of the parent, and upon the production by the parent or his personal representative of a certificate of death issued by the persons having the lawful care of the register of deaths in which the death is or should be entered; containing the particulars hereinafter mentioned;
- (c) whenever application is made for a certificate of the death of a child for the purpose of obtaining a sum of money from a society, the name of the society and the sum sought to be obtained therefrom shall be stated to the person aforesaid, who shall write on or at the foot of the certificate the words "to be produced to the society" (naming the society) "said to be liable for payment of the sum of _____" (stating the sum), and all certificates of the same death shall be numbered in consecutive order and the sum charged by the person aforesaid for each certificate shall not exceed sixty-five dollars;

- (d) no person aforesaid shall give any one or more certificates of death for the payment in the whole of any sum of money exceeding twenty dollars on the death of a child under five years, or for the payment in the whole of any sum of money exceeding thirty dollars on the death of a child under ten years; and the certificate shall not be granted unless the cause of death has been previously entered in the register of deaths on the certificate of a coroner or of a registered medical practitioner who attended the deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner, or of other satisfactory evidence thereof;
- (e) any society to which is produced a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, be bound to inquire whether any (and, if any, what) sums of money have been paid on the death of the child by any other society;
- (f) it shall be an offence under this Act—
- (i) if any society pays money on the death of a child under ten years of age otherwise than is hereby provided; and
- (ii) if any parent, or any personal

representative of a parent, claiming money on the death of a child, produces any certificate of the death other than is herein provided to the society or societies from which the money is claimed, or produces a false certificate or one fraudulently obtained, or in any way attempts to defeat the provisions of this Act with respect to payments upon the death of children; and

- (g) nothing in this section shall apply to insurances on the lives of children of any age, where the person insuring has an interest in the life of the person insured.

Power of nomination for sum not exceeding \$500.
[37 of 1961]

42. (1) A member of a registered society (other than a benevolent society or a working men's club), not being under the age of sixteen years, may, by writing under his or her hand delivered at or sent to the registered office of the society, nominate anyone, not being an officer or servant of the society, unless that officer or servant is the wife, husband, father, mother, child, brother, sister, nephew, or niece of the nominator, to whom any moneys payable by the society on the death of the member (which shall include deposits made by the member under section 38, and moneys accumulated for the use of the member under section 39, with the interest on those deposits or moneys respectively), not exceeding five hundred dollars, shall be paid at his or her decease, and may from time to time revoke or vary the nomination by a writing under his or her hand similarly delivered or sent; and, on receiving satisfactory proof of the death of a nominator, the society shall pay to the nominee the amount due to the deceased member, not exceeding the sum aforesaid.

- (2) A nomination may be partly printed, and, if

made in a book kept at the registered office of the society, shall be taken to be delivered at that office.

Distribution on intestacy of sum not exceeding \$250.

43. If any member of a registered society who is entitled from the funds thereof to a sum not exceeding two hundred and fifty dollars dies intestate and without having made any nomination under this Act remaining unrevoked at his death, that sum shall be payable, without administration, to the person who appears to the society, upon evidence it deems satisfactory, to be entitled by law to receive it.

Validity of payments made under last two sections.

44. Whenever the society, after the decease of any member, pays any sum of money to the person who at the time appears to the society to be entitled under either of the last two preceding sections, the payment shall be valid and effectual against any demand made upon the society by anyone else.

Power of one registered society to contribute to funds of another.

45. Nothing in this Act shall prevent any registered society or branch from contributing to the funds or taking part, by delegates or otherwise, in the government of any other registered society or branch, as provided in the rules of the first named society or branch, without becoming a branch under this Act of the society or branch.

Power of registered society to subscribe to certain institutions.

46. A registered society may subscribe, out of its own funds, to any hospital, infirmary, or charitable or provident institution, any annual or other sum necessary to secure to members of the society and their families the benefits of the hospital, infirmary, or institution, according to its rules.

DISPUTES AND LEGAL PROCEEDINGS

Mode of deciding disputes.
[17 of 1954
37 of 1961]

47. (1) Every dispute between a member, or a person claiming through a member or under the rules, of a registered society and the society or any officer thereof, or between any registered branch under this Act, or an officer thereof, of any registered society or registered branch, and the registered

society or branch of which the other party to the dispute is a registered branch or an officer thereof, or between any two or more registered branches of any registered society or branch or any officers thereof, respectively, shall be decided in manner directed by the rules of the society, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of justice or restrainable by injunction; and application for the enforcement thereof may be made to the magistrate's court.

Reference to Registrar of dispute by either party.

(2) Notwithstanding the provisions of subsections (1) and (4), any party to a dispute in a registered society may apply to the Registrar to hear and determine the same and the Registrar may, if he thinks fit, and after proper notice given to the other parties to the dispute, hear and determine such dispute and order the costs thereof to be paid either out of the funds of the society or by any or all of the parties to the dispute:

Provided that the Registrar may, before proceeding to hear and determine a dispute, make or cause a preliminary investigation to be made into the dispute with the object of ascertaining the facts and limiting the issues and of endeavouring to bring about a voluntary settlement between the parties to the dispute.

