



ANNO DECIMO

GEORGII V REGIS.

A.D. 1919.

No. 1387.

An Act to consolidate certain Acts relating to Friendly Societies.

[Assented to, November 20th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the "Friendly Societies Act, 1919." Short title.
2. This Act is a consolidation of the Acts mentioned in the First Schedule, and the said Acts are hereby repealed. Repeal.
3. In this Act, except where the context or subject matter requires a different construction—
Interpretation.
Friendly Societies
Act, 1886, s. 2 :
558, 1892, s. 2.
 - "Society" means and includes any of the friendly societies in this State specified in the Second Schedule, and includes the whole of the present and future members of the society :
 - "Branch" means and includes all branches now or hereafter established by any society :
 - "Committee of management" means the body of persons appointed to manage and direct the affairs of any society or branch, by whatever name such body may be called :
 - "Secretary" means the officer appointed by any society or branch to act in that capacity, or the clerk or person who keeps the books and accounts of such society or branch :

"Officer"

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“ Officer ” means and includes every trustee, treasurer, secretary, and member of the Board or Committee of Management of a friendly society, and of every branch thereof, and every person authorised or appointed by the society to manage its business or part of its business :

609, 1894, s. 4.

Incorporation of
societies and
branches.
Friendly Societies
Act, 1886, s. 3.

“ Women ” includes females of all ages, and “ men ” includes males of all ages.

4. (1) All persons who are now, or who at any time hereafter, in accordance with the provisions of this Act, become, members of any society specified in the Second Schedule shall (subject to the provisions hereinafter contained) be a body corporate by the name and style by which such society is specified in the said Schedule, and by that name or (where it is requisite to make such distinction) by that name with the name of any branch of such society added thereto—

(a) may carry on the objects and business of such society,

(b) may sue any person or persons (whether a member or members of the society or not), or any body or bodies politic or corporate, and may be sued in all Courts whatsoever, and

(c) may prefer, lay, and prosecute any indictment, information, and prosecution against any person or persons whomsoever for any stealing, embezzlement, fraud, forgery, crime, or offence.

(2) In all indictments, informations, or prosecutions it shall be sufficient to state the moneys, goods and effects, securities, or other property of the society or branch to be the money of the society or branch (as the case may be), and to designate the society or branch by its said corporate name whenever, for the purpose of any allegation of an intent to defraud or otherwise howsoever, such designation is necessary.

(3) Any society or branch shall by its corporate name, according to the right and interest of such society or branch, be able to accept, purchase, and hold real and personal estate of every kind, and to sell, assign, mortgage, exchange, demise, grant, lease, transfer, and convey the same, and also to procure, receive and take, acquire, have, and possess all gifts, benefactions, goods, chattels, and personal property whatsoever.

(4) Every society and branch shall by its said corporate name have perpetual succession, and a common seal, which shall bear or have inscribed on it the corporate name of the society or branch.

(5) Whenever it is necessary to execute for and on behalf of any society or branch any deed or other instrument in writing, not otherwise specially provided for in this Act, the same shall be executed by having the seal of the society or branch affixed thereto,
in

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in the presence of two of the trustees of the society or branch, who shall subscribe their names to such deed or instrument as witnesses to the sealing thereof.

5. The Governor may from time to time by proclamation add the name of any society to the list of societies contained in the Second Schedule, and from the date mentioned in such proclamation this Act shall be read and construed as if the name of the society so added had been specified in the said Schedule at such date.

Power to add name of any society to Second Schedule.

1276, 1917, s. 5.

6. Every society shall have a registered office, to which all communications and notices may be addressed, and shall send to the Public Actuary notice of the situation of such office, and every change therein.

Society to have registered office.

558, 1892, s. 4.

7. (1) It shall be lawful for every society or branch, by voluntary contributions from the members thereof, with or without the aid of donations, to raise a fund, or to add to any fund already raised by the society or branch, for any of the following objects, that is to say :—

Objects for which societies and branches may raise funds.

Friendly Societies Act, 1886, s. 4 ; 1021, 1910, s. 4.

- I. For insuring a sum of money to be paid on the death of a member, in manner prescribed by section 23, or for defraying the expenses of the burial of a member, or of the wife or widow of a member, subject to the restrictions hereinafter contained :
- II. For the relief, maintenance, or endowment of the members, their wives, or children, in infancy, old age, sickness, widowhood, or any other natural state of which the probability may be calculated by way of average, and for assisting members in distressed circumstances, in accordance with the general laws hereinafter mentioned of the society :
- III. For providing medical attendance and medical comforts for, and dispensing and selling or supplying medicines and medical and surgical appliances, requisites, and comforts to, the members, their husbands, wives, widows, children, fathers, mothers, brothers, sisters, nephews, nieces, widowed mothers of deceased members, and wards of members (being orphans) :
- IV. For establishing a guarantee fund for effecting policies of fidelity guarantee assurance of the officers of the society or branch who are required by this Act to be guaranteed.

(2) No insurance under the provisions of this Act shall assure the payment to or on the death of any member, or on any contingency, or for any of the purposes for which the payment of sums may be assured under this Act, of any sum exceeding Fifty Pounds, nor any annuity exceeding Twenty-six Pounds, nor any sum in sickness exceeding Twenty Shillings per week.

8. (1) Every

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Societies may establish branches.

Friendly Societies Act, 1886, s. 5.

8. (1) Every society may establish branches thereof, to be called districts, lodges, courts, camps, tents, or such other name as the society establishing the same may think proper to confer; and may alter, vary, and abolish any branch.

(2) Every branch shall be governed by this Act, and by the general laws or rules of its particular society, and by such other laws or rules for the management of such branches as are made in conformity therewith.

Superannuation fund.

Ibid., s. 6.

9. Every society shall have power to establish a superannuation fund for the temporary or permanent relief of its members who have subscribed to such fund for three years: Provided that—

- i. there shall not be a greater sum than Ten Shillings per week paid to any member as a superannuation; and
- ii. the rate of payment by each member weekly to assure the receipt of such sum shall be duly certified by the committee of management of the society, and duly confirmed by any general meeting of the society.

Societies may make general laws or rules.

Ibid., s. 8.

10. (1) Every society may—

- (a) from time to time make, rescind, alter, and vary general laws or rules for the internal government of the society, and such general laws or rules shall have the effect of law, and be binding upon every branch or member of the society; and
- (b) by any such laws or rules inflict a penalty of not more than Five Pounds Five Shillings for the infringement thereof, and may provide for the suspension or expulsion of any branch or member from the benefits of such society.

(2) Such general laws or rules shall, amongst other things, make provision for the matters referred to in the Third Schedule.

(3) Whenever any general laws or rules are made by any society, or any general laws or rules are rescinded, altered, or varied, two copies of such general laws or rules, or of the rescinded, altered, or varied laws or rules, signed by the secretary of the society making, rescinding, altering, or varying the same, shall be transmitted to the Chief Secretary, who shall, if such general laws or rules, or any such alteration, rescission, or variance thereof, is in conformity with law, and with the provisions of this Act, submit the same to the Governor, and the Governor may confirm the same.

(4) One of the copies, signed by the Governor in confirmation thereof, shall be returned to the secretary of the society, and the other copy, signed by the Governor, shall be deposited with the Public Actuary, and then and thenceforward such general laws or rules, and the alteration or variance thereof, as the case may be, shall have the same force and efficacy as regards the society affected

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affected thereby and its members as if hereby enacted, and such copies respectively shall be received in all Courts or elsewhere as evidence of such general laws or rules without further proof.

