



ANNO PRIMO

GEORGII V REGIS.

A.D. 1910.

No. 1021.

An Act to further amend the Act No. 22 of 1852, intituled "An Act to Regulate Friendly Societies," "The Manchester Unity of Oddfellows Act, 1874," and "The Friendly Societies Act, 1886," and for other purposes.

[Assented to, December 7th, 1910.]

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 Amendment Act, 1910." Short title.

2. This Act is incorporated with— Incorporation.

- i. The Act No. 22 of 1852, intituled "An Act to Regulate Friendly Societies," and all Acts amending or incorporated with that Act:
- ii. "The Manchester Unity of Oddfellows Act, 1874," and all Acts amending or incorporated with that Act:
- iii. "The Friendly Societies Act, 1886," and all Acts amending or incorporated with that Act.

3. In this Act, except where some other meaning is clearly intended— Interpretation.

"Society" means and includes—

- (a) Every society specified in Schedule A to "The Friendly Societies Act, 1886," or in the Schedule to "The Friendly Societies Amendment Act, 1908":

(b) The

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(b) The Independent Order of Oddfellows Manchester Unity Friendly Society in South Australia, referred to in "The Manchester Unity of Oddfellows Act, 1874," and

(c) Every Friendly Society incorporated under the said Act, No. 22 of 1852:

"Branch" means and includes every branch now or hereafter established by any society.

Additional objects for Friendly Societies.

4. "The Manchester Unity of Oddfellows Act, 1874," and "The Friendly Societies Act, 1886," shall be read and construed as if the following words were inserted after the sixteenth line of section 4 of "The Manchester Unity of Oddfellows Act, 1874," and after the seventeenth line of section 4 of "The Friendly Societies Act, 1886," respectively:—

Vic. Act, 1094, 1890,
s. 5, II.

2107, 1907, s. 10.

THIRD—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):

FOURTH—For establishing a guarantee fund for effecting policies of fidelity guarantee assurance of the officers of the society or branch who are required to be guaranteed by reason of the Act or Acts by which the society or branch is governed.

Societies or branches may unite for carrying out specific purposes.

5. (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 section 4 of this Act, 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.

(2) Thereupon and upon compliance with section 8, 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 shall follow from such incorporation as if such body corporate had been a society specified in Schedule A to "The Friendly Societies Act, 1886," and "The Friendly Societies Act, 1886," shall be read and construed as if such body corporate had been specified in the said Schedule A: 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

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- iv. Require any society or branch to contribute thereto in respect of such members who from time to time do not desire the benefits of such incorporation.

6. Any society or branch shall have the right to withdraw from any society or branch formed for the purpose of providing medical benefits under clause 4 of this Act, and with which it has become united or incorporated hereunder, 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.

Right of society to withdraw.

7. (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—

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

Cf. Vic. Act 1094, 1890, s. 29.

- 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.

8. No contribution made by a society or branch in accordance with section 6 shall be deemed not to be “wanted for the immediate use thereof” within the meaning of section 9 of any of the following Acts, namely:—The said Act No. 22 of 1852, “The Manchester Unity of Oddfellows Act, 1874,” and “The Friendly Societies Act, 1886.”

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

9. (1) A copy of every resolution for any of the purposes mentioned in 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 (if any), 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.

(2) The Public Actuary shall not register any such resolution unless he is satisfied that it is not contrary to the Act or Acts or the general

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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 or Acts and general laws or rules.

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

DAY H. BOSANQUET, Governor.