

*Amended: : 558 of '92  
 See Law Budget 1875, S. 27  
 - Friendly Societies Act 1891  
 Private Act*



*See 16 of 1860  
 8 61  
 12 64, S. 4  
 22 70-1*

1852.

*Kept in part by Private  
 Act of 1867, sec. 1*

*See Priv Act of '86, S. 1*

No. 22.

*609 of 194, S. 5*

*Ceased to apply to  
 certain Societies*

*An Act to Regulate Friendly Societies.*

[Assented to 2nd December, 1852.]

*952, S. 2*

**W**HEREAS many Societies have been established in the Province of South Australia for the purpose of affording relief and maintenance to the Members thereof in sickness, old age, or infirmity, and for other purposes of a provident and benevolent nature, and it is expedient to afford protection and encouragement to such Societies, and Societies having the same object hereafter to be established, and also to make provision for the protection of the Members against fraud and misapplication of their funds :

Be it therefore Enacted, by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, That it shall be lawful for any Society already established in this Province to be enrolled under the provisions of this Act, or for any number of persons to establish a Society, or branch of the same, under the provisions of this Act, for the purpose of raising, by voluntary subscriptions of the Members thereof, with or without the aid of donations a fund, for any of the following objects, that is to say—

*Objects for which  
 Friendly Societies  
 may be established.*

Firstly—For ensuring a sum of money to be paid on the death of a Member to his widow, or to the child, or to the executors, administrators, nominee, or assigns of such Member, or for defraying the expence of the burial of a Member, or of the wife, child, or kindred of a Member, subject always to the restrictions hereinafter enacted in that behalf.

Secondly—For the relief, maintenance, or endowment of the Members, their wives, children, or kindred, in infancy, old

age, sickness, widowhood, or any other natural state of which the probability may be calculated by way of average.

Thirdly—For any purpose which shall be certified to be legal in South Australia by Her Majesty's Attorney or Advocate-General, as a purpose to which the powers and facilities of this Act ought to be extended ;

Act limited to Societies not assuring above £50, or annuity of £20, or allowance of 20s. per week in sickness.

Provided always, that it shall not be lawful for any Society or Branch established under this Ordinance to 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 pounds per annum, nor any sum in sickness exceeding twenty shillings per week.

Certificate of Surgeon or Coroner required before money is paid on the death of a member.

2. And be it Enacted, That in all Societies established under the provisions of this Act, it shall not be lawful for the Trustees or other Officers of such Societies to pay any sum of money which may have been insured and become payable on the death of any Member thereof, or of the wife or child of any Member, unless the party applying for the same shall produce and deliver to such Trustees or Officer a certificate signed by a qualified Medical Practitioner or Coroner, in the form set forth in the Schedule A to this Act annexed, except in cases where, from the nature of the circumstances, it is impossible to procure such certificate.

Power to repeal or alter rules, and appoint Committee and Officers.

3. And be it Enacted, That it shall be lawful for persons intending to establish or enrol under the provisions of this Act a Friendly Society or Branch thereof to make or adopt rules for the government and guidance of the same, and to make such provision in the rules as they shall think fit for ordaining, repealing, altering, or amending any such rules, and to impose reasonable fines and forfeitures on any Member offending against the same, and to form a General Committee or Board of Management, and to delegate to the same all or any of the powers given by this Act to be executed, either with respect to the management of the Society or Branch, or the enactment, amendment, repeal, or alteration of the rules thereof, and in such rules there shall distinctly be set forth—

Firstly—The name and designation of such Society or Branch and place where the business thereof is carried on, the whole of the object and intentions for which it is founded, the whole of the purposes to which the funds thereof are applicable according to the rules and tables thereof, and the conditions under which any Member or party claiming under or by a Member may become entitled to any benefit assured thereby.

Secondly—The manner of making, repealing, or altering rules of appointing Trustees, a Treasurer, and an Officer, who shall keep the books and accounts, and prepare the returns required by this Act, a general Board or Committee of Management, and the duties and powers of each.

Thirdly—The mode in which the funds shall be invested.

Fourthly

*S. S. G.*

Fourthly—The manner in which disputes between the Society or Branch, and any Member thereof, or person claiming on account of, or through any Member, shall be settled.

4. Provided Always, and be it Enacted, That the Rules of every such Society or Branch shall provide that all moneys received or paid on account of each and every particular fund or benefit assured to the Members thereof, their wives, children, or kindred, for which a separate title of contributions payable shall have been adopted, shall be entered in a separate account, distinct from the moneys received and paid on account of any other benefit or fund.