(5) Copies of such general laws or rules shall be laid before both Houses of Parliament within fourteen days after the confirmation thereof, if Parliament is then sitting, or if not, then within fourteen days after the commencement of the next ensuing Session of Parliament.

11. (1) The funds of every society and branch, until invested as hereinafter provided for, shall be deposited in one of the chartered or incorporated banks in the State, or in the Savings Bank of South Australia, in the name and to the credit of the society or branch.

Funds to be deposited in bank until invested.
Ibid., s. 7.

(2) Such funds shall only be withdrawn by cheques, signed by three trustees and countersigned by the secretary or treasurer of the society or branch.

12. (1) The trustees for the time being of every society or branch shall, from time to time, with the consent of the society or branch, lay out and invest such part of all such sums of money as are at any time collected, given, or paid to and for the purposes of the society or branch, as may not be wanted for the immediate use thereof, or to meet the usual accruing liabilities of the society or branch, in the corporate name of the society or branch, according to the right and interest of the society or branch therein respectively—

Mode of investment of funds.
Ibid., s. 9.
558, 1892, s. 20.
1276, 1917, s. 6.

- (a) on the security of South Australian Government bonds or Treasury bills or otherwise in any loan raised or guaranteed by the authority of the Parliament of South Australia ; or
- (b) in any securities of, or guaranteed by, the Government or the Parliament of the Commonwealth of Australia ; or
- (c) upon fixed deposit in any bank ; or
- (d) upon the bonds of the Corporation of the City of Adelaide, or upon the debentures of any Municipal Corporation of the State ; or
- (e) on mortgage of freehold property ; or
- (f) in the purchase of any freehold property in the State ;

and may from time to time, with such consent as aforesaid, alter or transfer such securities and funds, and make sale thereof respectively :

Provided that—

- i. all securities for any loan to the Government of the Commonwealth or this State, or to any Municipal Corporation, shall be payable to the society or branch named therein, and shall not be transferable except under

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under its seal witnessed by the respective trustees of such society or branch ; and the person issuing such bonds, bills, or debentures is hereby authorised to issue the same accordingly ;

M.U. Act, 1874, s. 9.

II. in the case of the Independent Order of Oddfellows, Manchester Unity Friendly Society, it shall be lawful for the trustees to lend to any member of such society on the security of any policy of assurance effected on his own life, provided that the amount of such loan shall not exceed the actual estimated value of such policy at the time such loan is made.

(2) All dividends, interest, and proceeds which from time to time arise from the moneys so laid out or invested as aforesaid shall be brought into account by such trustees, and shall be applied to and for the use of the society or branch, according to the rules thereof.

(3) It shall be lawful for such trustees, with the consent of the society or branch as aforesaid, to purchase, hire, or take upon lease any room or premises for the purpose of holding therein the meetings of the society or branch, or for the transaction of business relating thereto, and to hold the same in trust for the use of the society or branch, and to sell, exchange, let, and demise the same in whole or in part.

Power to branches to forward surplus funds to parent society for investment.

558, 1892, s. 6.

13. With the consent of any branch, the trustees thereof may forward to the board of directors or trustees of its society, with the consent of the society, any sum or sums of money belonging to the branch which are not required for the immediate use thereof, for investment by such board of directors or trustees, and upon such terms as may be mutually agreed upon : Provided that such moneys shall only be invested upon such securities as are authorised by this Act.

Trustees not to accept certain securities.

Ibid., a. 19.

14. Any director or trustee advancing the money of any society on the security of any land the fee-simple of which is vested in any one of the trustees of the society within one year from the time of the giving of such security shall be liable to a penalty of not less than One Pound nor more than Ten Pounds.

Appointment of trustees and secretaries, how evidenced.

Friendly Societies Act, 1886, s. 10.

15. (1) Upon the appointment of every new trustee or secretary of any society or branch, the name and description of such trustee or secretary shall be entered in the minute-book of the society or branch, in the form set forth in the Fourth Schedule, and such entry shall be signed by such trustee or secretary.

(2) Every such entry, or in case of the loss or destruction of such entry, secondary evidence thereof, shall be *prima facie* evidence for all purposes that the person therein named as trustee or secretary was duly appointed as trustee or secretary, as the case may be, and entitled to act in that capacity.

(3) If

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(3) If and so soon as any trustee, secretary, or treasurer for the time being calls a meeting of his creditors, or executes a deed of assignment for the benefit of his creditors, or is adjudicated insolvent, his office of trustee, secretary, or treasurer shall then and thereupon become vacant.

16. (1) Upon payment to the trustees for the time being of any society or branch of all moneys due upon any mortgage, further charge, or other security vested in the society or branch, or which may hereafter be given to the society or branch, for moneys advanced by the society or branch, it shall be lawful for such trustees to indorse or cause to be indorsed upon any such mortgage, further charge, or other security, a receipt in the form set forth in the Fifth Schedule.

Receipts indorsed
on mortgages to be
sufficient discharge.
Ibid., s. 12 (part).

(2) Such receipt shall vest the estate of and in the property comprised in such mortgage, further charge, or other security, in the person or persons for the time being entitled to the equity of redemption therein, and shall be sealed with the seal of the society or branch in the presence of two of such trustees thereof, who shall subscribe their names to such receipt as witnesses to the sealing thereof, and such receipt shall be countersigned by the secretary of the society or branch.

(3) No person shall be obliged or concerned to inquire whether the persons whose names are subscribed to any such receipt as witnesses to the sealing thereof are trustees as aforesaid, nor whether such receipt has been duly signed and sealed as aforesaid, nor whether the moneys expressed in such receipt to be received have been actually paid to such trustees.

17. (1) If any mortgagor or other person who gives to any society or branch any mortgage or security for money, or the heirs, executors, administrators, or assigns of any such mortgagor or other person, at any time during the continuance of the mortgage or security pay any sum of money on account or in part payment of the principal sum thereby secured, a receipt in the form set forth in the Sixth Schedule for the amount so paid, shall be forthwith indorsed upon the mortgage deed, or other instrument constituting the security, and be signed by two of the trustees for the time being of the society or branch, and countersigned by the secretary thereof, in the presence of the mortgagor for the time being, or his duly authorised agent.

Partial discharges.
Ibid., s. 12 (part).

(2) Until such receipt has been so indorsed and signed, the society or branch shall not be liable or accountable for any sum of money which may be so paid as aforesaid, or be bound to recognize or acknowledge the payment thereof, and no such payment shall be pleaded or set up either at law or in equity as against the claim of the society or branch in respect of the principal or interest moneys secured by such mortgage or instrument, nor shall any such payment operate to discharge the lands and hereditaments over which such
mortgage

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mortgage or security was given, or any part or portion thereof, from such mortgage or security, or from the moneys thereby secured, or any part thereof.

Officers having custody of moneys to give security.
Ibid., s. 13.

18. (1) Every paid officer or other person appointed to any office touching or concerning the receipt, management, or custody of any of the moneys of any society or branch (except the trustees thereof), shall, before he is admitted to take upon himself the execution of his office, effect a policy of insurance with any guarantee society or company approved by the trustees of the society or branch for the just and faithful execution of such office, and for rendering a just and true account of all moneys received and paid by him on account of the society or branch during the time he continues to hold such office, and whether upon re-election thereto or otherwise, in such sum of money, not being less than Fifty Pounds, as such trustees deem expedient.

(2) Every such policy of assurance shall be given to the society or branch in its corporate name, and shall, on completion, be forthwith transmitted by the secretary to the Public Actuary for deposit.