(3) The Registrar may administer oaths, and may require the attendance of all parties concerned and of witnesses, and the production of all books and documents relating to the matter in question; and any person refusing to attend, or to produce any document, or to give evidence before the Registrar shall be guilty of an offence.

(4) Where the rules of a society direct that disputes shall be referred to a magistrate, the dispute shall be determined by a magistrate's court, either with or without the right of appeal to the High Court, as provided by the rules.

(5) Where the rules contain no direction as to disputes, or where no decision is made on a dispute within forty days after the application to the society for a reference under its rules, the member or person aggrieved may apply to a magistrate's court, which may hear and determine the matter in dispute.

(6) The Registrar or the magistrate, as the case may be, may, at the request of either party, state a case for the opinion of the High Court on any question of law.

(7) Subject to subsection (4), any decision given under this section shall be binding and conclusive on all parties without appeal.

(8) In this section the expression "dispute" includes any dispute arising on the question whether a member or person aggrieved is entitled to be or to continue to be a member or to be reinstated as a member, but save as aforesaid, in the case of a person who has ceased to be a member, does not include any dispute other than a dispute between him and the registered society or an officer thereof which arose whilst he was a member or arises out of his previous relation as a member to that society.

(9) This section shall apply to unregistered societies and societies in process of formation as it applies to societies as defined in section two of this Act.

Power *ad litem*.

48. (1) In any legal proceeding by a registered society, the power *ad litem* may be signed by any two members of the committee of management.

Service of process.

(2) In any legal proceeding against a registered society, service of process on the secretary or on any member of the committee of management shall be deemed sufficient service.

INSPECTION OF AFFAIRS, ETC.

Direction by Registrar of inspection of affairs of registered society. [17 of 1954 6 of 1997]

49. (1) On the application of not less than one-fifth of the whole number of members of a registered society, or of not less than one hundred members in the case of a registered society having more than one thousand members, the Registrar may, with the consent of the Minister—

- (a) appoint one or more inspectors to examine into the affairs of the society, and to report thereon, and the inspector or inspectors may require the production of all or any of the books and documents of the society, and may examine upon oath its officers, members, agents, and servants in relation to its business, and may administer the oath accordingly; and
- (b) call a special meeting of the society in the manner and at the time and place he thinks fit, and may direct what matters shall be discussed and determined at that meeting, which shall have all the powers of a meeting called according to the rules of the society and in all cases have power to appoint its own chairman, any rule of the society to the contrary notwithstanding:

Provided that—

- (i) the application herein mentioned shall be supported by the evidence required and

directed by the Registrar for the purpose of showing that the applicants have good reason for requesting that the inspection be made or the meeting called, and that they are not actuated by malicious motives in their application, and such notice thereof shall be given to the society, as required and directed by the Registrar;

- (ii) the Registrar may, if he thinks fit, require the applicants to give security for the costs of the proposed inspection or meeting, before appointing any inspector or calling the meeting;
- (iii) all expenses of and incidental to the inspection or meeting shall be defrayed by the members applying for it, or out of the funds of the society, or by the members or officers, or former members or officers, of the society, in the proportions directed by the Registrar; and
- (iv) this section shall not apply to a society having branches, except with the consent of the central body of that society.

Power of the Registrar to inspect societies' books, etc.
[17 of 1954]

(2) The Registrar may in his absolute discretion and without assigning any reasons for doing so appoint an accountant to inspect and if necessary audit the books of a society at any time and to report to him thereon. A person appointed as an accountant under this section shall have all the powers, privileges and authority of an auditor appointed

under the Act. The cost of such inspection and audit shall be met from the Audit Fund as constituted by this Act.

(3) Any person whether connected with the society or not, who hinders, obstructs or molests any person appointed by the Registrar to inspect or audit the books, accounts, securities and documents of such society, shall be liable to a fine of four thousand eight hundred and seventy-five dollars and to imprisonment for one month.

Inspection of
societies'
premises.
[17 of 1954
37 of 1961]

50. (1) The Registrar may enter and inspect or may authorise any person in writing to enter and inspect the registered office or any place of meeting of any society at any reasonable time by day or night and may examine the condition and affairs of such society and make such enquiries as are necessary to ascertain its condition and ability to provide for the payment of the benefits payable under its rules and whether or not it has complied with all the provisions of this Act.

(2) The officers and servants of such society shall produce the books, accounts, vouchers, documents, moneys and records of the society for the inspection by the Registrar or person authorised in writing, and shall otherwise facilitate such examination as far as it is in their power, provided that the books, accounts, vouchers, documents, moneys and records of the society may be required by the Registrar to be produced at the office of the Registrar or at such other convenient place as the Registrar may direct.