Separate accounts to be kept of money paid and received for each particular fund or benefit.

5. And be it Enacted, That such Society or Branch shall not be deemed to be legally established under this Act, nor be entitled to any of the provisions of the same, unless the Rules and every amendment of the Rules or tables made from time to time thereof, shall have been duly confirmed as hereinafter provided.

Society or Branch not legally established till rules approved of.

*S. 27*

6. And be it Enacted, That two printed or written copies of all Rules and tables adopted by any such Society or Branch, together with the name and residence of every Trustee thereof, signed by three Members, and countersigned by the Secretary, Clerk, or other Officer with all convenient speed after the same shall be made, altered, or amended, and so from time to time after every making, altering, or amending thereof, shall be submitted to the Governor for the time being for his approval, who may take the opinion of the Crown Solicitor thereon, and so soon as the same Rules shall be found to be framed in conformity with law, and that no Rule or part thereof is repugnant to another, and that the same are reasonable and proper, it shall be lawful for the said Governor to confirm the same, and in such case one of the copies, to be signed by such Governor in confirmation thereof, shall be returned to the Society or Branch, and the other copy signed as aforesaid shall be deposited with the Registrar-General of this Province, without fee or reward; and all Rules, alterations, or amendments thereof, when confirmed as aforesaid, shall be binding on the several Members and all persons claiming by or under them, and be received as evidence in the said Province: Provided, that before the Governor shall confirm the Rules of any Society, assuring to any Member any annuity, the contributions in respect of such annuity shall be certified to such Governor by the Accountant for the time being of the Savings Bank of South Australia.

Governor to confirm.

Copy to be deposited with the Registrar-General.

7. And be it Enacted, That on every such confirmation of Rules, a fee of one guinea shall be paid to the Crown Solicitor (if such Rules shall be referred to him as before provided), and a fee of ten shillings and sixpence on every confirmation of Rules of any Branch of such Society, and a fee of five shillings on every confirmation of any amendments or alterations of the Rules of any such Society or Branch, and a fee of one guinea to the Accountant of the Savings Bank of South Australia for any certificate of such contribution as aforesaid.

Fees to be paid Solicitor on confirmation.

8. And

Treasurer to give  
bond.

8. And be it enacted, That the Rules of such Society or Branch shall provide for and direct that the funds of such Society or Branch, until invested as hereinafter provided, shall be deposited in one of the Chartered Banks in this Province, in the name and to the credit of such Society, and that such funds shall only be withdrawn at the usual meetings of the Committees of such Society or Branch by cheques, signed by at least three of the Trustees, and countersigned by the Secretary or Steward: And also, that such Society or Branch shall cause their Treasurer to give security in the form set forth in Schedule B, with one or more sufficient Bondsmen in such sum as such Society or Branch may determine, and that it shall be lawful to sue upon such bond in the names of the Trustees for the time being.

*See sec 3, Study*  
Trustees to invest  
funds.

*And in law*  
*Bk: 1344*  
*d'95, s. 27*

9. And be it Enacted, That the Trustees for the time being of any such Society or Branch shall, and they are hereby required from time to time, by and with the consent of such Society or Branch, to lay out and invest such part of all such sums of money as shall at any time be collected, given, or paid to and for the purpose of such Society as may not be wanted for the immediate use thereof, or to meet the usual accruing liabilities of such Society or Branch, in the names of such Trustees in and upon any loans raised or guaranteed by the authority of the Legislature of the said Province, or on mortgage of freehold or leasehold property, such leasehold being for a term of years, absolute of which not less than twenty-one years shall be unexpired, or in the purchase of any freehold or leasehold property in the said Province, such leasehold property having a term of at least thirty years to run (or on loan to any Member of such Society on the security of any policy of insurance 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 shall be made), and from time to time, with such consent as aforesaid, to alter or transfer such securities and funds, and to make sale thereof respectively, and all dividends, interests, and proceeds which shall from time to time arise from the moneys so laid out or invested as aforesaid, shall be brought to account by such Trustees, and shall be applied to and for the use of such Society or Branch according to the Rules thereof: Provided always, that it shall be lawful for the Trustees as aforesaid, with the consent of such 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 such Society or Branch, or for the transaction of business relating thereto, and to hold the same in trust in and for the use of such Society or Branch, and to sell, exchange, let, and demise the same in whole or in part.

