



TRINIDAD AND TOBAGO.

No. 48—1945.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

27th December, 1945.

AN ORDINANCE relating to Credit Union Co-operative Societies.

[29th December, 1945.]

Commence-
ment

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment

INTRODUCTORY.

1. This Ordinance may be cited as the Credit Union Societies Ordinance, 1945.

Short title.

Interpreta-
tion.

2. In this Ordinance, if not inconsistent with the context, the following terms shall have the meanings hereinafter respectively assigned to them :—

“ amendment of rule ” shall include a new rule, and a resolution rescinding a rule ;

“ credit committee ” shall mean the credit committee of a credit union registered under this Ordinance ;

“ credit union ” shall mean a co-operative credit society registered under this Ordinance ;

“ land ” shall include hereditaments and chattels real ;

“ meeting ” shall include (where the rules of a credit union so allow) a meeting of delegates appointed by members ;

“ office ” shall mean the registered office for the time being of a credit union ;

“ officer ” shall mean the President, Vice-President Treasurer and Secretary, and any member of the committee of management, or of the credit and supervisory committee for the time being duly elected in accordance with the rules of the credit union ;

“ persons claiming through a member ” shall include the executors or administrators, and the assigns of a member, and also his nominee where nomination is allowed ;

“ Petty Civil Court ” shall mean a Petty Civil Court under the Petty Civil Courts Ordinance ;

“ property ” shall include all real and personal estate (including books and papers) ;

“ rules ” shall mean the registered rules for the time being, and shall include any registered amendment of rules ;

“ savings bank ” includes the Post Office Savings Bank and any bank licensed under the Bankers Licences and Bank Notes Ordinance or the Local Savings Banks Ordinance ;

“ the Registrar ” shall mean the person appointed by the Governor as Registrar of Credit Unions ;

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3. A society which may be registered under this Ordinance (herein called a credit union) is a society carried on on a strictly co-operative basis whose objects shall be the promotion of thrift among its members and the creation of a source of credit for its members only at legitimate rates of interest exclusively for provident or productive purposes and with those objects in view, and without prejudice to the generality of the provisions of this Ordinance, a credit union on its registration under this Ordinance shall be empowered—

Societies which may be registered.

(a) to receive the savings of its members either as payment on shares or as deposits ; but no credit union which takes such deposits shall make any payment of capital while any claim due on account of any such deposit is unsatisfied ;

(b) to make loans to members only exclusively for provident or productive purposes, provided that in no case shall interest on any such loan exceed the rate of twelve per centum per annum ;

(c) to make loans to a co-operative or other organization having membership in the credit union, at a rate not exceeding twelve per centum per annum ;

(d) to deposit in a savings bank, and, to any extent which shall not exceed twenty-five per centum of its capital, invest in the shares of any society or societies registered under the Building Societies Ordinance ;

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(e) to borrow money as in manner hereinafter provided ;

(f) to draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange (save as hereinafter expressly excepted), bills of lading, warrants and other negotiable or transferable instruments ;

(g) to impose and collect fines for breaches of the rules of the credit union ;

(h) to do all such other acts and things as are incidental or conducive to or consequential upon the attainment of the above objects.

FORMATION AND APPLICATION FOR REGISTRY.

4. (1) No society can be registered under this Ordinance which does not consist of twelve persons at least having a pre-existing community of interest by reason of occupation, or association, or by reason of such persons dwelling within a well defined area, for example, a village or plantation.

Who may form a credit union.

Application
for registry.

(2) For the purpose of registry, an application to register the credit union in a form approved by the Registrar signed by twelve persons having such pre-existing community of interest as is defined in the preceding subsection of this section to the satisfaction of the Registrar, (one of whom shall act as the secretary), together with two printed copies of the rules shall be sent to the Registrar. There shall also be sent to the Registrar a list of the full names and addresses of the committee of management. Every change in the list of the members of the committee of management shall thereafter be notified forthwith to the Registrar in writing by the secretary.