(3) Every request, requisition or order made or given by the Registrar or authorised person under the provisions of this section shall be carried into effect within such time as the Registrar shall appoint not exceeding one month, by the society, officer or servant to whom the same may be directed, and every society, officer or servant who shall in any way disobey or not carry into effect such request, requisition or order shall be guilty of an offence.

Inquiry.
[17 of 1954]

51. (1) The Registrar may of his own motion or at the request of a member or on the application of a creditor of a society by himself or by a person or persons duly authorised by him in writing in this behalf, hold an inquiry into the constitution, working or financial condition of the society and the position or standing of any member in the society and may investigate all claims against the society, its debt and liabilities.

(2) Nothing herein contained shall prevent the appointment by the Registrar under this section of an officer or officers of the society to carry out an inquiry hereunder.

(3) The remuneration of any person or persons authorised by the Registrar under this section and the other expenses of the inquiry shall be such as the Registrar shall approve and shall unless the Registrar otherwise directs, be borne by the society.

(4) The result of an inquiry under this section shall be communicated to the society whose affairs have been investigated and in the case of a creditor, to the creditor.

(5) All officers and members of the society whose affairs are investigated shall furnish such information in their possession in regard to the affairs of the society as the Registrar or person authorised by the Registrar may require.

(6) If any person wilfully hinders or delays the Registrar or any person duly authorised by him under this section in the exercise of any powers under this section, or fails to comply with the requisition of the Registrar or said duly authorised person in pursuance of this section, or to produce any books, accounts, ledgers, receipts, vouchers, documents or moneys which he is required to produce, that person shall be deemed to obstruct the Registrar or said duly authorised person in the execution of his duties under this

section.

(7) Every person who obstructs the Registrar or duly authorised person in the execution of his duty under this section shall be guilty of an offence.

(8) For the purpose of holding an inquiry under this section the Registrar or other authorised person shall have power to administer oaths and affirmations and shall be vested with the powers of a magistrate for compelling the attendance of witnesses, maintaining order and otherwise duly conducting the said inquiry. Persons summoned to attend at any such inquiry shall be legally bound so to attend.

Removal of
officer.
[17 of 1954]

52. (1) (a) If at any time it appears to the satisfaction of the Registrar after due inquiry into the facts (the officer or other person being afforded a full opportunity of being heard) that an officer of a society, whether elected or otherwise, has been guilty of negligence, irregularity or misconduct, such officer or person may be removed from office by order of the Registrar, and the Registrar shall notify the society concerned and direct that it proceed to the election of a substitute in the place or stead of such officer or person removed as aforesaid. In the event that the society shall fail to elect an officer to fill the vacant office within one month of the date of such direction the Registrar may thereupon appoint a new officer to fill such vacant office temporarily.

(b) (i) Every officer or other person who is removed by order of the

Registrar, having the custody of any books, ledgers, vouchers, registers, bills, documents, moneys or other property or matter belonging to a society or relating to the business or affairs of a society shall forthwith deliver up to the Registrar, or to any person authorised by him, such books, ledgers, vouchers, registers, bills, documents, moneys or other property or matter.

- (ii) Any officer or other person who shall fail to deliver all or any such books, ledgers, vouchers, registers, bills, documents, moneys, property or matter shall be liable on summary conviction to a fine of sixteen thousand two hundred and fifty dollars, or to imprisonment for three months.

(2) In every case in which the Registrar shall remove an officer of a society or other person from office he shall if required to do so by an order of a magistrate transmit forthwith to such magistrate any papers, documents, report or other matter upon which such order of removal was made and if the magistrate on perusing and considering the same shall be of opinion that the officer ought not to have been removed he may call upon the Registrar to show cause why an order should not be made for the reinstatement of such officer. Any order may command such officer either forthwith or on the expiration of any given time as may appear to the magistrate to be just, to do, execute, or perform any duty or duties appertaining to or in connection with his said office and may order the payment by such officer of such costs and

expenses as the magistrate may think fit.

(3) The time in which to perform or fulfil any duty may be extended on application to a magistrate, upon such terms, and for such time as the magistrate in his discretion may think fit.

(4) Every application to a magistrate by an officer or other person who has been removed by order of the Registrar shall be made within thirty days from the day upon which the order of removal was issued, unless further time be allowed by a magistrate upon special circumstances accounting for the delay as may appear to the magistrate to be just.

(5) Any officer or other person removed from office by order of the Registrar under this section shall thereupon cease to hold office in the said society from the date of such order for the remainder of his then current term of office and shall be disqualified for being elected and for being an officer of any society for a period not exceeding five years as the Registrar shall determine, next after the end of his aforesaid current term of office.

Passing and
registration of
special
resolutions.