(3) The Public Actuary shall, if required, without fee or reward, make a copy of the said policy of assurance, and transmit such copy (duly certified) to the trustees of the society or branch entitled thereto, to be kept with the books and accounts of the society or branch.

(4) Every treasurer, trustee, and other officer shall be personally responsible and liable only for all moneys actually received by him on account of or for the use of the society or branch of which he is an officer.

Trustees to be personally liable to see that security is given.
Ibid., s. 14.

19. (1) The trustees of every society or branch shall be bound to see that the security provided for in section 18 is duly given, and that the premiums or other payments necessary to keep the same on foot and valid are duly made.

(2) If such trustees allow any officer or person who is required by the said section to give the security therein mentioned to take upon himself the execution of his office without the required policy of assurance having been duly effected, and kept on foot by the punctual payment of the premium thereon, every such trustee shall be liable to a penalty of not less than Two Pounds nor more than Twenty Pounds.

Penalty for fraudulently obtaining or withholding property of society or branch.
Ibid., s. 15.

20. (1) If any officer, member, or other person, being or representing himself to be a member of any society, or the nominee, executor, administrator, or assignee of a member thereof, or any person whomsoever, by false representation or imposition obtains possession of any moneys, securities, books, papers, or other effects of any society or branch, or, having the same in his possession, withholds or misapplies the same or wilfully applies any part of the same to purposes other than those expressed or directed in the

the

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the rules of the society or branch, any Justice may, upon complaint made by any person on behalf of the society or branch, summon the person against whom such complaint is made to appear at a time and place to be named in such summons, and any Special Magistrate or two Justices present at the time and place mentioned in such summons shall proceed to hear and determine the said complaint in a summary manner.

(2) If the said Special Magistrate or Justices determine the said complaint to be proved against such person, he or they shall adjudge and order him to deliver up all such moneys, securities, books, papers, or other effects of the society or branch, or to repay the amount of money applied improperly, and, if he or they think fit, to pay to the complainant, for the use of the society or branch, a further sum of money not exceeding Twenty Pounds, together with costs; and in default of such delivery of effects, or repayment of any such amount of money or payment of such further sum of money and costs as aforesaid, the said Special Magistrate or Justices may order the said person so convicted to be imprisoned, with or without hard labor, for any period not exceeding three months.

(3) Nothing herein contained shall prevent any society or branch from proceeding by indictment or information against any such person.

(4) No such person shall be proceeded against by indictment if a conviction has previously been obtained for the same offence under the provisions of this Act.

21. Any person under the age of twenty-one years may be elected or admitted as a member of any society, and any such person so elected or admitted may, and is hereby empowered to, execute all necessary instruments and to give all necessary acquittances: Provided that during his nonage he shall not be competent to hold any office as trustee, financial secretary, or treasurer of any society or branch.

Minors may become members.
Ibid., s. 21.

22. (1) The provisions of all Acts relating to friendly societies shall be deemed as and from the passing thereof respectively to have extended and applied to women as well as to men, and to husbands and widowers as well as to wives and widows, so as to enable women to avail themselves of the provisions of the said Acts.

Provisions of Friendly Societies Acts to apply to women.
609, 1894, s.s. 2, 3.

(2) All general laws and rules heretofore made by any friendly society, so far as they provide for the admission of women as members of such society, are hereby validated and confirmed as from the making thereof.

23. (1) When on the death of any member of any society, or of the wife or widow of any such member, a sum of money not exceeding Fifty Pounds becomes payable, the same shall be paid by the trustees of the society to the husband, wife, child, father, mother, brother, or sister of such member, or to such other person as is nominated by such member in writing deposited with the secretary.

Application of moneys payable on death of member or wife.
Friendly Societies Act, 1886, s. 19.

(2) In

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(2) In case there is no direction or nomination, or the person so nominated has died before the deceased member, or in case the member has revoked such nomination (and for the purposes of this section such nomination shall be deemed to be revoked by the subsequent marriage of such member), then such sum shall be paid—

M.U. Act, 1874, s. 18.

(a) in the case of the Independent Order of Oddfellows Manchester Unity Friendly Society, to the person who appears to the trustees of such society to be entitled under the Statute of Distributions to receive the same, without taking out letters of administration, and

Friendly Societies Act, 1886, s. 19.

(b) in the case of any other friendly society, to such relative or relatives of the deceased member dependent for subsistence on such deceased member at the time of his death, as the trustees of such society think fit, and, if there is no such relative, then such sum shall revert to such society absolutely. Notwithstanding anything hereinbefore contained, the trustees of any such society may pay or expend the whole or any part of the money so assured in paying or defraying the funeral expenses of any such deceased member.

(3) Whenever the trustees of any society, after the decease of any member thereof, have paid or divided any such sum of money to or amongst any person or persons who at the time of such payment appear to such trustees to be entitled thereto, the payment of any such sum shall be valid and effectual with respect to any demand from any other person or persons against the funds of the society, or against the trustees thereof; but nevertheless such last-mentioned person or persons shall have his or their lawful remedy for such money so paid as aforesaid against the person or persons who have received the same.

Certificate of death required before payment.

Ibid., s. 20.

24. The trustees or other officers of any society or branch shall not pay any sum of money which may have been assured and become payable on the death of any member thereof, or the wife of any member, unless the party applying for the same produces and delivers to such trustees or other officers a certificate signed by a surgeon of the society or branch, or by a legally qualified medical practitioner, or a coroner, in such form as is prescribed by the general laws or rules of the society, except in cases where, from the nature of the circumstances, it is impossible to procure such a certificate.

Treasurer and others to render accounts, etc.

Ibid., s. 17.

25. (1) Every person who has or receives any part of the moneys, effects, or funds of or belonging to any society or branch, or in any manner has been or is entrusted with the management, disposal, or custody thereof, or of any securities, books, papers, or property relating to the same, his executors, administrators, and assigns respectively shall, upon demand made of, or notice in writing given to, or left at the last usual place of residence of such person, in pursuance of any order of not less than two trustees or three members of the committee of management of the society or branch, give in his account at the next usual meeting of the society or branch,

or

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or to such trustees or committee of management, to be examined and allowed or disallowed; and shall on the like demand or notice forthwith pay over all the moneys in his hands, and assign and transfer or deliver all securities and effects, books, papers, and property in his hands or custody, to the trustees for the time being, or to such other person as such trustees or committee of management appoint.

(2) In case of any neglect or refusal to deliver such account, or to pay over such moneys, or to assign, transfer, or deliver such securities and effects, books, papers, and property in manner aforesaid, any two or more Justices may, upon the complaint of any trustees or other officer of the society or branch, hear and determine the matter of such complaint in a summary way, and make such order therein as to such Justices in their discretion seems just.

26. If any person appointed to or employed in any office in any society or branch, and being entrusted with the keeping of the accounts, or having in his hands or possession by virtue of his said office or employment or being responsible for any moneys or effects belonging to the society or branch or any deeds or securities relating to the same—

Property of societies or branches in hands of officers to be protected from execution, &c. *Ibid.*, s. 18.

- (a) dies, or
- (b) becomes bankrupt or insolvent, or
- (c) has any execution or attachment or other process issued against his lands, goods, chattels or effects or property or estate, or
- (d) makes any assignment, disposition, or other conveyance thereof, for the benefit of his creditors,

his heirs, executors, administrators, or assigns, or the Official Receiver, or the trustee or other persons having legal right, or the Sheriff or other officer executing such process, or any person having the possession of any such moneys, effects, deeds, or securities, shall, within forty days after demand made in writing by not less than two trustees or three members of the committee of management of the society or branch, deliver and pay over all moneys, deeds, securities, and other effects belonging to the society or branch to such person as such trustees or committee appoint.