Property vested in  
Trustees.

10. And be it Enacted, That within thirty days after the confirmation of any such Rules of any Society or Branch a memorial of the names of the Trustees of such Society or Branch, under the hands of two or more of such Trustees and of the Secretary or Clerk of the said Society or Branch, and which memorial shall be verified by the solemn declaration of such Secretary or Clerk, shall be registered in the Registry Office of the said Province; and whenever any

any change shall be made in the Trustees of any Society or Branch by the death, resignation, removal, or inability to act of any Trustee, and the appointment of any new Trustee, a like memorial of such change, and of the names of such new Trustee, verified as aforesaid, shall be registered in the said Registry Office, and from and after such registration all hereditaments, moneys, goods, chattels, and effects whatsoever, and all titles, securities for money, or other obligatory instruments and evidence or muniments, and all rights or claims belonging to or had by such Society or Branch, shall be vested in the Trustees or Trustee for the time being of the same, for the use and benefit of such Society or Branch and the respective members thereof, their respective executors or administrators, according to their respective claims and interests; and after the death or removal of any Trustees or Trustee shall vest in the succeeding Trustees or Trustee for the same estate and interest as the former Trustees or Trustee had therein, and subject to the same trusts, without any assignment or conveyance whatever, and also shall, for all purposes of action or suit, as well criminal as civil, in law or in equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such proceeding (when necessary) be stated to be, the property of the person or persons appointed to the office of Trustee of such Society for the time being, in his or their proper name or names without further description, and such persons or person shall, and they are hereby respectively authorised, to bring or defend, or cause to be brought or defended, any action, suit, or prosecution, criminal as well as civil, in any court of law or equity, touching or concerning the property right or claim aforesaid of or belonging to or had by such Society or Branch; and such persons shall or may, in all cases concerning the property, right, or claim aforesaid of or belonging to or had by such Society or Branch, and such persons shall or may, in all cases concerning the property, right, or claim aforesaid of such Society, sue and be sued, plead and be impleaded, in any court of law or equity, in their or his proper names or name as Trustees or Trustee of such Society or Branch without other description, and no such suit, action, or prosecution shall be discontinued or abate by the death of such person, or his removal from office of Trustee, but the same shall and may be proceeded in by the remaining or succeeding Trustees or Trustee in the proper name of the person commencing the same, and such remaining or succeeding Trustees or Trustee shall pay or receive the like costs as if the action or suit had been commenced in his or their name for the benefit of, or to be reimbursed from, the funds of such Society or Branch, and a certified copy of any such memorial shall be evidence in any proceedings at law or in equity until the contrary thereof is shown that the persons named therein as Trustees are such Trustees for all the purposes of this Act: Provided always, that every Treasurer, Trustee, and other Officer shall only be personally responsible and liable for all moneys actually received by him on account of or for the use of such Society or Branch.

Trustees may sue or be sued.

Treasurer, &c., only liable for money actually received.

11. And be it Enacted, That the Trustees of every such Society Trustees to transmit annual return to OF Governor.

Repd. 55 Oct 1921  
S. 3

or Branch shall, by the Rules of the same, be compelled to audit the accounts as often as the Rules express, and every Officer in whose charge the accounts of such Society are kept shall, once in every year, prepare, or cause to be prepared, a general statement of the funds and effects of such Society or Branch during the then preceding twelvemonths, in the form set forth in Schedule C to this Act annexed, as accurately as such Officer may be enabled to furnish the same, and shall transmit such statement to the Governor on some day before the first day of March in each year, and every such statement shall be attested by the Auditors, and countersigned by such Officer, and every Member shall be entitled to receive from the Society a copy of such statement on payment of one shilling: and every Officer failing to transmit such statement as aforesaid on or before the last day of March in any year, or transmitting any fraudulent or wilfully false return, shall be guilty of a misdemeanor, and a copy of all such annual returns shall, in every year, be laid before the Legislative Council of the said Province.

Provisions of 39 Geo. 3, c. 79, and of 59 Geo. 3, c. 19, not to extend to Friendly Societies under this Act.