53. With respect to special resolutions by registered societies, the following provisions shall have effect:

- (a) a special resolution is one which is passed by a majority of not less than three-fourths of the members of a society, for the time being entitled under the rules of the society to vote, present in person or by proxy (where the rules allow proxies), at any general meeting of which notice specifying the intention to propose the resolution has been duly given according to the rules, and which

resolution is confirmed by a majority of those members, for the time being entitled under the rules to vote, who are present in person or by proxy (where the rules allow proxies) at a subsequent general meeting of which notice has been duly given, held not less than fourteen days or more than one month from the day of the meeting at which the resolution was first passed;

- (b) at any meeting mentioned in this section, a declaration by the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact; and
- (c) a copy of every special resolution, signed by the chairman of the meeting and countersigned by the secretary of the society, shall be sent to the Registrar and be registered by him, and until the copy is so registered the special resolution shall not take effect.

PART III

SUSPENSION AND DISSOLUTION

Cancellation or suspension of registration of societies.

54. With respect to the cancellation or suspension of the registration of societies, the following provisions shall have effect:

- (a) the Registrar may, or, in the case hereinafter mentioned in paragraph (iii) shall, by writing under his hand, cancel the registration of a society—

- (i) if he thinks fit, at the request of a society, to be evidenced in the manner he directs, or
 - (ii) with the approval of the Minister, on proof, to his satisfaction, that a certificate of registration has been obtained by fraud or mistake, or that a society exists or is used for an illegal or improper purpose, or has wilfully, and after notice from him, violated any of the provisions of this Act, or has ceased to exist; or
 - (iii) by the direction of the Minister, on proof, to the satisfaction of the Minister, that a society exists or is used for an illegal or improper purpose;
- (b) the Registrar, wherever he might, with the approval or by the direction of the Minister, cancel the registration of a society, may, or shall, with or by the like approval or direction, by writing under his hand suspend the registration, for any term not exceeding three months, and may or shall, with or by the like approval or direction, renew the suspension from time to time for the like period;
- (c) not less than two months' previous notice in writing, specifying briefly the ground of any proposed cancellation or suspension of registration, shall be given by the Registrar to a society before the

registration can be cancelled (except at its request) or suspended; and notice of every cancellation or suspension shall be published in the *Gazette* and in a newspaper circulating in the county in which the registered office of the society is situate, as soon as practicable after the same takes place;

- (d) a society may appeal from the cancellation of its registration, or from any suspension of the registration which is renewed after six months, in manner hereinbefore provided for appeals from the refusal of the Registrar to register a society; and
- (e) a society whose registration has been cancelled or suspended shall, from the time of the cancellation or suspension (but if suspended, only while the suspension lasts, and subject also to the right of appeal hereby given) absolutely cease to enjoy as a registered society the privileges thereof, but without prejudice to any liability actually incurred by the society, which may be enforced against the society as if the suspension or cancellation had not occurred.

Dissolution of
registered
societies.
[37 of 1961]

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

- (a) a society may terminate or be dissolved in any of the following ways:
 - (i) upon the happening of any event declared by the rules to

- be the termination of the society;
- (ii) respecting all societies other than friendly societies, by the consent of not less than three-fourths of the members, testified by their signatures to the instrument of dissolution;
 - (iii) respecting friendly societies, by the consent of not less than five-sixths in value of the members (including honorary members, if any) testified by their signatures to the instrument of dissolution, and also by the consent in writing of everyone for the time being receiving or entitled to any relief, annuity, or other benefit from the funds of the society, unless his claim is first duly satisfied, or adequate provision is made for satisfying it, and, in the case of a branch, with the consent of the central body of the society or in accordance with the general rules of the society; and
 - (iv) by the award of the Registrar in the cases hereinafter specified;
- (b) the instrument of dissolution shall set forth—
- (i) the liabilities and assets of the society in detail;
 - (ii) the number of members and

-
- the nature of their interests in the society respectively;
- (iii) the claims of creditors, if any, and the provision to be made for their payment; and
 - (iv) the intended appropriation or division of the funds and property of the society, unless that is stated in the instrument of dissolution to be left to the award of the Registrar;
- (c) alterations in the instrument of dissolution may be made with the like consents as hereinbefore provided, testified in the same manner;
 - (d) a declaration in writing shall be made by three members and the secretary of the society that the provisions of this Act have been observed, and shall be sent to the Registrar with the instrument of dissolution; and any person who knowingly makes a false or fraudulent declaration in the matter shall be guilty of a misdemeanour;
 - (e) the instrument of dissolution, and all alterations therein, shall be registered in manner hereinbefore provided for the registration of rules, and shall be binding upon all the members of the society;
 - (f) the Registrar shall cause a notice of the dissolution to be notified at the expense of the society in the manner

hereinafter provided for notifying an award of the Registrar for dissolution; and unless, within three months of the date of the *Gazette* in which the notification appears, a member, or other person interested in or having any claim on the funds of the society, commences proceedings to set aside the dissolution of the society, and the dissolution is set aside accordingly, the society shall be legally dissolved from the date of that notification, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained, without proof of the signatures thereto;