27. (1) In all societies and branches all moneys received or paid on account of each and every particular fund or benefit shall be kept separate and distinct, and shall be entered in a separate account distinct from the moneys received and paid on account of any other fund or benefit, and the moneys belonging to one fund or benefit shall not be used in any manner for the advantage or otherwise of any other fund or benefit.

Separate account to be kept of each class of benefit.

610, 1894, s. 4

(2) Notwithstanding anything contained in subsection (1) hereof, the Chief Secretary may, on the application in writing of a society, by writing under his hand authorise the transfer of moneys from any one fund to any other fund of such society or of a branch thereof,

Chief Secretary may authorise transfers from one fund to another fund.

1276, 1917, s. 4.

and

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and such society or branch may thereupon make such transfer :
 Provided that no society or branch shall be authorised to make any
 transfer of moneys from any fund of such society or branch which
 assures sickness or death benefits to the members thereof.

Audit of accounts,
 558, 1892, s. 5.

28. (1) Once at least in every half-year every society and every
 branch thereof shall submit its accounts for audit to two or more
 auditors, to be appointed in manner prescribed by the rules of the
 society ; or, if no provision is contained in such rules relative to
 the appointment of auditors, in manner prescribed by rules made
 under the provisions of this Act.

Auditors to report,

(2) The auditors shall have access to the books and accounts of
 every society or branch, and—

- (a) shall examine the general statements of the receipts and
 expenditure, funds, and effects of the society and branch,
 and verify the same with the accounts and vouchers
 relating thereto ; and
- (b) shall either sign the same as found correct, duly vouched,
 and in accordance with law, or specially report to the
 society in what respect they find them incorrect, un-
 vouched, and not in accordance with law.

Annual returns to
 be sent to Public
 Actuary.
 Ibid., s. 7.

29. On or before the first day of May in every year every society
 shall send to the Public Actuary a general statement of the receipts
 and expenditure, funds, and effects of the society so audited, which
 shall show separately—

- (a) the income and expenditure in respect of the several objects
 of the society during the preceding financial year :
- (b) a copy of the auditors' report, if any, on such general state-
 ment :
- (c) the name and address, and the calling or profession of each
 of such auditors :
- (d) a list of the names and occupations of such members of the
 society, together with the age of each, and the periods of
 sickness, deaths, and other contingencies in respect of
 whom moneys have been paid by the society during the
 period aforesaid, and the respective amounts thereof ;
 and
- (e) such other information as the Public Actuary from time to
 time prescribes.

Quinquennial
 valuations.
 610, 1894, s. 3.

30. (1) Every society shall, once at least in the period of five
 years next after the seventeenth day of December, nineteen hundred
 and seventeen, or after the incorporation or establishment of the
 society or branch, and once at least in every succeeding five years,
 cause its assets and liabilities to be valued by the Public Actuary
 or a valuer appointed by the society and approved of by the Chief
 Secretary.

(2) Every

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(2) Every society shall at the same time forward to the Public Actuary a list of the names and occupations of all its members, together with the age of each member at the time of the previous quarterly or half-yearly balancing of accounts, specifying the date thereof.

(3) The Public Actuary or such valuer shall send to the Chief Secretary a report on the condition of the society, and an abstract to be made by him of the results of his valuation, together with a return containing such information with respect to the benefits assured and contributions receivable by the society, and of its funds and effects, debts, and credits, as the Chief Secretary may from time to time require.

(4) Every such valuation shall be called the quinquennial valuation, and the report thereon shall be signed by the Public Actuary or such valuer, and, if signed by such valuer, he shall state therein his full name, address, and calling or profession. 558, 1892, s. 8.

31. (1) Any valuer, member, or person having an interest in the funds of a society may inspect the books thereof at all reasonable hours, at the registered office of the society or at any place where the same are kept. Inspection of books. Ibid., s. 9.

(2) No such member or person, unless he is specially authorised by a resolution of the society to do so, shall have the right to inspect the loan account of any borrower without the written consent of such borrower.

32. Every member or person interested in the funds of the society, on his application, shall be supplied at cost price with a copy of any balance-sheet or other document duly audited containing the same particulars as to the receipts and expenditure, funds and effects, of the society as are contained in the annual return. Copies of annual returns to be supplied. Ibid., s. 10.

33. Every society at its registered office and every branch at its place of meeting shall keep a copy of the last annual balance-sheet for the time being, and of the Public Actuary's or valuer's report of the last quinquennial valuation for the time being, together with the report of the auditors, and have such balance-sheet and reports available for inspection. Copy of annual balance-sheet and quinquennial report to be exhibited. Ibid., s. 11.

34. In the case of a society having branches, there shall be included in the returns and valuation required by this Act returns and valuations in respect of all the branches of the society. Branches to be included in returns. Ibid., s. 12.

35. It shall be the duty of every branch to prepare and forward to the secretary of the society such returns and documents relating to the branch as may be required by the secretary for the purposes of this Act, and to supply him with all such information as may be required to enable him to examine the returns to be furnished to the Public Actuary, and also with all such information as may be required to enable a valuation of the assets and liabilities of the society to be made in terms of this Act. Branches to supply information to principal secretary. Ibid., s. 13.

36. The

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Public Actuary to
be appointed.
Ibid., s. 14.

36. The Governor shall appoint some person to be a Public Actuary, who shall perform the duties assigned to him by this Act.

Public Actuary's
duties.
Ibid., s. 15.
1276, 1917, s. 7.

37. (1) It shall be the duty of the Public Actuary to investigate the annual returns and make quinquennial valuations of the assets and liabilities of every society and of every branch thereof; but any society may employ a valuer, as provided in section 30, in which case the Public Actuary shall investigate the valuations and reports of such valuer, together with the returns sent to the Public Actuary as aforesaid; and in either case he shall, so soon after the said quinquennial valuation as practicable, report to the Chief Secretary—

- (a) on the assets and liabilities of the society :
- (b) as to the sufficiency or insufficiency of the subscriptions, income, and capital to pay for the objects or purposes intended to be secured by the society to its members, or to the husband, wife, child, or kindred of a member :
- (c) as to the necessity of any increase or decrease in the subscriptions or payments by a member towards the funds of the society, or as to any increase or decrease of the sums payable by the society for relief, maintenance, endowment, contribution in case of death, burial expenses, or other lawful purposes ; and
- (d) as to any defects in the administration of the society's funds, and the efficiency or inefficiency of management, or the sufficiency or insufficiency of any return, audit report, or valuation.

Appropriation of
certain surplus.

(2) A society which has been reported by the Public Actuary to possess any surplus at the last quinquennial valuation, and whose scale of contributions for new members is certified to be sufficient, may apply all interest over and above four and a half per centum per annum accruing from capital funds invested to such purposes as may be approved by the society.

Returns to be
prepared and
published.
558, 1892, s. 16.

38. The Public Actuary may, with the approval of the Governor, from time to time—

- (a) prepare and cause to be circulated for the use of the 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 part of the State, or otherwise make known, such information on the subject of the statistics of life and sickness as are applicable to the business of friendly societies :
- (c) publish generally, or in particular parts of the State, such portions of any return and valuation and such other information as may be useful to the members of or to persons interested in friendly societies ; and
- (d) cause

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- (d) cause to be constructed and published tables for the payment of sums of money on death, in sickness, or old age, or any other contingency forming the objects and purposes set forth in this Act, and which may appear to be calculable ; but the adoption of such tables by any society shall be optional.