12. And be it Enacted, That the provisions of an Act passed in the thirty-ninth year of the reign of King George the Third, entitled "An Act for the more effectual suppression of Societies established for seditious and treasonable purposes, and for better preventing treasonable and seditious practices;" and also another Act passed in the fifty-seventh year of the reign of King George the Third, entitled "An Act for the more effectual preventing seditious meetings and assemblies" shall not extend to any Society or Branch established or enrolled under this Act, or to any meeting of the Members or Officers thereof.

Disputes between Society and Trustees to be settled according to rules.

13. And be it Enacted, That if any dispute shall arise between the Members or persons claiming under or on account of any Member of any Society or Branch established under this Act and the Trustees, Treasurer, or other Officer or Committee thereof, it shall be settled in such manner as the rules of such Society or Branch shall direct, and the decision so made shall be binding and conclusive; but if such dispute shall be of such kind that for the settlement of it according to the laws now in force recourse must be had to the equitable jurisdiction of the Supreme Court, it may be referred at the option of either party to the Special Magistrate of the Local Court of Adelaide, who shall proceed *ex parte*, on notice in writing to the other of the said parties being left at his usual place of residence or abode ten days previously; and he is hereby authorised to require of all parties who are or may have been Members, Trustees, or Officers of such Society, to produce before him all books or other documents relating to the concerns of such Society; and thereupon, if he shall so think fit, it shall be lawful for him to determine the said dispute and to displace any such Trustee or Officer or to make such award as the justice of the case in his opinion may require, and such decision or award shall be binding and conclusive.

Questions of equity to be settled by the Supreme Court.

add cont 7 20

Rules for arbitration where such is appointed by rules.

14. And be it Enacted, That if it shall be provided by the Rules of

of such Society or Branch that disputes which may arise between any Member thereof and the Trustees, Committee, or Officers, on the part of such Society, shall be settled by arbitration; the number of arbitrators and mode of election shall be stated in the Rules, and in case any of such arbitrators shall at any time neglect or refuse to act, the Members of such Society or Branch at a general meeting or general committee thereof are hereby required forthwith to elect and appoint some other person to be an arbitrator in his place; and the Rules shall direct in what manner such arbitrators or any of them shall proceed to determine such disputes, and the award so made by them, or so many as may be appointed for the purpose according to the Rules, shall be final and binding on all parties without appeal, and shall not be removed to any court of law or equity; and if either of the said parties shall refuse or neglect to comply with or conform to the decision of the said arbitrators, or the major part of them, it shall and may be lawful for the nearest Local Court of full jurisdiction to the place within which such Society shall be established, upon good and sufficient proof being adduced before him of such award having been made, and of the refusal of the party to comply therewith, upon complaint made by or on behalf of the party aggrieved, to summon the party against whom such complaint shall be made, to appear at a time and place to be named in such summons; and upon his or her appearance, or in default thereof upon due proof upon oath of the service of such summons, to make such order thereupon as may to him seem just; and if the sum of money awarded, together with the costs of and attending such order, shall not be paid according to the tenor of such order, then such order shall be enforced in the same manner as any judgment of the same court may by law be enforced: Provided always, that if there are not, at the time of enforcing such order, any moneys, goods, or chattels of any such Society or Branch, by means whereof any sum of money by such order directed to be paid by such Society or Branch, with costs, can be satisfied, that then such order may be enforced by seizure and sale of the moneys, goods, and chattels of the Trustees of such Society: Provided always, that whatever sums shall be paid by any such Trustee, or levied on his or her property or goods, in pursuance of the award of arbitrators or order of any such Local Court, shall be repaid, with all damages accruing to him or her, by and out of the moneys belonging to such Society, or out of the first moneys which shall be thereafter received by such Society.

*See Add Court  
730*

Special Magistrate  
may enforce award.

15. And be it Enacted, That if the Rules of any such Friendly Society or Branch shall not have provided for settlement of matters by arbitration as aforesaid, or shall have provided for the settlement of disputes by arbitration but no arbitrator shall have been appointed, or no award shall have been made within forty days after such complaint has been made to the Officers of such Society or Branch, or if the Rules shall have directed that any dispute between the Members and the Trustees or other Officer on the Committee of Management shall be settled by Justices of the Peace, then it shall be lawful for any two or more Justices of the Peace for the said Province to hear

If no arbitrators appointed, or no award given, Justices may decide.

and determine the matter of such complaint or dispute in a summary way.

In case member is unjustly expelled, Arbitrators or Justices may direct such member to be reinstated, and in default may award a sum of compensation.