- (g) respecting friendly societies—
- (i) the value of members shall be ascertained by giving one vote to every member, and an additional vote for every five years that he has been a member, but to no one member more than five votes in the whole;
 - (ii) no instrument of dissolution shall direct or contain any provision for an appropriation or division of the funds of the society, or any part thereof, otherwise than for the purpose of carrying into effect the objects of the society as declared in the rules thereof, unless the claim of every

-
- member or person claiming any relief, annuity, or other benefit from the funds thereof, is first duly satisfied or adequate provision is made for satisfying that claim;
- (iii) any officer or person who aids or abets in the dissolution of a society, otherwise than as in this Act provided, shall be liable to a fine of four thousand eight hundred seventy-five dollars; and
- (iv) if any member of a dissolved society, or any person claiming any relief, annuity, or other benefit from the funds thereof, is dissatisfied with the provision made for satisfying his claim, that member or other person may apply to the magistrate's court of the district within which the chief or any other place of business of the society is situate for relief or other order, and the court shall have the same powers in the matter as in regard to the settlement of disputes under this Act;
- (h) respecting dissolutions and the distribution of funds upon the award of the Registrar—
- (i) on the application of not less than one-fifth of the whole number of members of any

registered society, or of not less than one hundred members in the case of a society having more than one thousand members, made in writing under their hands, setting forth that the funds of the society are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society are insufficient to cover the benefits assured by it, and the grounds upon which the insufficiency is alleged, and requesting an investigation into the affairs of the society with a view to the dissolution thereof, the Registrar may, by himself or by any actuary, or public auditor, or other person whom he appoints in writing under his hand, investigate the affairs of the society, giving, nevertheless, not less than two months' previous notice in writing to the society whose affairs are to be investigated at its registered office;

- (ii) if, on the investigation, it appears that the funds of the society are insufficient to meet the existing claims thereon, or that the rates of contribution fixed in the rules of the society are insufficient to cover the benefits assured to be given by it, the Registrar may, if he

considers it expedient to do so, award that the society shall be dissolved, and its affairs wound up, and shall direct in what manner the assets of the society shall be appropriated or divided:

Provided that the Registrar may suspend his award for any period he deems necessary to enable the society to make the alterations and adjustment of contributions and benefits which will, in his judgment, prevent the necessity of the award of dissolution being made;

- (iii) the Registrar, when proceeding under this section, shall have all the same powers and authorities, enforceable by the same penalties, as in the case of a dispute referred to him under this Act;
- (iv) every award under this section, whether for dissolution or distribution of funds, shall be final and conclusive on the society in respect of which it is made, and on all members of the society and other persons having any claims on the funds thereof, without appeal, and shall be enforced in the same manner as a decision on a dispute under this Act; and the expenses of every investigation and award, and of publishing every notice of dissolution, shall be paid out of the funds of the society before any other

- appropriation thereof shall be made; and
- (v) notice of any award for dissolution shall, within twenty-one days after it has been made, be given by the Registrar in the *Gazette* and in a newspaper circulating in the county in which the registered office of the society is situate and unless, within three months from the date of the *Gazette* in which the notice appears, a member, or other person interested in or having any claim on the funds of the society, commences proceedings to set aside the dissolution of the society consequent upon the award, and the dissolution is set aside accordingly, the society shall be legally dissolved from the date of that notice, and the requisite consents to the application to the Registrar shall be considered to have been duly obtained, without proof of the signatures thereto;
- (j) this section shall not apply to a society having branches except with the consent of the central body of that society; and
- (k) notice shall be sent to the Registrar of any proceeding to set aside the dissolution of a society or branch, not

less than seven days before it is commenced by the person taking that proceeding, and of any order setting a dissolution aside by the society or branch, within seven days after that order has been made.

Liability of
members in
winding-up.
[37 of 1961]

56. When a society is dissolved and its affairs are wound up under the last preceding section, the liability of present or past members of the society to contribute for payment of the debts and liabilities of the society, the expenses of winding-up, and the adjustment of the rights of contributories amongst themselves shall be qualified as follows:

- (a) no individual or society who or which has ceased to be a member for one year or upwards prior to the commencement of the winding-up shall be liable to contribute;
- (b) no individual or society shall be liable to contribute in respect of any debt or liability contracted after he or it ceased to be a member;
- (c) no individual or society not a member shall be liable to contribute, unless it appears that the contributions of the existing members are insufficient to satisfy the just demands on the society.

PART IV
MISCELLANEOUS PROVISIONS

Offences

Making false entry in balance sheet or book of registered society.
[6 of 1997]

57. Everyone who wilfully makes, or orders or allows to be made, any entry or erasure on, or any omission from, any balance sheet of a registered society, or in or from any contribution or collecting book of a registered society, or in or from any return or document required to be sent, produced, or delivered, for the purposes of this Act, with intent to falsify it or to evade any of the provisions of this Act, shall be liable to a fine of forty-eight thousand seven hundred and fifty dollars, recoverable on the complaint of the Registrar, or of the society, or of any person aggrieved.