(3) No credit union shall be registered under a name identical with that under which any other registered credit union is registered, or so nearly resembling such name as to be likely, or in any name likely, in the opinion of the Registrar, to mislead the members or the public as to its identity.

(4) Notwithstanding anything to the contrary contained in the Bankers Licences and Bank Notes Ordinance and the Local Savings Banks Ordinance, a credit union shall not be deemed to be engaged in any business in the nature of banking so as to be obliged to obtain a licence under either of the said Ordinances; but nothing in this Ordinance shall be so construed as to confer any right on a credit union, to issue any bank notes within the meaning of that term as defined in the Bankers Licences and Bank Notes Ordinance.

(5) Notwithstanding anything to the contrary contained in the Agricultural Co-operative Societies Ordinance the word "Co-operative" shall be included in the name of every credit union registered under this Ordinance.

(6) A credit union shall not be required to obtain a licence under the Moneylenders Ordinance in order to carry on the business of money lending.

(7) The words "Credit Union (Co-operative) Society Limited" shall be the last words in the name of every credit union registered under this Ordinance.

REGISTRATION.

Acknowledg-
ment of
registry.

2nd Schedule

5. The Registrar, on being satisfied that a credit union has complied with the provisions as to registry in force under this Ordinance, shall issue to such society an acknowledgment of registry in the form in the Second Schedule hereto.

6. (1) If the Registrar refuses to register the society or any rules or amendments of rules, the credit union may appeal from such refusal to a Judge of the Supreme Court sitting in Chambers. Appeals from refusal to register.

(2) If the refusal of registry is overruled on appeal, an acknowledgment of registry shall thereupon be given to the credit union by the Registrar.

7. The acknowledgment of registry shall be conclusive evidence that the credit union therein mentioned is duly registered unless it is proved that the registry of the credit union has been suspended or cancelled. Effect of acknowledgment of registry.

CANCELLING AND SUSPENSION OF REGISTRY.

8. (1) The Registrar may cancel the registry of a society by writing under his hand— Cancelling and suspension of registry.

- (a) if at any time it is proved to his satisfaction that the number of the members of the credit union has been reduced to less than twelve, or that an acknowledgment of registry has been obtained by fraud or mistake, or that the credit union has ceased to exist ;
- (b) if he thinks fit, at the request of a society to be evidenced in such a manner as he shall from time to time direct ;
- (c) on proof to his satisfaction that the credit union exists for an illegal purpose, or has wilfully and after notice from the Registrar violated any of the provisions of this Ordinance.

(2) The Registrar in any case in which he might under paragraph (c) of subsection (1) of this section cancel the registry of a credit union, may suspend the same, by writing under his hand, for any term not exceeding three months, and may renew such suspension from time to time for the like period.

(3) A credit union shall be deemed to have ceased to exist when, *inter alia*—

- (a) no regularly convened meeting of the committee of management or other governing body of a credit union has been held at the time and place appointed by the rules for holding the same during a continuous period of twelve months ;
- (b) any prescribed return required to be submitted to the Registrar has not been so submitted in respect of two consecutive years ;

- (c) no election of officers of the credit union has been held in the manner prescribed by the rules for two consecutive years ;
- (d) it has been reported to the Registrar by the accountant appointed for the purpose of section 13, or by the Inspector appointed under section 18, or the Registrar is satisfied from a report so submitted to him by any one of such persons that the credit union is insolvent, or must necessarily become so, and in the Registrar's opinion no further business should be transacted.

(4) Not less than one month's previous notice in writing, specifying briefly the ground of any proposed cancelling or suspension of registry, shall be given by the Registrar to a credit union before the registry of the same can be cancelled (except at its request) or suspended, and notice of every cancelling or suspension shall be published in the *Royal Gazette* and once a week for two weeks in a local newspaper, as soon as practicable after the same takes place.