16. And be it Enacted, That in case any member of any such Society or Branch shall have been expelled from such Society and the award of the arbitrators or the order of the Justices shall direct that he shall be reinstated, it shall be lawful for such arbitrators to award, or Justices to order, in default of such reinstatement, such a sum of money to be paid to such Member by the Trustees of such Society as to such arbitrators or Justices may seem just and reasonable, which said sum of money, if not paid, shall be recoverable from the said Society or Branch, or the Treasurer, Trustee, or other Officer in the same way as any money awarded by arbitrators is recoverable under this Act.

In case of fraud or imposition on the funds, Justices may summon the parties and hear the complaint.

Upon proof of fraud, Justices may award double the amount obtained, &c.

17. And be it Enacted, That for the more effectually preventing fraud and imposition on the funds of such Societies, if any Officer, Member, or other person being, or representing himself to be, a Member of such Society or Branch, or the nominee, executor, administrator, or assignee of any Member thereof, or any other person whatever, shall, in or by, any false representation or imposition, obtain possession of the moneys, securities, books, papers, or other effects of such Society or Branch, or any part thereof, or having the same in his or her possession, shall withhold or misapply the same, it shall and may be lawful for any two or more Justices of the Peace, upon the complaint of any Trustee of such Society or Branch, or of the Secretary or Clerk thereof, to hear and determine the matter of such complaint in a summary way, and, upon due proof of such fraud, to convict the said party and award double the amount of the money so obtained or withheld to be paid to the Treasurer, to be applied by him to the purposes of the Society or Branch, and order the said securities, books, papers, or other effects to be delivered to the Society or Branch, together with costs, as shall be awarded by the said Justices, not exceeding the sum of twenty shillings, and any such order shall and may be enforced in the like manner as any fine or penalty awarded against any defendant: Provided nevertheless, that nothing herein contained shall prevent the said Society or Branch from proceeding by indictment or complaint if a previous conviction for the same offence has been obtained under the provisions of this Act.

Treasurer, &c., to render accounts and demand pay over moneys, &c., to party appointed by Societies, &c.

18. And be it Enacted, That every person who shall have or receive any part of the moneys, effects, or funds of or belonging to any such Society or Branch, or shall in any manner have been or shall be 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 or notice in writing given or left at the last or usual place of residence of such persons, in pursuance of any order of not less than two Trustees or three Members of the Committee or Board of Management, give in his account at the usual meeting of such Society or Branch, or to such Trustees, Committee, or Board of Management,

to



to be examined and allowed or disallowed, and shall on the like demand or notice, pay over all the monies remaining in his hands, and assign and transfer, or deliver all securities and effects, books, papers, and property in his hands or custody, and assign and transfer or deliver all securities and effects, books, papers, and property in his hands to the Treasurer or Trustee for the time being, or to such other person as such Trustees, Committee, or Board of Management shall appoint, and 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, it shall be lawful for any two or more Justices of the Peace for the said Province upon the complaint of any Trustee or other Officer of any such Society or Branch to hear and determine the matter of such complaint in a summary way, and to make such order therein as to such Justices in their discretion shall seem just.

And in case of neglect application may be made to the Registrar who shall proceed thereupon in a summary way.

19. And be it Enacted, That in any proceedings before such Justices, they shall be authorised to inspect and require the production before them of all books or other documents relating to the matter in dispute.

On reference Justice may inspect books.

20. And be it Enacted, That a minor may become a Member of any such Society or Branch, and he is hereby empowered to execute all instruments, and to give all necessary acquittances: Provided always, that such minor shall not be competent during his minority to hold any office as Director, Trustee, Treasurer or Manager in such Society or Branch.

Minors may be members and have legal authority to act, but not to hold office.

21. And be it Enacted, That it shall not be lawful for the Members of any such Society or Branch by any rule or resolution, or order to dissolve or determine such Society or Branch, so long as the intents and purposes declared by the Rules of such Society, or any of them remain to be carried into effect, without obtaining the votes of consent of five-sixths in value of the then existing Members, to be ascertained in manner hereinafter mentioned, and also the consent of all persons then receiving or entitled to receive relief either on account of sickness, age, or infirmity, to be testified under their hands individually and respectively, and for the purpose of ascertaining the votes of such five-sixths in value, every Member shall be entitled to one vote, and an additional vote for every five years that he may have been a Member: Provided also, that no one Member shall have more than five votes in the whole, and in all cases of dissolution the intended appropriation or division of the funds or other property shall be fairly and distinctly stated in the proposed plan of dissolution prior to such consent being given; and it shall not be lawful for such Society or Branch by any rule to direct the division or distribution of such stock or fund, or any part thereof, to or amongst the several Members of such Society, other than for carrying into effect the general intents and purposes declared by the Rules originally confirmed