39. It shall be lawful for the Public Actuary to inspect all accounts, books, papers, deeds, memoranda, returns, reports, and valuations of which he may require the inspection, and to make such extracts and copies therefrom as in his opinion may be necessary for any of the purposes of this Act.

Inspection by Public Actuary.

¹*Ibid.*, s. 17.

40. (1) Any officer who—

Penalties for offences.

- (a) neglects to send or forward any notice, statement, return, information, report, or valuation required by this Act to be forwarded, or to submit the account of his society for audit, or to obtain the quinquennial valuation of his society's assets and liabilities ; or
- (b) wilfully obstructs or hinders any auditor, valuer, actuary, officer, member, or person in the performance of any duty, or refuses or neglects to produce any books, papers, deeds, memoranda, returns, reports, or valuations to the inspection whereof any such auditor, valuer, actuary, officer, member, or person is entitled ; or
- (c) neglects to supply any member or person, on his application, with any return to which such member or person is entitled ; or
- (d) fails to exhibit any balance-sheet, quinquennial valuation, or report required by this Act to be exhibited,

Ibid., s. 18.

shall, for every day during which such offence, omission, or neglect is continued, be liable to a penalty of not more than Five Pounds.

(2) It shall be the duty of the Public Actuary to require every society and each of its officers to comply with the provisions of this Act.

41. (1) Any societies and/or branches (whether branches of the same or of different societies), may, without terminating their respective separate existences, unite, upon such terms as are mutually agreed, for the purpose of carrying out any one or more of the objects mentioned in paragraphs III. and IV. of section 7, if a resolution in that behalf is duly carried by each of the said societies and/or branches in accordance with the general laws or rules by which it is governed.

Societies or branches may unite for carrying out specific purposes.

1021, 1910, s. 5.

(2) Thereupon, and upon compliance with section 45, such societies and/or branches shall, for the said purpose, become a body corporate by such name as is adopted by the said resolution, and the same

results

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results shall follow from such incorporation as if such body corporate had been a society specified in the Second Schedule, and this Act shall be read and construed as if such body corporate had been specified in the said Schedule: Provided that such incorporation shall not—

- I. terminate or affect the separate existence of any of such societies and/or branches, nor
- II. affect any rights of any creditor of, or other person having any claim against, any of such societies and/or branches, nor
- III. render the funds of any of such societies and/or branches liable for the debts and obligations of such body corporate, except to the extent (if any) provided by the resolution to unite as aforesaid, nor
- IV. require any society or branch to contribute thereto in respect of any of its members who from time to time do not desire the benefits of such incorporation.

Right of society or branch to withdraw.
Ibid., s. 6.

42. Any society or branch shall have the right to withdraw from any society or branch formed for the purpose of providing medical benefits under section 7, and with which it has become united or incorporated under section 41, if a resolution in that behalf has been duly carried by the said society or branch desiring to so withdraw in accordance with its general laws or rules, and upon such withdrawal the liability of such society or branch shall cease, and such society or branch shall thereupon forfeit all its interest in the said united or incorporated body.

Society or branch may contribute to funds, or take part in government of another society or branch.
Ibid., s. 7.

43. (1) For the purpose of carrying out any one or more of the objects of a society or branch, such society or branch, if a resolution in that behalf is duly passed in accordance with the general laws or rules by which such society or branch is governed may, with the consent of any other society or branch, without becoming incorporated with such other society or branch—

- I. contribute to a fund of such other society or branch, provided that such fund is applicable to purposes which are the same as, or similar to, the purposes of the fund from which the contribution is made, or
- II. take part, by duly appointed delegates, in the government of such other society or branch.

(2) Upon any such contribution, the funds so contributed shall, without prejudice to any rights of any creditor of, or other person having any claim against, the society or branch making the same, cease to be the funds of such society or branch, and shall form part of the funds of the society or branch to whom the same is contributed.

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44. No contribution made by a society or branch in accordance with section 41 or section 43 shall be deemed "not to be wanted for the immediate use thereof" within the meaning of section 12.

Contributions to be deemed to be wanted for the immediate use of society or branch.

Ibid., s. 8.

45. (1) A copy of every resolution for any of the purposes mentioned in section 41 of this Act, signed by the chairman of the meeting at which the same was carried and countersigned by the secretary of the society or branch, and sealed with its seal, shall be forwarded to the Public Actuary to be registered by him, and no such resolution shall take effect until such copy is so registered.

Copy of resolution to be registered.

Ibid., s. 9.

(2) The Public Actuary shall not register any such resolution unless he is satisfied that it is not contrary to this Act or the general laws or rules by which the society or branch is governed, and that it was carried in conformity with all provisions in that behalf of such Act and general laws or rules.

46. (1) Every dispute between branches of any society or between any member or members of any society or branch, or between any person claiming through or under a member or under the rules of any society or branch, and the society or branch, or the trustees, committee of management, treasurer, or other officer thereof, or between the assigns of a member and the society, branch, trustees, committee, treasurer, or other officer, shall be decided, and the costs and expenses attending the decision of such dispute be awarded and paid, in manner directed by the rules of the society or branch.

Disputes, how to be determined.

Friendly Societies Act, 1886, s. 22.

(2) The decision and award so made shall be binding and conclusive on all parties, without appeal to any court of law.

47. (1) If—

- (a) the rules of any society or branch direct that disputes shall be settled by arbitration, but no arbitrators have been appointed or no award made within such time as is prescribed by such rules, after complaint to the officers of the society or branch; or
- (b) either party fails or neglects to comply with or conform to any award made by the arbitrators under any such rules; or
- (c) such rules direct such disputes to be decided before a Local Court; or
- (d) no mode of proceeding is specified in such rules;

Jurisdiction of Local Courts in certain cases.

Ibid., s. 23.

then, and in any of such cases, all applications for the removal of any trustee or other officer, or for any other relief, order, or direction, or for the settlement of any dispute that may arise or may have arisen in the society, or for the enforcement of any such award as aforesaid, shall be made to the Local Court of Full Jurisdiction nearest to the usual or principal place of business of the society or branch.

(2) Such

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(2) Such Court shall, upon the application of any person interested in the matter, entertain such application and grant such orders and directions in relation to the matter of such application as such Court thinks fit, or as may be made or granted by the Supreme Court in its equitable jurisdiction.

(3) The decision of such Local Court upon such application, touching any of the matters aforesaid, shall be final and conclusive.

Mode of proceeding
in Local Court.

Ibid., s. 24.

48. The mode of proceeding under section 47 shall be as follows :—

I. Where any member of any society, or his legal representative, seeks to recover from the society, or any branch thereof, or from any of the officers of the society or branch, any sum of money, whether the same is a liquidated demand or not, or to enforce any such award as aforesaid, the proceedings shall be commenced by plaint, and shall be conducted in all other respects according to the practice of Local Courts in the case of ordinary plaints.

