

No. 60, 1963.]

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**ACT****To amend the Friendly Societies Act, 1956.**

(English text signed by the State President.)  
(Assented to 21st June, 1963.)

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of  
section 5 of  
Act 25 of 1956.

1. Section *five* of the Friendly Societies Act, 1956 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for sub-section (3) of the following sub-section:

“(3) Upon receipt of the documents referred to in sub-sections (1) and (2) the registrar shall, if the society has complied with such requirements as the registrar may have prescribed and he is satisfied that the registration of the society is desirable in the public interest, register the society provisionally and forward to the applicant a certificate of provisional registration.”;

(b) by the substitution for sub-section (4) of the following sub-section:

“(4) If after considering any such application, in respect of a society which has been provisionally registered, the registrar is satisfied—

(a) that the rules of the society are not inconsistent with this Act and are based on sound financial principles;

(b) that the methods according to which business is or is proposed to be transacted by the society are not undesirable;

(c) that the society is in a financially sound condition; and

(d) that, having regard to all the circumstances, the rules of the society are not unduly inequitable as between different members or groups of members, he shall register the society as a friendly society and transmit to the applicant a certificate of registration as well as a copy of the rules of the society bearing an endorsement of the date of registration, and thereupon the society shall cease to be provisionally registered.”;

(c) by the insertion after sub-section (5) of the following sub-section:

“(5)*bis* (a) When the registrar indicates in terms of sub-section (5) to the applicant any requirements to be complied with the registrar may at the same time determine a period within which such requirements shall be complied with.

(b) The registrar may at any time before the expiration of any period determined under this sub-section modify any requirements indicated to the applicant in terms of sub-section (5) or determine a different period in substitution of the existing period (which shall not be shorter than the unexpired portion of the existing period) within which the requirements, or the requirements as modified in terms of this paragraph, shall be complied with.”; and

(d) by the substitution in sub-section (7) for the expression “sub-paragraph (iii) of paragraph (a)” of the expression “paragraph (c)”.

Amendment of  
section 36 of  
Act 25 of 1956.

2. Section *thirty-six* of the principal Act is hereby amended—

(a) by the addition at the end of paragraph (b) of sub-section (2) of the word “or”; and

(b) by the addition to sub-section (2) of the following paragraph:

“(c) the society has failed to comply with any requirement of the registrar indicated to it in terms of sub-section (5) of section *five* or with any such requirement as modified in terms of paragraph (b) of sub-section (5)*bis* of that section within any period determined in terms of the said sub-section (5)*bis*.”.

Amendment of section 43 of Act 25 of 1956, as amended by section 11 of Act 68 of 1962.

3. Section *forty-three* of the principal Act is hereby amended by the substitution in sub-section (3) for the words "register the society provisionally whereafter" of the words "inform the said person accordingly and thereafter the person concerned shall be regarded as carrying on the business of a friendly society and".

Short title.

4. This Act shall be called the Friendly Societies Amendment Act, 1963.