(5) A credit union may within thirty days from the date of the *Royal Gazette* in which the advertisement appears appeal from the cancelling of its registry, or from any suspension thereof to a Judge of the Supreme Court sitting in Chambers.

(6) A credit union whose registry has been suspended or cancelled shall from the date of publication in the *Royal Gazette* of notice of such suspension or cancelling (but if suspended, only whilst such suspension lasts and subject also to the right of appeal hereby given) absolutely cease to enjoy as such the privileges of a credit union, but without prejudice to any liability actually incurred by such credit union, which may be enforced against the same as if such suspension or cancelling had not taken place.

Rules.

9. (1) The rules of a credit union registered under this Ordinance shall contain provisions in respect of the several matters following—

- (a) object, name and registered office of the credit union ;
- (b) terms of admission of the members ;
- (c) mode of holding meetings, right of voting, and of making altering or rescinding rules ;

- (d) appointment and removal of the committee of management, by whatever name, of managers or other officers, the credit committee, the education and supervisory committees, and their respective powers and remuneration ;
- (e) the face value of shares and the application for issue of and payment for the same ; the determination of the rate of dividends on shares ; provision for the transfer and the form of transfer and registration of the shares, and for the consent of the committee thereto ; determination whether the shares or any of them shall be withdrawable, and provision for the mode of withdrawal and for payment of the balance due thereon on withdrawing from the credit union ;
- (f) the operation of deposit accounts, interest thereon not to exceed three per centum per annum ;
- (g) the making of loans to members, and the interest payable thereon which must not exceed twelve per centum per annum ;
- (h) the imposition and collection of fines on members ;
- (i) the mode of application of profits, including (i) the amount and nature of funds to be credited to reserve and the mode of disposing of such reserve, and (ii) the setting aside of an amount towards an "education fund" to be used compulsorily for educational purposes ;
- (j) provision for the audit of accounts ;
- (k) determination whether and how members may withdraw or be expelled from the credit union, and provision for the claims of the representatives of deceased members, or the trustees of the property of bankrupt members and for the payment of nominees ;
- (l) provision for the custody and use of the seal of the credit union ;
- (m) determination whether, and by what authority and in what manner, any part of the capital may be invested.

(2) The rules set forth in the regulations made under this Ordinance may be adopted wholly or in part or varied, provided there shall be no exclusion or variation inconsistent with the provisions of this Ordinance.

(3) A copy of the rules of a credit union shall be delivered by the credit union to every person on demand on payment of a sum not exceeding fifty cents.

AMENDMENT OF RULES.

Amendment
of rules.

10. (1) None of the rules of a credit union relating to the matters and things specified in section 9 may be amended save by special resolution passed in the manner provided in this Ordinance.

(2) An amendment of a rule of a credit union shall not be valid until the same has been registered under this Ordinance for which purpose two copies of the same, signed by three members and the secretary, shall be sent to the Registrar.

2nd Schedule

(3) The Registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Ordinance, issue to the credit union an acknowledgment of registry of the same in the form in the Second Schedule hereto which shall be conclusive evidence that the same is duly registered.

DUTIES OF REGISTERED CREDIT UNIONS.

Registered
office.

11. Every credit union shall have a registered office to which all communications and notices shall be addressed, and shall send to the Registrar notice of the situation of such office and of every change therein.

Affixing of
registered
name.

12. Every credit union shall paint or affix and keep painted or affixed its registered name on the outside of every office or place in which the business of the credit union is carried on, in a conspicuous position, in letters easily legible and have its registered name engraven in legible characters on its seal, and have its registered name mentioned in legible characters in all notices, advertisements, and other official publications of the credit union, and in all bills of exchange, promissory notes, endorsements, cheques, and orders for money or goods, purporting to be signed by or on behalf of such credit union, and in all bills of parcels, invoices, receipts, and letters of credit of the credit union.