II. Where the application is for the removal of a trustee or other officer, or for an order for compelling the performance or omission of any act or otherwise, and where the relief sought would, but for this Act, come within the equitable jurisdiction of the Supreme Court, then—

(a) the applicant shall file with the clerk of the Court a short statement, in writing, setting forth the facts and praying for the relief to which he deems himself entitled, and shall also leave with the clerk of the Court a copy thereof for each defendant, and such clerk shall forthwith cause a copy to be served on the defendant, with a notice to appear as in ordinary cases :

(b) the defendant, if he desires to appear, shall file with the clerk of the Court a short statement of his defence, and the case shall be set down for trial in the usual way ;

(c) if the defendant does not appear in due course the plaintiff may sign judgment, the effect of which shall be that on the trial the defendant shall be precluded from denying any of the facts set forth in the plaintiff's statement, and the clerk of the Court shall thereupon set down the cause for trial as in cases for assessment of damages, and the Court, upon such trial, may make such order as it thinks fit.

Orders of Local
Courts, how
enforced.

Ibid., s. 25.

49. (1) When any Local Court makes any order for the performance or omission of any particular act as aforesaid, it may also order that if the defendant, for a time to be mentioned in such order,

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order, refuses or neglects to perform or abstain from the act mentioned, he shall pay to the plaintiff a sum of money to be therein specified, not exceeding One Hundred Pounds, and such order shall be duly entered by the clerk as the judgment of the Court.

(2) In case the defendant, after the expiration of the time mentioned in such order, continues to neglect or refuse as aforesaid, the plaintiff may at once proceed to enforce such order by all or any of the means by which judgments of such Court may for the time being be enforceable, and no such order shall be removed by *certiorari* or otherwise into any superior Court of record.

(3) In any case where any Local Court gives judgment against any society or branch for any sum of money, and there are not sufficient moneys, goods, or chattels of the society or branch whereon execution can be levied for such sum and costs, then and in such case such judgment may be satisfied by being levied on and by the seizure and sale of any of the moneys, goods, and chattels of any of the trustees for the time being of the society or branch: Provided that whatever sum of money is paid by any such trustee, or is levied on his goods and chattels as aforesaid, shall be repaid, with all damages accruing to him in consequence thereof, out of the moneys belonging to the society or branch, or out of the first moneys which are thereafter received by the society or branch.

50. (1) In case any member of any society has been expelled therefrom, and the award of any arbitrators appointed in accordance with the rules of the society, or the order of any Local Court, directs that he shall be reinstated, it shall be lawful for such arbitrators to award, or Local Court to order, in default of such reinstatement, such a sum of money to be paid to such member by the trustees of the society as to such arbitrators or Local Court may seem just and reasonable.

Expelled members may be reinstated or in default be awarded compensation.

Ibid., s. 26.

(2) Such sum of money, if not paid, shall be recoverable from the society, or the treasurer, trustee, or other officer thereof, if such order is made by a Local Court, in the manner hereinbefore provided, and if by arbitrators, then by action on such award in any Court of competent jurisdiction.

51. Every person shall be guilty of a misdemeanor who, being a trustee, secretary, officer, or member of any society or branch—

Certain fraudulent acts to be misdemeanors.

- (a) fraudulently takes or applies to his own use any of the money or other property of the society or branch; or
- (b) as such trustee, secretary, officer or member, uses or possesses himself of any of the money or other property of the society or branch otherwise than in payment of a just debt or demand; or
- (c) with intent to defraud, omits to make, or to cause to be made, a full and true entry thereof in the books and accounts of the society or branch; or
- (d) with intent to defraud, destroys, alters, mutilates, or falsifies any of the books, papers, writings, or securities belonging to the society or branch, or
- (e) knowingly

Ibid., s. 27.

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- (e) knowingly makes or concurs in the making of any false entry, or permits any material omission in any book, or circulates or publishes, or concurs in making, circulating, or publishing, any written or printed statement or account which he knows to be false in any material particular, with intent to deceive or defraud any member or creditor of the society or branch, or with intent to induce any person to become a member thereof, or to entrust or advance any money or property to the society or branch, or to enter into any security for the benefit thereof, or
- (f) with intent to defraud, affixes or impresses the seal of the society or branch to or upon any document whatsoever.

Penalty for
misdemeanor.
Ibid., s. 28.

52. Every person found guilty of a misdemeanor under this Act may be sentenced to be imprisoned for any term not exceeding two years, with or without hard labor, or may be fined, as the Court thinks fit.

Forgery of seal, &c.,
to be a felony.
Ibid., s. 29.

53. Any person who—

- (a) forges the signature of any trustee, secretary, or other officer of any society or branch, or
- (b) forges or counterfeits the seal of any society or branch, or
- (c) utters any document or instrument whatsoever, having thereon or affixed thereto the stamp or impression of any such forged or counterfeit seal, or any forged or counterfeit stamp or impression made or apparently intended to resemble the stamp or impression of the seal of any society or branch, knowing the same to be forged or counterfeited, or
- (d) forges, or alters, or utters, knowing the same to be forged or altered, any document or instrument having the stamp or impression of the seal of any society or branch thereon, or affixed thereto,

shall be guilty of felony, and shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding seven years, and to be kept to hard labor or solitary confinement for the whole or any part of such period.

Distribution of
penalties.
Ibid., s. 30.

54. All penalties imposed by this Act shall (except where otherwise directed) be paid—one-half to the informant or complainant, and one-half to the Treasurer, on behalf of His Majesty, His heirs and successors, for the public use of the State ; unless the information or complaint is laid at the instance or by the direction of the trustees or other officers of any society or branch, in which case the whole of the penalty inflicted shall be paid to such trustees or other officers in aid of the funds of the society or branch.

Sedition Acts not
to apply.
Ibid., s. 32.

55. The provisions of an Act passed in the thirty-ninth year of the reign of King George the Third, intituled "An Act for the more effectual suppression of societies established for seditious and treasonable purposes, and for better preventing treasonable and seditious

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sedition practices," and an Act passed in the fifty-seventh year of the reign of King George the Third, intituled "An Act for the more effectually preventing seditious meetings and assemblies," shall not extend to any society or branch governed by this Act, or to any meeting of the members or officers thereof.

56. Any body of persons existing as a friendly society before the seventeenth day of November, eighteen hundred and eighty-six, may become incorporated with any society governed by this Act: Provided that the terms and conditions under which such body of persons desire to be so incorporated prove upon investigation satisfactory to the committee of management of such last-mentioned society.

Existing societies
may become incor-
porated.
Ibid., s. 33.

57. The Governor may from time to time make regulations prescribing—

Regulations.
558, 1892, s. 21

- (a) the time and manner in which any act, deed, matter, or thing required by this Act to be done, and for the doing of which no time or procedure is provided, shall be done:
- (b) the fees to be paid by any society in respect to any of the matters to be done and performed for the society by any auditor or valuer:
- (c) the form and contents of any notice, account, return, statement, report, valuation, or other document by this Act required to be prepared, served, rendered, declared, or verified:
- (d) the mode and time of preparing, publishing, serving, executing, rendering, declaring, or verifying any such notices and documents as last aforesaid:
- (e) all other matters and things arising under and consistent with this Act, and not therein expressly provided for, and for otherwise fully and effectually carrying out and giving effect to the various objects, purposes, powers, and authorities of this Act, and guarding against evasions and violations thereof; and
- (f) for fixing penalties for the breach of any regulation, not exceeding the sum of Ten Pounds.

58. All proceedings in respect of offences against this Act shall be disposed of summarily.

Summary procedure
for offences.
Ibid., s. 22.

59. There shall be an appeal in respect of proceedings in respect of offences against this Act.

Appeal.
Friendly Societies
Act, 1886, s. 31.
558, 1892, s. 23.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.

SCHEDULES.

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SCHEDULES.

Sec. 2.