Officer using improper seal or improperly issuing documents.
[17 of 1954
6 of 1997]

58. (1) Any officer of a registered society, or any person on behalf of a registered society, who—

- (a) uses any seal purporting to be the seal of the society, whereon its name is not so engraved as hereinbefore provided; or
- (b) issues or authorises the issue of any notice, advertisement, or other official publication of the society, or of any bill of parcels, invoice, receipt, or letter of credit, of the society, or signs or authorises to be signed on behalf of the society any bill of exchange, promissory note, endorsement, cheque, or order for money or goods, wherein the name of the society is not mentioned in the manner hereinbefore provided,

shall be liable to a fine of forty-eight thousand seven hundred and fifty dollars, and shall further be personally liable to the

holder of the bill of exchange, promissory note, cheque, or order for money or goods, for the amount thereof, unless it is duly paid by the society.

(2) The penalty shall be recoverable on the complaint of the Registrar, or of any officer of police, or of anyone aggrieved.

Penalty for offence where none prescribed.

59. Every society, or officer or member of a society, or other person guilty of an offence under this Act for which no penalty is expressly provided by this Act shall be liable to a fine of four thousand eight hundred and seventy-five dollars.

Proceedings before magistrates.

60. Where in this Act it is enacted that any proceeding may be had or taken before a magistrate or in a magistrate's court, every magistrate or magistrate's court shall, unless the contrary is expressed or implied, have full power and jurisdiction to entertain the proceeding and determine the matter involved.

False representations as to rules of society.

61. Everyone who, with intent to mislead or defraud—

- (a) gives to any member of a registered society, or to any person intending or applying to become a member thereof, a copy of any rules, or of any alterations or amendments of the rules other than those respectively which have been registered by the Registrar, on the pretence that they are binding upon the members of the society, or that there are no other rules of that society; or
- (b) makes any alteration in or addition to any of the rules or tables of the society after they have been registered by the

Registrar, and circulates them purporting that they have been duly registered, when they have not been so duly registered; or

- (c) gives to any person a copy of any rules, on the pretence that those rules are the rules of a registered society, when the society is not registered; or
- (d) forges or counterfeits, or utters, knowing it to be forged or counterfeited, the seal of a registered society,

shall be guilty of a misdemeanour.

Regulations, etc.

Making of regulations.

62. The Minister may make regulations for defining the duties and functions of the Registrar under this Act; and, generally, for the better carrying out of the provisions of this Act.

Use of forms.
[17 of 1954]
Second
Schedule.

63. The forms contained in the Second Schedule, with such variations and additions as the circumstances of any particular case require, shall be used in the cases to which they respectively apply.

Use as evidence of official documents.
[17 of 1954]

64. Every instrument or document, or copy of or extract from an instrument or document, bearing the seal or stamp, if any, of the Deeds Registry or of the Registrar, shall be received in evidence without further proof; and every document purporting to be signed by the Registrar, or any inspector, or auditor, under this Act, shall, in the absence of any evidence to the contrary, be received in evidence in all courts of justice and for all other purposes, without proof of the signature, or of the official position of any person signing

it, and shall be prima facie evidence of the truth of all matters contained therein.

Protection of
rights of
militiaman,
yeoman or
volunteer.

65. No person, by reason of his enrolment or service in any corps of militia, yeomanry, or volunteers whatsoever, shall lose or forfeit any interest which he possesses, at the time of his being so enrolled or serving, in any friendly society, whether registered or unregistered, or be fined for absence or non-attendance at any meeting of the society, if his absence or non-attendance is occasioned by the discharge of his military duty as certified by his commanding officer, any rules of the society to the contrary notwithstanding.

Procedure and
appeal.

66. Any penalty imposed by this Act may be recovered, and punishment for any offence not being an indictable offence may be enforced, under the Summary Jurisdiction Act.

Existing Societies

Audit Fund.
[17 of 1954]

67. (1) There shall be constituted a fund to be known as the Friendly Societies Audit Fund, and every society shall, when called upon to do so by the Registrar, make annually a contribution to such Fund.

(2) The contributions under subsection (1) shall not exceed the amounts prescribed by order of the Minister; they shall be held by the Registrar and administered by him on behalf of the contributing societies.

(3) The Government may from time to time, and to augment such contributions, make such grants to the Fund as it may deem fit.

(4) The Registrar shall report in every year to the Government in respect of the income derived from contributions, the expenditure he has sanctioned from the Fund, and the balance in his hands.

Exemption
from stamp
duties,
registration fees
and income tax.

68. (1) The Minister, by notification in the Gazette, may, in the case of any society or class of societies registered under this Act remit—

- (a) the stamp duty with which, under any law for the time being in force, instruments executed by or on behalf of a registered society or by an officer or member thereof and relating to the business of such society or any class of such instruments are respectively chargeable, or
- (b) any fee payable under the law of registration for the time being in force.

(2) A notification exempting any registered society or class of societies from the fees referred to in subsection (1)(b) may provide for the withdrawal of such exemption.