Compulsory
annual audit.

13. (1) Every credit union shall once in every year submit its accounts for audit to one or more accountants appointed by the Registrar with the approval of the Governor, and in default of such appointment, to an accountant nominated by the credit union and approved by the Governor, and shall pay the prescribed fees for such audit. Such appointment shall be made by the Registrar during the month of January in every year.

(2) An auditor so appointed shall not hold any office in the credit union.

(3) The auditor shall have access to all the books, deeds, documents and accounts of the credit union, and shall examine the balance sheets showing the receipts and expenditure, funds, and effects of the credit union, and verify the same with the books, deeds, documents, accounts and vouchers relating thereto, and shall either sign the same as found by him to be correct, duly vouched, and in accordance with law, or specially report to the credit union in what respects he finds them incorrect, unvouched or not in accordance with the law.

14. (1) Every credit union shall once in every year not later than the last day of June send to the Registrar a list of the names and addresses of the officers of the credit union, and an annual return of the receipts and expenditure, funds and effects of the credit union as audited, and a statement showing the number of members, the shares held by each such member, and the total sum owing by each member to whom a loan was made by the credit union. Such list, return and statement shall be prepared as at the last day of the preceding month of December. Annual returns.

(2) The annual return--

(a) shall be signed by the auditor ;

(b) shall show separately the expenditure in respect of the several objects of the society ;

(c) shall be made up from the date of its registration or last annual return of the credit union to that of its last published balance sheet, and shall disclose the financial position of the credit union as at the last day of the preceding month of December which shall be the last day of the financial year of the credit union ;

(d) shall state whether the audit had been conducted by an auditor appointed as by this Ordinance is provided and by whom.

(3) A credit union shall, together with the annual return, send to the Registrar a copy of the report of the auditor and a copy of each balance sheet made during the period included in the return.

15. Every credit union shall supply gratuitously to every member or person interested in the funds of the society, on his application, a copy of the last annual return of the credit union for the time being. Supply of annual returns.

Exhibition of
balance sheet.

16. Every credit union shall keep a copy of the last balance sheet for the time being together with the report of the auditor always hung up in a conspicuous place at the registered office of the credit union.

INSPECTION OF BOOKS.

Inspection of
books by
members.

17. (1) Save as provided by the Ordinance, no member or person shall have any right to inspect the books of a credit union notwithstanding anything in the existing rules relating to such inspection.

(2) Any member or person having an interest in the funds of a credit union shall be allowed to inspect his own account and the books containing the names of the members at all reasonable hours at the registered office of the credit union, or at any place where the same are kept, subject to such regulations as to the time and manner of such inspection as may be made from time to time by the general meetings of the credit union.

(3) A credit union may, by its rules, authorise the inspection of any of its books therein mentioned, in addition to the said books containing the names of members under such conditions as are thereby imposed, so that no person unless he be an officer of the credit union, or be specially authorised by a resolution thereof, shall have the right to inspect the deposit or loan account of any other member without his written consent.

Inspector of
credit unions.

18. (1) The Governor may appoint a person to be Inspector of credit unions, and such inspector shall be under the direction of the Registrar.

(2) It shall be the duty of the Inspector of credit unions—

- (a) to inspect, enquire and examine into the affairs of credit unions; and for such purpose he may administer oaths, require the attendance of any person and the production of any books or documents relative to his inspection, inquiry and examination;
- (b) to report annually to the Registrar respecting the financial status of credit unions; and
- (c) to perform such other duties as may from time to time be assigned to him by the Registrar.

SERVICE OF DOCUMENTS.

19. A document may be served on a credit union by leaving it at or sending it by prepaid registered post addressed to the registered office of the credit union.

Service on credit unions.

PRIVILEGES OF CREDIT UNION.