THE FIRST SCHEDULE.

| Reference to Act. | Title or Short Title of Act. |
|------------------------|--|
| No. 22 of 1852 | An Act to Regulate Friendly Societies. |
| Private Act | The Manchester Unity of Oddfellows Act, 1874. |
| Private Act | The Manchester Unity of Oddfellows Amendment Act, 1887. |
| Private Act | The Friendly Societies Act, 1886. |
| No. 558 of 1892 | The Friendly Societies Amendment Act, 1892. |
| No. 593 of 1894 | An Act to Rectify a Mistake in the Friendly Societies Act, 1886. |
| No. 609 of 1894 | The Friendly Societies Amendment Act, 1894. |
| No. 610 of 1894 | The Friendly Societies Amendment Act, 1894. |
| No. 952 of 1908 | The Friendly Societies Amendment Act, 1908. |
| No. 1021 of 1910 | The Friendly Societies Amendment Act, 1910. |
| No. 1276 of 1917 | Friendly Societies Further Amendment Act, 1917. |

THE SECOND SCHEDULE.

Sec. 4.

Manchester Unity
Act of 1867, *et seq.*
Friendly Societies
Act, 1886, Schedule
A.

952, 1908, Schedule.

The Independent Order of Oddfellows Manchester Unity Friendly Society in South Australia.
The South Australian Ancient Order of Foresters Friendly Society.
The South Australian Grand United Order of Oddfellows Friendly Society.
The South Australian United Ancient Order of Druids Friendly Society.
The Independent Order of Odd Fellows.
The South Australian District, No. 81, Independent Order of Rechabites, Friendly Society.
The Albert District, No. 83, Independent Order of Rechabites, Salford Unity.
The Sons of Temperance, South Australian Grand Division, No. 24.
The Cosmopolitan Friendly Benefit Society.
The Allgemeine Deutsche Kranken und Sterbe Kasse.
The Adelaide Hebrew Benefit Society.
Australian Natives' Association.
Hibernian Australasian Catholic Benefit Society, Adelaide District, No. 7
South Australian Grand United Order of Free Gardeners.
The Federal Friendly Benefit Society of South Australia.
The United Daughters of Australia, Lily Lodge, No. 1.
Irish National Foresters Benefit Society.

THE

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THE THIRD SCHEDULE.

1. The place where the business of the society shall from time to time be carried on.
2. The whole of the objects for which the society is established.
3. The purposes for which the funds of the society or any branch thereof shall be applicable.
4. The conditions under which any member or person claiming or by which a member may become entitled to any benefit assured by the society or any branch thereof.
5. The manner in which a branch or member may be expelled or fined for an infringement of the rules of the society or of any branch thereof.
6. The manner in which appeals and disputes between members of the society, or between members and the society or any branch thereof, or between different branches, or made by any person claiming under or by or through any member, or under the laws or rules of the society or any branch thereof, shall be settled and decided, together with provisions for appointing arbitrators to decide such claims, appeals, or disputes, or any other claims, appeals, or disputes which may arise in the working of the society or any branch thereof.
7. The manner in which the business of the society or, any branch thereof shall be conducted.
8. The manner in which general laws or rules of the society may from time to time be made, altered, amended, or rescinded.
9. The manner in which branches may make by-laws, and how the same shall become binding upon members of such branches.
10. Provisions for the appointment and removal of a general committee of management, of a trustee or trustees, secretary or secretaries, treasurer or treasurers, and any other officer specified in the laws or rules of the society or any branch thereof.
11. Provisions for the investment of the funds of the society or any branch thereof.
12. Provisions for a periodical audit of accounts, and the mode thereof, and the qualification of auditors.
13. The amount of entrance-fees and subscriptions payable into the society or any branch to entitle a member to benefit therein.
14. The amount payable by the society or any branch thereof at the death of a member or member's wife, and other benefits to which a member or any other person may become or be entitled.
15. The power to vary such entrance-fees, subscriptions, and benefits when found expedient.
16. Provisions for compelling branches to send such returns as may be found necessary for the working of the society.

Sec. 10
Friendly Societies
Act, 1886, Schedule
B.

THE FOURTH SCHEDULE.

Resolved that the undersigned [*full name*] of [*residence and calling*] be and is hereby appointed a trustee [*or Secretary*] of this [*society, lodge, court, camp, tent, or other name*] this _____ day of _____ 19____.

Witness to signature—

(Signature of new trustee or Secretary).

THE

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THE FIFTH SCHEDULE.

Sec. 16. Received from this day of 19 , the sum
Ibid., Schedule D. of being in full satisfaction and discharge of all moneys due upon the
within security or obligation.

Witness to the sealing hereof with
the seal of the

}

(L.S.)

} Trustees.
Secretary.

THE SIXTH SCHEDULE.

Sec. 17. Received from this day of 19 ,
Ibid. Schedule E. the sum of on account and in part payment of the moneys
due upon the within security or obligation.

Witness to the sealing hereof with
the seal of the

}

(L.S.)

} Trustees.
Secretary.

*Friendly Societies Act.—1919.***FRIENDLY SOCIETIES ACT, 1919.***Table showing how the Sections of Acts Consolidated have been dealt with.*

| Section of Repealed Act. | Remarks. | Section of Consolidating Act. |
|--|--|-------------------------------|
| Act to regulate Friendly Societies, 22 of 1852 | Act superseded by Friendly Societies Act, 1886..... | — |
| Manchester Unity of Oddfellows Act, 1874— | Practically identical with Friendly Societies Act, 1886. References to the individual society merged in a general reference in the consolidating Act.... | — |
| Ibid. s. 1 | Covered by 1215, 1915, s. 16..... | — |
| “ s. 2 | Power to mortgage not expressly conferred | 4 |
| “ s. 3 | — | 3 |
| “ s. 4 | — | 7 |
| “ s. 5 | — | 8 |
| “ s. 6 | — | 9 |
| “ s. 7 | No specific reference in M.U. Act to Savings Bank of S.A. | 11 |
| “ s. 8 | — | 10 |
| “ s. 9 | Combined with 558, 1892, s. 20, and 1276, 1917, s. 6. Special privileges to M.U. members retained | 12 |
| “ s. 10 | Application of section to “ Secretary ” and reference to insolvency, etc., of officers, not in M.U. Act | 15 |
| “ s. 11 | Covered by 1215, 1915, s. 16 | — |
| “ s. 12 | Requirement as to countersigning by Secretary not in M.U. Act | 16 and 17 |
| “ s. 13 | M.U. Act provides for either a “ bond ” or a “ guarantee policy.” In practice the M.U. Society issues its own guarantee policies in terms of Act 1021 of 1910. References to bond omitted from consolidating Act | 18 |
| “ s. 14 | Slight variations from corresponding section of 1886 Act not reproduced | 19 |
| “ s. 15 | — | 20 |
| “ s. 16 | Repealed by 558, 1892, s. 3..... | — |
| “ s. 17 | — | 25 |
| “ s. 18 | Language of M.U. Act as amended by M.U. Act, 1887, s. 3, somewhat different from that employed in section 19 of 1886 Act | 23 |
| “ s. 19 | — | 21 |
| “ s. 20 | — | 24 |
| “ s. 21 | Repealed by M.U. Amendment Act, 1887, s. 1 | — |
| “ s. 22 | — | 46 |

Table

Friendly Societies Act.—1919.