(3) The Minister may from time to time and for such period as he thinks fit, by order, exempt any registered society, or class of societies from payment of income tax under any Act relating to income tax for the time being in force in Guyana.

Application to
existing
societies.
[17 of 1954]

69. The Act as amended by the Friendly Societies (Amendment) Ordinance 1954 (herein referred to as the 1954 Ordinance), shall apply to societies subsisting at the commencement of the 1954 Ordinance as if they had been registered after the date of commencement of the 1954 Ordinance and the rules of those societies shall so far as they are not contrary to any express provisions of this Act and subject to the approval of the Registrar continue in force until altered or rescinded.

s. 6.
[O. in C.
12/9/1938
37 of 1961
6 of 1997]

FIRST SCHEDULE
TABLE OF FEES PAYABLE TO THE REGISTRAR

		\$ cts.
1. For considering application for registration and proposed rules of society or branch thereof, registering society or branch thereof and its rules, and giving an acknowledgment of registration—		
(a) in the case of a friendly society, a benevolent society, or a working men's club, or of a branch thereof	2	00
(b) in the case of a specially authorised society, or of a branch thereof	10	00
2. For examining any new rules or any proposed alteration or amendment of existing rules and registering the same, if necessary and giving an acknowledgment of registration	1	00
3. For registration of any special resolution	1	00
4. For registration of the amalgamation of two or more societies or the conversion of a society into a company	2	00
5. For every appointment of inspectors or calling of a special meeting by the Registrar	5	00
6. (1) For the determination of the Registrar on a dispute or for his award for dissolution or distribution of funds, where the matter is settled without a hearing or upon one hearing without adjournment	5	00
(2) And if more than one hearing or an adjournment becomes necessary then \$325		

more for every hearing after the first, and for every adjournment:

Provided that the Registrar may, in exceptional cases, reduce or dispense with the fee for the determination of a dispute.

- 7. For every inspection on the same day of documents whether one or more in the custody of the Registrar relating to one and the same society: 0 25

Provided that the Registrar may dispense with the fee for inspection of documents in cases where he may consider it for the public interest so to do.

- 8. For every copy or extract of any document in the custody of the Registrar, whether certified or not by the Registrar per folio of 72 words 0 08

(but never less than 25 cents)

- 9. For every document (except as otherwise provided) required to be signed by the Registrar or to bear the seal of his office, not chargeable with any other fee to the Registrar 0 50

- 10. No fee shall be payable for
 - (a) any return required to be filed with the Registrar under section 26 of the Act;
 - (b) any notice of change of the situation of office;
 - (c) any notice of appointment of trustees or other officers given to or by the Registrar;
 - (d) any document or copy of document supplied to a public department;
 - (e) any instrument of dissolution or any

amendment therein.

s. 63

SECOND SCHEDULE

FORMS

s. 11

FORM 1

Application for Registration of a Society

GUYANA.

To the Registrar of Friendly Societies.

We, the undersigned, being members of a society for [*here state the objects and situation of the Society*] and being desirous that the said society should be registered under the Friendly Societies Act, under the name of [*here state the proposed name of the Society*] hereby make application that the said society may be registered accordingly; and we transmit herewith two copies of the rules of the said society [and, if any officers have been appointed, two lists of the officers thereof].

Dated this day of , 20 .
(Signed)

NOTE.—*The application, the rules, and the list of officers, if any, must be signed by seven members at least, including the secretary of the society.*

s. 15

FORM 2

Acknowledgment of Registration of Society

GUYANA.

The Society is registered as a [*here state the*

class in which the society falls] under the Friendly Societies Act,
this day of , 20 .

(Signed)

Registrar of Friendly Societies.

s. 19

FORM 3

Acknowledgment of Registration of Branch

GUYANA

The [*here state the name of the branch*] is registered as a
branch of the (and of the branch of the same) under the
Friendly Societies Act, this day of , 20 .

(Signed)

Registrar of Friendly Societies.

s. 19

FORM 4

Acknowledgment of Registration of Amendment of Branch Rules

GUYANA.

The foregoing amendment of the branch rules of the
Society is registered under the Friendly Societies Act, this day
of , 20 .

(Signed)

Registrar of Friendly Societies.

s. 23

FORM 5

Acknowledgment of Registration of Amendment of Rules

GUYANA.

The foregoing amendment of the rules of the Society is registered under the Friendly Societies Act, this day of , 20 .

(Signed)
Registrar of Friendly Societies

FORM 6

s. 31

Bond to be given by Officer of Society in receipt of Money

GUYANA

Know all men by these presents, that we, A.B., of one of the officers of the Society, established in the county of and C.D., of

(as surety on behalf of the said A.B.), are jointly and severally held and firmly bound to the said society in the sum of dollars, to be paid to the said society, for which payment well and truly to be made we jointly and severally bind ourselves and each of us by himself, our and each of our heirs, executors, and administrators, firmly by these presents.

Dated this day of , 20

(Signed)

A.B.

C.D.

