



Jersey

**FRIENDLY SOCIETIES ACT 1984 (JERSEY)  
ORDER 1987**

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Jersey

# **FRIENDLY SOCIETIES ACT 1984 (JERSEY) ORDER 1987**

**Jersey Order in Council 23/1987**

**THE FRIENDLY SOCIETIES ACT 1984 (JERSEY) ORDER, 1987.**

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*(Registered on the 4th day of December, 1987.)*

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**At the Court at Buckingham Palace.**

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21st July, 1987.

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PRESENT

**The Queen's Most Excellent Majesty in Council.**

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**HER MAJESTY**, in pursuance of section 4(3) of the Friendly Societies Act 1984, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows –

**1.** This Order may be cited as the Friendly Societies Act 1984 (Jersey) Order, 1987 and shall come into force on 21st August, 1987.

**2.** It is hereby directed that sections 1 and 2 of the Friendly Societies Act 1984 shall extend to the Bailiwick of Jersey with the adaptations and modifications specified in the Schedule to this Order.

**G.I. DE DENEY**

*Clerk of the Privy Council.*

**SCHEDULE**

**(Article 2)**

**Adaptations and Modifications to Sections 1 and 2 of the Friendly Societies Act 1984 as extended to the Bailiwick of Jersey**

**1.**-(1) Subject to sub-paragraph (2) below, any reference to an enactment shall be construed as a reference to that enactment as it has effect in the Bailiwick of Jersey.

(2) References to the Income and Corporation Taxes Act 1970 are to that Act as it has effect in the United Kingdom.

**2.** In section 1(4), for the words “subsections (3)(a) and (3A)” there shall be substituted the words “subsection (3)”.

**3.**-(1) In section 2, subsection (4) shall be omitted.

(2) In section 2(7), for the words “(2) to (4)” there shall be substituted the words “(2) and (3)”.

**ELIZABETH II**



**FRIENDLY SOCIETIES ACT 1984**

**1984 CHAPTER 62**

**AN ACT** to validate certain contracts of insurance entered into by registered friendly societies before 1st June, 1984 and to modify, with both retrospective and prospective effect, provisions relating to the financial limits in section 64 of the Friendly Societies Act 1974 and section 332 of the Income and Corporation Taxes Act 1970.

[20th December, 1984.]

**BE IT ENACTED** by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows<sup>1</sup> –

**1.**-(1) The provisions of this section apply to a contract –

- (a) which was entered into by an exempt new friendly society in the course of life or endowment business; and
- (b) which was so entered into after 3rd May, 1966 and before 1st June, 1984.

(2) In this section an “exempt new friendly society” means a friendly society –

- (a) which as registered after 3rd May, 1966 or which was registered in the period of three months ending on that date but which at no time earlier than that date carried on any life or endowment business; and
- (b) the rules of which, on 1st June, 1984, provided that the only life or endowment business which the society might carry on was business of a description falling within any of paragraphs (a) to (c) of subsection (2) of section 333 of the Income and Corporation Taxes Act 1970 or within any two or all three of those paragraphs taken together.

(3) In determining any question as to compliance by an exempt new friendly society with the relevant enactments or as to the validity of any contract to which this section applies, there shall be disregarded any term of such a contract which is set out otherwise than in –

- (a) the registered rules of the society; or
  - (b) a policy document issued by the society to the member concerned.
- (4) In subsection (3) above “the relevant enactments” means –

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<sup>1</sup> Deletions and words in square brackets indicate adaptations and modifications made by the Friendly Societies Act 1984 (Jersey) Order, 1987.

- (a) [subsection (3)] of section 7 of the Friendly Societies Act 1974<sup>2</sup> (societies which may be registered);
- (b) paragraphs (a) and (b) of subsection (1) of section 64 of that Act (maximum benefits); and
- (c) any enactment which was repealed by that Act and which contained provisions re-enacted in any of the provisions referred to in paragraphs (a) and (b) above.

(5) In this section “life or endowment business” has the meaning assigned to it by section 337(2) of the Income and Corporation Taxes Act 1970.

2.-(1) Section 64 of the Friendly Societies Act 1974<sup>3</sup> (maximum benefits) shall have effect, and be deemed always to have had effect, with the modifications in subsections (2) and (3) below.

(2) In subsection (1) (financial limits) –

- (a) the words from the beginning to “through” shall be omitted;
- (b) for the words “receive from” there shall be substituted the words “have at any time outstanding contracts with”;
- (c) after the words “United Kingdom)” there shall be inserted the words “for the assurance of”; and
- (d) paragraphs (c) and (d) (the taxable business limits) shall be omitted.

(3) In subsection (2) (matters to be disregarded in applying the limits) in paragraph (a) (bonus or addition declared upon assurance of a gross sum or annuity) –

- (a) after the word “addition” there shall be inserted the words “which either is”; and
  - (b) at the end there shall be added the words “or accrues upon such an assurance by reference to an increase in the value of any investments”.
- (4) \* \* \* \* \*

(5) In consequence of the modifications in subsection (2) above, the following provisions shall cease to have effect –

- (a) subsections (3) to (5) of section 64 of the Friendly Societies Act 1974;
- (b) the definition of “mortgage protection policy” in subsection (8) of that section; and
- (c) section 65(1) of that Act.

(6) In subsection (6) of section 64 of the Friendly Societies Act 1974 (statutory declaration as to total entitlement under existing contracts) for the words “to which that member or person is entitled from” there shall be substituted the words “assured under outstanding contracts entered into by that member with any”.

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<sup>2</sup> Volume 1975–1978, page 297.

<sup>3</sup> Volume 1975–1978, page 328.

(7) With respect to any time prior to the coming into force of any of the enactments referred to in subsections [(2) and (3)] above, the like modifications as are made to that enactment by those subsections shall be deemed always to have been made to any earlier enactment the provisions of which are re-enacted in the enactment so referred to.

**3.** \* \* \* \* \*

**4.** \* \* \* \* \*