Table showing how the Sections of Acts Consolidated have been dealt with—continued.

| Section of Repealed Act. | Remarks. | Section of Consolidating Act. |
|---|---|-------------------------------|
| Manchester Unity of Oddfellows Act, 1874 s. 23 | — | 47 |
| Ibid. s. 24 | — | 48 |
| “ s. 25 | — | 49 |
| “ s. 26 | — | 50 |
| “ s. 27 | — | 56 |
| “ s. 28 | — | 51 |
| “ s. 29 | — | 52 |
| “ s. 30 | — | 53 |
| “ s. 31 | — | 54 |
| “ s. 32 | Sec also 558, 1892, s. 22, 23 | 58, 59 |
| “ s. 33 | — | 55 |
| “ s. 34 | Short title | — |
| “ s. 35 | Covered by 1215, 1915, s. 18 | — |
| Schedule A | — | Third Schedule |
| Schedule B | Requirement as to countersigning by secretary not in M.U. Act | Fifth Schedule |
| The Manchester Unity of Oddfellows Amendment Act, 1887 s. 1 | — | — |
| Ibid. s. 2 | Repeals M.U. Act, 1874, s. 21 | — |
| “ s. 3 | Short title Amends M.U. Act, 1874, s. 18 | 23 |
| The Friendly Societies Act, 1886 | | |
| Ibid. s. 1 | Covered by 1215, 1915, s. 16 | — |
| “ s. 2 | Interpretation | 3 |
| “ s. 3 | — | 4 |
| “ s. 4 | — | 7 |
| “ s. 5 | — | 8 |
| “ s. 6 | — | 9 |
| “ s. 7 | — | 11 |
| “ s. 8 | — | 10 |
| “ s. 9 | Combined with 558, 1892, s. 20, and 1276, 1917, s. 6 | 12 |
| “ s. 10 | — | 15 |
| “ s. 11 | Operation exhausted. Rights and liabilities preserved by 1215, 1915, s. 16 | — |
| “ s. 12 | — | 16, 17 |
| “ s. 13 | Certain obsolete matter struck out | 18 |
| “ s. 14 | Certain obsolete matter struck out | 19 |
| “ s. 15 | — | 20 |
| “ s. 16 | Repealed by 558, 1892, s. 3 | — |
| “ s. 17 | — | 25 |
| “ s. 18 | — | 26 |
| “ s. 19 | Words “branch of such” in fifteenth line and “or branch” in sixteenth line omitted to conform to practice | 23 |
| “ s. 20 | — | 24 |
| “ s. 21 | — | 21 |

*Friendly Societies Act.—1919.**Table showing how the Sections of Acts Consolidated have been dealt with—continued.*

| Section of Repealed Act. | Remarks. | Section of Consolidating Act. |
|--|---|-------------------------------|
| The Friendly Societies Act, 1886 s. 22 | Words "or equity" omitted as obsolete .. | 46 |
| Ibid. s. 23 | — | 47 |
| " s. 24 | — | 48 |
| " s. 25 | — | 49 |
| " s. 26 | — | 50 |
| " s. 27 | — | 51 |
| " s. 28 | — | 52 |
| " s. 29 | — | 53 |
| " s. 30 | — | 54 |
| " s. 31 | See also 558, 1892, s. 22 | 58, 59 |
| " s. 32 | — | 55 |
| " s. 33 | — | 56 |
| " s. 34 | Short title | — |
| " s. 35 | Covered by 1215, 1915, s. 18 | — |
| Schedule A | Added to Schedule—Manchester Unity Society, incorporated under special Acts, and Irish National Foresters, registered under Act 22 of 1852. Struck off Schedule—Protestant Alliance Society, as this Society has ceased to exist in South Australia | Second Schedule |
| Schedule B | — | Third Schedule |
| Schedule C | — | Fourth Schedule |
| Schedule D | — | Fifth Schedule |
| Schedule E | — | Sixth Schedule |
| Schedule F | Repealed by 558, 1892, s. 3 | — |
| Schedule G | Repealed by 558, 1892, s. 3 | — |
| No. 558 of 1892. s. 1 | Short title | — |
| Ibid. s. 2 | Interpretation | 3 |
| " s. 3 | Repeal..... | — |
| " s. 4 | — | 6 |
| " s. 5 | — | 28 |
| " s. 6 | — | 13 |
| " s. 7 | — | 29 |
| " s. 8 | Subsection (1) repealed by 610, 1894, s. 3 . | 30 |
| " s. 9 | — | 31 |
| " s. 10 | — | 32 |
| " s. 11 | — | 33 |
| " s. 12 | — | 34 |
| " s. 13 | — | 35 |
| " s. 14 | — | 36 |
| " s. 15 | Amended by 1276, 1917, s. 7 | 37 |
| " s. 16 | — | 38 |
| " s. 17 | — | 39 |
| " s. 18 | "To" in tenth line is not required. Latter portion of section is obsolete | 40 |

Table

Friendly Societies Act.—1919.

Table showing how the Sections of Acts Consolidated have been dealt with—continued.

| Section of Repealed Act. | Remarks. | Section of Consolidating Act. |
|--------------------------|---|-------------------------------|
| No. 558 of 1892 s. 19 | — | 14 |
| Ibid. s. 20 | Combined with 1886 Act, s. 9, and 1276, 1917, s. 6 | 12 |
| “ s. 21 | “ Performed by ” in seventh line is obviously incorrect, and is altered to “ performed for ” | 57 |
| “ s. 22 | — | 58 |
| “ s. 23 | — | 59 |
| No. 593 of 1894 s. 1 | Rectifies an error in Schedule A of 1886 Act | — |
| No. 609 of 1894 s. 1 | Short title..... | — |
| Ibid. s. 2 | — | 22 (1) |
| “ s. 3 | — | 22 (2) |
| “ s. 4 | Interpretation | 3 |
| “ s. 5 | Interpretation | 3 |
| No. 610 of 1894 s. 1 | Short title..... | — |
| Ibid. s. 2 | “ Public Actuary ” is substituted for “ Registrar ” or “ Registrar-General ” wherever these words occur. | — |
| “ s. 3 | — | 30 |
| “ s. 4 | Letter portion now obsolete | 27 (1) |
| No. 952 of 1908 s. 1 | Short title..... | — |
| Ibid. s. 2 | Covered by 1215, 1915, s. 16..... | — |
| “ s. 3 | Refers to 1886 Act, s. 3 | 4 |
| “ s. 4 | Now unnecessary | — |
| Schedule | — | Second Schedule |
| No. 1021 of 1910 s. 1 | Short title..... | — |
| Ibid. s. 2 | Incorporation with other Acts | — |
| “ s. 3 | Interpretation partially obsolete | 3 |
| “ s. 4 | — | 7 |
| “ s. 5 | “ Section 8 ” in eighth line obviously means “ section 9 ” and “ such members ” in twenty-sixth line should read “ any of its members ” | 41 |
| “ s. 6 | — | 42 |
| “ s. 7 | — | 43 |
| “ s. 8 | “ Section 6 ” in second line should be “ section 5 or section 7 ” | 44 |
| “ s. 9 | Words “ if any ” in fourth line struck out. Every Society and Branch must have a seal, 1886 Act, s. 3 | 45 |
| No. 1276 of 1917 s. 1 | Short title..... | — |
| Ibid. s. 2 | Incorporation with other Acts | — |
| “ s. 3 | Interpretation | 3 |
| “ s. 4 | — | 27 (2) |
| “ s. 5 | — | 5 |
| “ s. 6 | Combined with 1886 Act, s. 9, and 558, 1892, s. 20 | 12 |
| “ s. 7 | Amends 558, 1892, s. 15 | 37 (2) |
| “ s. 8 | Effect preserved by 1215, 1915, s. 16 | — |