Whereas the above-bounden A.B. has been duly appointed to the office of the Society, established as aforesaid, and he, together with the above-bounden C.D. as his surety, has entered into the above-written bond, subject to the condition hereinafter contained:—Now therefore the condition of the above-written bond is such, that if the said

A.B. do render a just and true account of all moneys received and paid by him on account of the said society, at such times as the rules thereof appoint, and do pay over all the moneys remaining in his hands, and assign and transfer or deliver all property (including books and papers) belonging to the said society in his custody or possession to such person or persons as the said society, or the committee of management thereof, appoint, according to the rules of the said society, together with the proper and legal receipts or vouchers for those payments, then the above-written bond shall be void, otherwise shall remain in full force.

Signed in our presence on the above-mentioned day.

(Signed)

L.M.

N.O.

THIRD SCHEDULE

s. 22

MATTERS TO BE PROVIDED FOR BY THE RULES OF A REGISTERED SOCIETY

Name and office.

1. Name and place of office of the society.

Objects, terms of admission, fines.

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

Meetings, voting, and rules.

3. The mode of holding meetings and right of voting, and the manner of making, altering, or rescinding rules.

-
- Committee and officers. 4. The appointment and removal of a committee of management (by whatever name) and of a treasurer and other officers, and, in the case of a society with branches, the composition and powers of the central body, and the conditions under which a branch may secede from the society.
- Financial matters. 5. The investment of the funds, the keeping of the accounts, and the audit thereof once a year at least.
- Annual returns. 6. The making of annual returns to the Registrar of the receipts, funds, effects, and expenditure, and the number of members, of the society.
- Inspection of books. 7. The inspection of the books of the society by every person having an interest in its funds.
- Settlement of disputes. 8. The manner in which disputes between the society and any of its members or shareholders, or any person claiming through a member under the rules, shall be settled.
- Division of profits. 9. In the case of a dividing society, a provision for meeting all claims upon the society existing at the time of division before the division takes place.
- Withdrawal of members. 10. The right of withdrawal of members and the time and manner in which that right may be exercised.
- Seal. 11. The device on, and the custody and use of, the seal of the society.
- Matters in case of friendly society. 12. And also, in the case of a friendly society:
- (a) the keeping separate accounts of all moneys received or paid on account of every particular fund or benefit assured for which a separate table of contributions payable has been adopted, and the keeping separate accounts of the expenses of management, and of all contributions on

account thereof;

(b) the making of returns every five years to the Registrar of the sickness and mortality of the society;

(c) a valuation once at least in every five years of the assets and liabilities of the society, including the estimated risks and contributions;

(d) the voluntary dissolution of the society by consent of not less than five-sixths in value of the members, and of every person for the time being entitled to any benefit from the funds of the society, unless his claim be first satisfied or adequately provided for;

(e) the right of not less than one-fifth of the total number of members, or of not less than one hundred members in the case of a society having more than one thousand members, to apply to the Registrar for an inspection of the affairs of the society, or for winding it up.

SUBSIDIARY LEGISLATION

O.12/1957

FRIENDLY SOCIETIES AUDIT FEES ORDER*made under section 67*

Citation.

1. This Order may be cited as the Friendly Societies Audit Fees Citation. Order.

Contribution to
Friendly
Societies Fund.

2. The contributions specified in the Schedule shall be made to the Friendly Societies Audit Fund constituted under section 67 of the Act in accordance with subsection (1) of that section.

SCHEDULE

(1) For auditing the accounts of societies (except benevolent societies, working men's clubs and specially authorized societies) registered under the Act, the scale of payment shall be:

- | | |
|---|--------|
| (a) When a society consists of fifty (50) members or less | \$6.00 |
| (b) When a society consists of more than fifty (50) members and not more than two hundred (200) members for the first fifty members | 6.00 |
| for each additional twenty-five (25) or part of twenty-five (25) members | 2.00 |
| (c) When a society consists of more than two hundred (200) members and not more than one thousand (1,000) members, for the first | |

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Friendly Societies

Friendly Societies Audit Fees Order

[Subsidiary]

two hundred members	18.00
for each additional fifty (50) or part of fifty (50) members	2.00
(d) When a society consists of more than one thousand (1,000) members, for the first thousand member	50.00
for each additional hundred (100) or part of one hundred (100) members	2.00

(2) For auditing the accounts of benevolent societies, working men's clubs and specially authorised societies, the scale of payment shall be:

(a) Where receipts and payments added together do not exceed \$1,000	\$6.00
(b) Where receipts and payments added together exceed \$1,000, but do not exceed \$4,000 for the first \$1,000	6.00
for every additional \$500 or part thereof	2.00
(c) Where receipts and payments added together exceed \$4,000, but do not exceed \$20,000, for the first \$4,000	18.00
for every additional \$4,000 or part thereof	2.00
(d) Where receipts and payments added together exceed \$20,000 for the first \$20,000	50.00
for every additional \$1,000 or part thereof	2.00