



ANNO PRIMO

ELIZABETHAE II REGINAE

A.D. 1952

No. 19 of 1952.

An Act to amend the Friendly Societies Act,
1919-1950.

[Assented to 30th October, 1952.]

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

Short titles.

1. (1) This Act may be cited as the "Friendly Societies Act Amendment Act, 1952".

(2) The Friendly Societies Act, 1919-1950, as amended by this Act, may be cited as the "Friendly Societies Act, 1919-1952".

(3) The Friendly Societies Act, 1919-1950, is hereinafter referred to as "the principal Act".

**Amendment of
principal Act,
s. 5—
Variation of
second
schedule.**

2. Section 5 of the principal Act is amended by adding at the end thereof the following subsections :—

(4) The Governor may, from time to time, by proclamation strike out from the list of societies in the second schedule the names of any societies which have been terminated or dissolved and from the date mentioned in such proclamation this Act shall be read and construed as if the names of the societies so struck out had not been specified in the said schedule at such date.

(5) The Governor may, from time to time, by proclamation strike out from the list of societies in the second schedule the name of any society which has been changed

in pursuance of this Act and may in manner aforesaid add to the said list the new name of the society and from the date mentioned in the proclamation this Act shall be read and construed as if at such date the name of the society so struck out had not been specified in the said schedule and the name so added had been specified in the said schedule.

3. Section 7 of the principal Act is amended by inserting therein after paragraph IIIb of subsection (1) thereof the following paragraph :—

Amendment of
principal Act,
s. 7—
Funds for
physiotherapy
benefits.

IIIc. For providing physiotherapeutic treatment 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) ;

4. The following section is enacted and inserted in the principal Act after section 7a thereof :—

Enactment of
s. 7b of
principal Act—

7b. (1) Any society may, subject to the general laws or rules of the society, become registered as an organization under any law of the Commonwealth relating to the provision of hospital, medical or other benefits or may take such other measures as are necessary to enable the society to be authorized to act under any such law.

Power to
society to
participate in
Common-
wealth
medical,
hospital, etc.,
schemes.

(2) Any such society may, subject to the general laws or rules of the society, out of the appropriate fund or funds of the society make any payments for the purpose of securing 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) any of the benefits to which they may be entitled under any such law. The society may receive from the Commonwealth any amount which, under any such law, is payable to the society in repayment (whether in whole or in part) of any payments made by the society as aforesaid. Any amount so received shall be paid by the society into the fund or funds from which the payments aforesaid were made by the society.

5. The following section is enacted and inserted in the principal Act after section 8 thereof :—

Enactment of
s. 8a of
principal Act—

8a. (1) Every society may, subject to the general laws or rules of the society, admit persons to the membership of the society upon condition that the persons so admitted shall have the right to contribute only to any specified fund or funds of the society.

Power to
admit
members with
limited rights.

(2) Notwithstanding anything in the general laws or rules of the society, any person admitted to membership upon a condition such as is referred to in subsection (1) shall have the same rights as other members of the society to vote at meetings of the society on any question relating to the fund or funds to which the person so admitted to membership contributes.

Enactment of
s. 10b of
principal Act—

6. The following section is enacted and inserted in the principal Act after section 10a thereof :—

Powers of
committee of
management
as to entrance
fees, etc.

10b. (1) Subject to subsection (2) the committee of management of any society may, from time to time, vary the entrance fees and subscriptions payable to the society and the benefits payable by or provided by the society.

(2) If the committee of management of any society varies the entrance fees or subscriptions payable to the society or the benefits payable by or provided by the society then, whether the variation is made pursuant to the powers conferred by subsection (1) or whether the variation is made pursuant to powers given to the committee of management by the general laws or rules of the society, the variation shall be submitted for approval at the first annual general meeting of the society held after the making of the variation.

If the variation is not so submitted or if at the meeting a resolution approving the variation is not carried, then the variation shall, as from the time the general meeting is concluded, cease to have any force or effect.

Amendment of
principal Act,
s. 11—
Signatures to
cheques.

7. Section 11 of the principal Act is amended by adding at the end of subsection (2) thereof the words “ or by a person authorized by the committee of management of the society to countersign such cheques. The committee of management of any society may from time to time authorize any one person to countersign cheques for the withdrawal of such funds and may from time to time withdraw any such authority. If any person is so authorized by the committee of management to countersign cheques no other person shall be so authorized so long as the authority aforesaid is not withdrawn ”.

Enactment of
s. 44b of
principal Act—

8. The following section is enacted and inserted in the principal Act after section 44a thereof :—

Change of
name of
society.

44b. (1) Any society may by resolution of the society change the name of the society.

(2) No resolution by any society for the change of the name of the society shall be valid unless the resolution is—

- (a) agreed to by the committee of management of the society ; and
- (b) confirmed by not less than three-fourths of the votes recorded by members of the society or of the representatives of the branches of the society at a general meeting duly convened for that or some other purpose.

(3) The change of name of a society shall not affect any rights or obligations of the society, or render defective any legal proceedings instituted by or against the society, and any legal proceedings which might have been continued or commenced by or against the society in its former name may be continued or commenced against it by its new name.

9. Section 45 of the principal Act is amended—

- (a) by inserting after the passage “ section 44a ” in the sixth line thereof the passage “ or section 44b ” ;
- (b) by adding at the end of subsection (2) thereof the words “ The Public Actuary shall not register any such resolution for the change of the name of a society if the new name of the society is the same as that of any society specified in the second schedule or is so similar thereto as to be likely to be mistaken for it ”.

Amendment of
principal Act,
s. 45—
Registration of
resolution for
change of
name.

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

J. M. NAPIER, Lieutenant-Governor.