20. No individual or partnership, or body of persons whether incorporated under any Ordinance or Charter or not, shall use the words "credit union" or any abbreviation or derivative thereof, as part of its business or corporate name unless registered under this Ordinance, and any individual, partnership or body of persons contravening the provisions of this section shall be guilty of an offence under this Ordinance and shall be liable to a fine of forty-eight dollars.

Restriction of use of words "credit union".

21. The registration of a credit union shall render it a body corporate by the name described in the acknowledgment of registry, by which it may sue or be sued, with perpetual succession and a common seal, and with limited liability.

Effect of registration.

22. The rules of a credit union shall bind the credit union and all members thereof and all persons claiming through them respectively to the same extent as if each member had subscribed his name thereto, and there were contained in such rules a covenant on the part of such member, his executors, administrators and assigns to conform thereto, subject to the provisions of this Ordinance.

Rules to bind members

23. (1) All moneys payable by a member to a credit union, shall be a debt due from such member to the credit union, and shall be recoverable as such either in the Petty Civil Court of the district in which the registered office of the society is situate or in that of the district in which such member resides, at the option of the credit union.

Recovery of debts from members.

(2) A credit union shall have a lien on the shares of any member for any debt due and payable to it by him, and may set off any sum credited to the member thereon in or towards the payment of such debt.

24. A promissory note or bill of exchange shall be deemed to have been made, accepted or endorsed on behalf of any credit union, if made, accepted or endorsed in the name of the credit union, or by or on behalf or on account of the credit union, by any person acting under the authority of the credit union.

Promissory notes and bills of exchange.

25. (1) Stamp duty shall not be chargeable upon any of the following documents—

Exemption from stamp duty.

(a) draft or order or receipt given by or to a credit union in respect of money payable by virtue of its rules or of this Ordinance;

- (b) bond given to or on account of a credit union or by the Treasurer or other officer thereof;
- (c) policy of insurance, or appointment or revocation of appointment of agent, or other document required or authorised by this Ordinance or by the rules of a credit union.

(2) Any affidavit or statutory declaration required or authorised by this Ordinance or by the rules of a credit union shall not be chargeable with the fee of forty-eight cents required to be paid by the affixing of stamps thereto.

MEMBERSHIP.

Qualification
for member-
ship.

26. (1) Membership of a credit union shall be limited to persons having a pre-existing community of interest by reason of occupation or association, or by reason of such persons dwelling within a well defined area, for example, a village or plantation.

(2) The membership of a credit union shall consist of the persons who signed the application for registry, not being less than twelve in number, together with such other persons or co-operative organisations, whether incorporated or not composed for the most part of the same general group as constitute the membership of the credit union.

(3) A person under the age of twenty-one but above the age of fourteen may be a member of a credit union, but he may not be a signatory to the application for registry, and he may, subject to the rules of the credit union, enjoy all the rights of a member except as by this Ordinance otherwise provided and execute all instruments and give all acquittances necessary to be executed or given under the rules. He shall not be a member of the committee of management, the credit committee or the supervisory committee, but he may be a paid servant in the employ of the credit union.

REGISTER OF MEMBERS.

Register of
members.

27. Any register or list of members or shares kept by any credit union shall be *prima facie* evidence of any of the following particulars entered therein—

- (a) the names, addresses and occupations of the members, the number of shares held by them respectively, the numbers of such shares, if they are distinguished by numbers and the amount paid or agreed to be considered as paid on any such shares;
- (b) the date at which the name of any person entitled to membership was entered in such register or list as a member;
- (c) the date at which any such person ceased to be a member.

SHARE CAPITAL AND SHARES.

28. (1) The share capital of a credit union shall be unlimited in amount and shall consist of the payments that have been made to it and subscribed by the several members thereof on shares. The credit union shall have a lien on the shares and deposits of a member for any sum due to the credit union (including fines) from the said member or for any loan endorsed by him. Share capital.

(2) An entrance fee not to exceed twenty-five cents shall be payable by every member. Entrance fee.