Consent necessary for dissolution of Society

firmed, and all such Rules originally confirmed, and all such Rules for the dissolution or termination thereof without such consent as aforesaid, or for the distribution or division of the stock or funds contrary to the Rules, shall be void and of none effect; and in the event of such division or misappropriation of the funds without the consent hereby declared to be requisite, any Trustee or other Officer or person aiding or abetting therein, shall be liable to the like penalties as are in this Act provided in cases of fraud: Provided always, that it shall be lawful for any two or more Societies or Branches to become united or incorporated in one Society or Branch upon such terms as shall be approved by the major part of the Trustees and Board of Management of both Societies or Branches.

Rules, &c., approved of to be received without proof of signature.

22. And be it Enacted, That all Rules, alterations of Rules transcript, or copy of or extract from all Rules and alterations of Rules, and all awards, writings, and documents of what nature or kind soever relating to any Society or Branch, directed by any Act to be certified or approved, shall in the absence of any evidence to the contrary, be received in all courts of law and equity and elsewhere, without proof of the signature thereto.

Executors, &c., of Officers of Friendly Societies to pay money due to Society before any other debts, within forty days after demand in writing.

23. And be it Enacted, That if any person appointed to any office in any Society or Branch established under this Act, and being entrusted with the keeping of the accounts, or having in his hands or possession by virtue of his said office or employment, any moneys or effects belonging thereto, or any deeds or securities relating to the same, shall die or become bankrupt or insolvent, or have any execution or attachment, or other process issued against his land, goods, chattels, or effects, or make any assignment, disposition, or other conveyance thereof for the benefit of his creditors, his heirs, executors, administrators, or assigns, or other persons having legal right, or the Sheriff or other officer executing such process, shall within forty days after demand made in writing by Trustees of any such Society or Branch, or by any three or more of the Committee of Management assembled at any meeting thereof, deliver and pay over all moneys and other things belonging to such Society or Branch, to such person as such Trustee or Committee shall appoint, and shall pay out of the estates, assets, or effects of such person, all sums of money remaining due which such person shall have received by virtue of his said office or employment before any other of his debts are paid or satisfied, or before the money directed to be levied by such process as aforesaid is paid over to the party issuing such process, and all such assets, lands, goods, chattels, property, estates, and effects shall be bound to the payment and discharge thereof accordingly.

Provisions of this Act may be applied to benevolent and charitable Societies, formed by voluntary subscription, &c., if rules are registered in pursuance of this Act.

24. And, whereas several Benevolent and Charitable Institutions and Societies are formed by voluntary subscriptions and benefactions for the purpose of relieving the physical wants and necessities of persons in distressed circumstances, and it is expedient to afford some protection to the funds thereof, Be it therefore Enacted, That if the Rules of any such Institution or Society, and all alterations and

and amendments thereof, shall be registered under the provisions of this Act, then, and in that case, the clauses and provisions herein contained, so far as the same relate to the giving of security from any Treasurer or other Officer or person, and to the vesting of the effects in the Trustees for the time being, and to their suing and being sued, and as to the liability of the Treasurer or Trustee or other Officer, and to the protecting, securing, or recovering the funds vested or being in such Treasurer or Trustee, and for enforcing the rendering of accounts by him or them, shall be extended to all and every such Institution or Society which shall have and enjoy and be entitled to the benefits of this Act, with respect to the several matters as aforesaid, as fully and effectually as any Friendly Society or Branch registered or enrolled under this Act can or may have or enjoy the same.

S. 10

25. And be it Enacted, That, in the construction of this Act, unless there shall be something in the subject matter or context repugnant thereto, the word "Society" shall include every Branch thereof; the word "County" shall include county, division, borough, or place; the word "Justice" shall include Mayor or other Magistrate; the word "Governor" shall signify the Lieutenant-Governor of the Province of South Australia; and words importing the singular number shall include the plural number.

Construction of terms.

26. And be it Enacted, That this Act shall be deemed a public Act for all the purposes herein expressed.

Public Act.

27. And be it Enacted, That this Act shall commence and take effect from and after the passing hereof.

Ordinance to be in force from the passing thereof.

