

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24 (N.I.))

21.—(1) The Industrial and Provident Societies (Northern Ireland) Act 1969 is amended as follows.

(2) In section 7D(1)(b)^{M1} (transactions with committee members and other persons in excess of powers), omit “or a company with whom such a member is associated”.

(3) In section 7E^{M2} (definitions relating to section 7D)—

(a) omit subsection (2);

(b) in subsection (3)—

(i) for “Article 354(2) to (8) of that Order” substitute “ Sections 252 to 255 of the Companies Act 2006 ”, and

(ii) omit “or to a member of the committee's being “associated with” a company”.

(4) In section 31(b)^{M3} (investments) for “registered under the Companies Acts” substitute “ registered under the Companies Act 2006 ”.

(5) In section 48(5) (annual return), for “section 64(b)” substitute “ section 64(1)(b) ”.

(6) In section 61^{M4} (conversion into, or transfer of engagements to, company)—

(a) in subsection (1)—

(i) for “the Companies (Northern Ireland) Order 1986” substitute “ the Companies Act 2006 ”, and

(ii) for “that Order” substitute “ that Act ”;

(b) in subsection (2)—

(i) for “required by the Companies (Northern Ireland) Order 1986” substitute “ required by subsection (1) of section 8 of the Companies Act 2006 ”;

(ii) for “signed and attested under the said Order of 1986” substitute “ authenticated as required by subsection (2) of that section ”.

(7) In section 62 (conversion of company into registered society)—

(a) in subsection (1)^{M5} for “the Companies (Northern Ireland) Order 1986” substitute “ the Companies Act 2006 ”;

(b) in subsection (2)^{M6} after “together with the secretary” insert “ (or if the company has no secretary, a director) ”;

(c) in subsection (4)^{M7}—

(i) omit “under the seal of the company”, and

(ii) omit “within the meaning of the Companies (Northern Ireland) Order 1986”;

(d) in subsection (6)^{M8} for “the Companies (Northern Ireland) Order 1986” substitute “ the Companies Act 2006 ”.

(8) For section 64 (dissolution of registered society) substitute—

“64 Dissolution of registered society

(1) A registered society may be dissolved—

Changes to legislation: *There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Paragraph 21. (See end of Document for details)*

- (a) on its being wound up in pursuance of an order or resolution made as is directed in regard to companies by the Insolvency (Northern Ireland) Order 1989, or
- (b) in accordance with section 67, by an instrument of dissolution to which not less than three-fourths of the members of the society have given their consent testified by their signatures to the instrument.

(2) The provisions of the Insolvency (Northern Ireland) Order 1989 applied by subsection (1)(a) have effect as if the society were a company, but any reference to the registrar of companies shall be read as a reference to the registrar within the meaning of this Act.

(3) A copy of any resolution passed for the voluntary winding up of a registered society must be sent by the society to the registrar within 15 days after it is passed. For the purposes of section 71 (offences by officers etc) as it applies in relation to a failure to comply with this subsection, a liquidator of the society shall be treated as an officer of it.

(4) A copy of any resolution passed for the voluntary winding up of a registered society must be annexed to every copy of the registered rules of the society issued after the passing of the resolution.

(5) This section has effect subject to section 68 (restriction on dissolution or cancellation of registration).”.

(9) In section 66 (winding up), for “section 64(a)” substitute “ section 64(1)(a) ”.

(10) In section 67(1) (instrument of dissolution), for “section 64(b)” substitute “ section 64(1)(b) ”.

(11) In section 101(1) (interpretation) omit the definition of “Companies Acts”.

Marginal Citations

M1 Section 7D was inserted by S.I. 2006/314 (N.I. 3), **Article 4**.

M2 Section 7E was inserted by S.I. 2006/314 (N.I. 3), **Article 4**.

M3 Section 31(b) was amended by the Building Societies Act 1986 (c.53), **Schedule 18**, paragraph 20.

M4 Section 61 was amended by S.I. 1986/1035 (N.I. 9), **Schedule 1**.

M5 Section 62(1) was amended by S.I. 1986/1035 (N.I. 9), Schedule 1 and S.I. 1976/425 (N.I. 7), **Article 6**.

M6 Section 62(2) was amended by S.I. 1986/1035 (N.I. 9), **Schedule 1** and S.I. 1997/2984 (N.I. 22), **Schedule 2**, paragraph 13.

M7 Section 62(4) was amended S.I. 1986/1035 (N.I. 9), **Schedule 1**.

M8 Section 62(6) was amended by S.I. 1986/1035 (N.I. 9), **Schedule 1**.

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