(3) Shares may be purchased by instalments payable at such time and in such manner as the rules may provide. Purchase of shares by instalments.

(4) No member shall hold more than twenty per centum of the total issued share capital of a credit union at the time of the allotment of shares to such member. Restriction on holding of share capital.

(5) Every member shall be liable to the creditors of a credit union for the debts and liabilities of the credit union to an amount equal to the amount unpaid on the shares held by him and until the whole amount of his shares has been paid up, but no member shall be liable in respect of such unpaid balance until execution at the suit of the creditors against the credit union has been returned unsatisfied in whole or in part. Liability of members to creditors.

DEVOLUTION AND TRANSMISSION OF SHARES.

29. (1) A member of a credit union not being under the age of sixteen may, by writing under his hand delivered at or sent to the registered office of the credit union during the life time of such member or made in any book kept thereat, nominate any person or persons to or among whom there shall be paid at his decease such moneys in the credit union as may be his at the time of his decease (whether in shares, or deposits) or so much thereof as is specified in such nomination, if the nomination does not comprise the whole. If on the death of the nominator the amount of his property in the credit union comprised in the nomination exceeds five hundred dollars the nomination shall be valid to the extent of the sum of five hundred dollars, but not further or otherwise: Provided that a person so nominated shall not be an officer or servant of the credit union unless such officer or servant is the husband, wife, father, mother, child, brother, sister, nephew or niece of the nominator. A child shall include an illegitimate child. Nomination for sums not exceeding five hundred dollars.

(2) A nomination so made may be revoked or varied by a subsequent nomination signed and delivered or sent or made as aforesaid, or by any similar document in the nature of a revocation or variation under the hand of the nominator so delivered, sent or made as aforesaid, but shall not be revocable or variable by the will of the nominator or by any codicil thereto.

(3) The credit union shall keep a book wherein the names of all persons so nominated and all revocations or variations (if any) of such nominations shall be recorded, and the amount to the credit of the nominator comprised in any such nomination to an amount not exceeding five hundred dollars shall be payable (subject to the restriction herein imposed) to the nominee.

(4) The marriage of a member of a credit union shall operate as a revocation of any nomination made by him before such marriage, provided that in the event of an officer or a credit union having paid any moneys standing to the credit of a member to a nominee, in ignorance of a marriage contracted subsequent to the date of the nomination, the receipt of the nominee shall be a valid discharge to the credit union and the credit union shall be under no liability to any other person claiming such property.

30. On receiving satisfactory proof of the death of a nominator, the committee of a credit union shall, subject to the limitation on amount hereinbefore provided, pay to the person entitled under the nomination (subject to the restriction herein imposed) the full value of the shares given to him and/or the sum held on deposit for the nominator the subject of the nomination.

31. (1) If any member of a credit union the full value of whose shares and whose deposits in the credit union together do not exceed at his death, five hundred dollars, dies intestate, without having made any nomination thereof then subsisting, the committee of management may, without letters of administration, distribute the sum representing the full value of such shares and such deposits among such persons as appear to a majority of the members constituting such committee, upon such evidence as they may deem satisfactory, to be entitled by law to receive the same.

(2) If any such member as in this section referred to is illegitimate and is not survived by a husband, or wife (as the case may be) or by lawful issue, or by any person who, under the provisions of the Legitimation Ordinance is entitled to the property of any such member, the committee of management shall deal with his or her property in the credit union as the Governor may direct.

Proceedings
on the death
of a
nominator.

Provisions on
intestacy.

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(3) No money payable in pursuance of sections 29, 30 or 31 without a grant of probate or of administration shall be paid unless upon the production to the committee of management of the credit union of the certificate of the Commissioner of Estate Duties setting forth that the duties (if any) under the Estate and Succession Duties Ordinance on all property passing on the death of the member, has been paid or secured to be paid, or that no duties are payable under the said Ordinance.