JOHN MORPHETT, Speaker.

*Passed the Legislative Council this twenty-sixth day  
of November, one thousand eight hundred and  
fifty-two.*

F. C. SINGLETON,  
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,  
Lieutenant-Governor.

Government House, Adelaide,  
2nd December, 1852.

## SCHEDULES REFERRED TO.

### A

#### FORM OF MEDICAL CERTIFICATE.

I hereby certify that \_\_\_\_\_ late of \_\_\_\_\_  
 Street, died the \_\_\_\_\_ day of \_\_\_\_\_, and I have no  
 reason to attribute his death to poison, violence, or criminal neglect.  
 (Signed) A. B. \_\_\_\_\_  
 Profession.  
 Residence.

#### FORM OF CORONER'S CERTIFICATE.

I hereby certify that I have held an Inquest on the body of \_\_\_\_\_  
 late of \_\_\_\_\_, who was found dead, and the Jury have returned  
 the following verdict :

And it does not appear to me that he has been deprived of life by means of any person  
 beneficially interested in obtaining burial money from any Society.

Dated the \_\_\_\_\_ day of \_\_\_\_\_  
 A. B.,  
 Coroner.

### B

#### FORM OF BOND.

KNOW ALL MEN BY THESE PRESENTS, that we, A. B. of \_\_\_\_\_  
 \_\_\_\_\_, Treasurer, (or Steward, &c.), of the \_\_\_\_\_  
 Society, established at \_\_\_\_\_, in the County of \_\_\_\_\_,  
 and C. D. of \_\_\_\_\_, and E. F. of \_\_\_\_\_,  
 as sureties on behalf of the said A. B., are jointly and severally held and firmly bound  
 to G. H. of \_\_\_\_\_, and J. K. of \_\_\_\_\_, the Trustees  
 of the said Society, in the sum of \_\_\_\_\_, to be paid to the said  
 G. H. and J. K. as such Trustees, or their successors Trustees for the time being, or  
 their certain attorney, 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. Sealed with our seals. Dated the  
 day of \_\_\_\_\_, in the year of Our Lord  
 Whereas the above bounden A. B. hath been duly appointed Treasurer (or Steward,  
 &c.) of the \_\_\_\_\_ Society established as aforesaid, and he, together  
 with the above bounden C. D. and E. F., as his sureties, have entered into the above  
 written bond, subject to the condition hereinafter contained. Now, therefore, the con-  
 dition of the above written bond is such, that if the said A. B. shall and do justly and  
 faithfully execute his office of Treasurer (or Steward, &c.) of the said Society es-  
 tablished as aforesaid, and shall and do render a just and true account of all moneys re-  
 ceived and paid by him, and do and shall pay over all the moneys remaining in his  
 hands, and assign and transfer or deliver all securities and effects, books, papers, and  
 property of or belonging to the said Society in his hands or custody, to such person or  
 persons

persons as the said Society shall appoint, according to the Rules of the said Society, together with the proper or legal receipts or vouchers for such payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his office of Treasurer (or Steward, &c.) to the said Society according to the Rules thereof. Then the above written bond shall be void and of no effect, otherwise shall be and remain in full force and virtue.

C

HEADS OF INFORMATION TO BE FURNISHED YEARLY TO THE GOVERNMENT BY EVERY SOCIETY.

RETURN of \_\_\_\_\_ Society, established at \_\_\_\_\_  
for the Year ending \_\_\_\_\_

*Refd 558 of 92  
S. 3*

- Date of balancing books in each year .....
- Members—*
  - Number admitted since last balance.....
  - Number died since last balance .....
  - Number withdrawn or expelled .....
  - Number of Members at this date, including Honorary Members
- Sickness—*
  - Number of Members sick in the year .....
- Income—*
  - Donations and honorary subscriptions.....
  - Entrance-money .....
  - Contributions for sickness and death .....
  - Contributions for endowments—Widow and Orphans' Fund...
  - Interest received .....
  - Total Income .....
  - Total capital of Society (here state where the same is placed)
- Expenditure—*
  - Sick pay or allowances .....
  - Death of { Members .....
  - Wives .....
  - Endowments .....
  - Extra Expenditure .....
  - Total Expenditure .....
- Observations—*

Dated the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_  
of Our Lord

To be signed by two Trustees, and Secretary, Treasurer, or other Officer.