Death duties to be paid before credit union pays money on death of member.
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32. (1) Subject to the provisions of this Ordinance and of the rules of a credit union in that behalf, shares in a credit union may be assigned or transferred by a member to another member or withdrawn by him.

Transfer of shares.

(2) No such assignment or transfer shall be valid unless and until approved by the committee of management; and no such assignment, transfer or withdrawal shall be approved which shall result in reducing the number of members below twelve, nor shall any such assignment or transfer be approved which would result in the transferee holding more than twenty per centum of the total issued share capital at the time of the registration of such assignment or transfer.

DETERMINATION OF MEMBERSHIP.

33. A member may withdraw from the credit union at any time on giving such notice of withdrawal as may be required by the rules.

Withdrawal from membership.

34. (1) The committee of management may by a two-thirds majority vote of its members present at a meeting convened for the purpose expel a member from the credit union. A concise statement in writing of the grounds alleged for such expulsion must first have been served upon the member and he must also have been given a reasonable opportunity of being heard in his own defence.

Expulsion from membership.

(2) An appeal from the finding of the committee may be made by an expelled member to the next general meeting of the credit union on fifteen days prior notice in writing to the secretary. A majority of the members present may confirm or disallow the expulsion of the appellant.

Appeal from expulsion.

35. A member who withdraws or is expelled from a credit union shall be entitled to the money standing to his credit in the books of the credit union at the date of his withdrawal

Effect of expulsion.

or expulsion, but he shall not by reason of such withdrawal or expulsion be released from any liability to the creditors of the credit union existing at the time of his withdrawal or expulsion as provided in subsection (5) of section 28.

Notice of withdrawal.

36. (1) The managing committee of a credit union may by its rules require not more than ninety days notice of intention to withdraw shares and not more than thirty days notice of intention to withdraw deposits, and may withhold payments due to expelled or withdrawing members under section 35 for the like periods respectively applicable.

Suspension of payments of deposits or for shares.

(2) Notwithstanding anything to the contrary in this section contained, a credit union may by a two-thirds majority vote of the members present and voting at a general meeting specially convened for the purpose suspend for a period not exceeding a calendar year all payments in respect of shares or deposits.

Withdrawal or transfer of officers' shares.

37. (1) Members of administrative committees, and officers and other members entrusted with or participating in the management of a credit union's affairs, shall not be at liberty to withdraw or transfer their shares during the exercise of their functions.

Withdrawal of officers.

(2) In the event of the insolvency of a credit union any withdrawal of any such member or officer or any transfer of his interest made within six months preceding such insolvency shall be null and void as against any creditors of the credit union to the extent of such withdrawal or transfer.

LOANS TO MEMBERS AND INTEREST THEREON.

Loans to members only.

38. (1) Subject to the provisions of section 42 of this Ordinance a credit union shall make no advances by discount, loan or otherwise to, nor accept deposits from any individual or body of persons other than from members of such credit union.

(2) Every loan shall be made exclusively for a provident or productive purpose.

(3) Interest rates on loans made by a credit union shall not be in excess of the rate of twelve dollars per centum per annum on unpaid balances.

(4) An assignment of the shares or other property of the borrowing member in the credit union may be taken as security for a loan.

(5) No loan shall be made to an officer of a credit union of a sum in excess of the value of his shares and deposits and accumulated dividends and interests thereon save with the consent in writing of all the members (other than a borrowing officer) constituting the committee of management, the loans committee and the supervisory committee.

CREATION AND OPERATION OF SPECIAL FUNDS.

39. A reserve fund shall be created and maintained by every credit union. All entrance fees and fines collected from members together with such percentage as shall be approved by the committee of management of the net earnings of the credit union at the end of every financial year and before the declaration of a dividend, shall be transferred to the said reserve fund. The reserve fund shall not in any circumstances be distributable among members by way of dividend or otherwise save on the liquidation of the credit union, nor may advances or loans be made thereout to members, but, the moneys representing such fund may be applied against bad loans to members or losses incurred in the realisation of approved investments. Reserve fund.

40. The committee of management shall, after making provision for the reserve fund and before declaring a dividend to the members of a credit union, set aside a sum not exceeding five per centum of the net earnings in a special fund which shall be used exclusively for such educational purposes as the education committee appointed for the purpose shall determine, and all moneys so set aside shall be expended for such purposes within two years after having been so set aside. Education fund.

PROPERTY AND FUNDS OF CREDIT UNION.

41. A credit union may (if its rules do not direct otherwise) hold, purchase, take on lease in its own name, any lands, and may sell, exchange, mortgage, lease or build upon the same, or grant the same (with power to alter and pull down buildings and again rebuild), and no purchaser, assignee, mortgagee, tenant or bond holder, shall be bound to enquire as to the authority for any such sale, exchange, mortgage or lease by the credit union, and the receipt of the credit union shall be a discharge for all moneys arising from or in connection with such sale, exchange, mortgage, lease or heritable security. Holding of land.

Investments by
credit unions.

42. (1) A credit union may invest any part of its capital in or upon any security authorised by its rules, and also, if the rules do not otherwise provide, in or upon any of the securities hereinafter enumerated, that is to say—

- (a) in or upon any security in which trustees are for the time being authorised by law to invest ;
- (b) in or upon any mortgage, bond, debenture, debenture stock, corporation stock, annuity, rent-charge, rent or other security (not being securities payable to bearer) authorised by or under any Ordinance ; or
- (c) in the shares or on the security of any other society registered under this Ordinance or under the Building Societies Ordinance, or of any company registered under the Companies Ordinance or incorporated by Ordinance or by Charter, provided that no such investments be made in the shares of any society or company other than one with limited liability.

Ch. 38. No. 1.

Ch. 31. No. 1.

(2) A credit union may invest its capital and funds in a savings bank.

Ch. 31. No. 1.

(3) A credit union so investing shall be deemed to be a person within the meaning of the Companies Ordinance.

Proxy of
credit union.

43. A credit union which has invested any part of its capital in the shares or on the security of any other body corporate may appoint as proxy any one of its members not being a person under twenty-one years of age although such member is not personally a shareholder of such other body corporate. The proxy shall, during the continuance of his appointment, be taken in virtue thereof as holding the number of shares held by the credit union by whom he is appointed for all purposes except the transfer of any such shares, or the giving of receipts for any dividends thereon.

DISCHARGE OF MORTGAGES BY RECEIPT ENDORSED.

Discharge of
mortgage by
receipt
endorsed.

2nd Schedule.

44. (1) A receipt in full, signed by two members of the committee and countersigned by the secretary of a credit union, for all moneys secured to the credit union on the security of any property to which such receipts relate and being in the form in the Second Schedule to this Ordinance, or in any other form specified in the rules of the credit union or any schedule thereto, if endorsed on or annexed to any mortgage or assurance, shall vacate the same and vest the property therein comprised in the person entitled to the equity of redemption thereof without any formal reconveyance or surrender.

(2) If such mortgage or other assurance has been registered in the registry of deeds in the office of the Registrar General, the Registrar General shall, on production of such receipt verified by oath or statutory declaration of any person, enter satisfaction on the register of such mortgage or of the charge made by such assurance, and shall grant a certificate either upon such mortgage or assurance or separately to the like effect, which certificate shall be received in evidence in all courts and proceedings without further proof, and the Registrar General shall be entitled for making the said entry and granting the said certificate to a fee of sixty cents to be applied in the like manner as other fees taken by the Registrar General in his office.

45. When a credit union is in liquidation, the signature to such a receipt as aforesaid of the liquidator for the time being, described as such, shall have the same effect as would under this Ordinance attach to a similar receipt signed as aforesaid if the credit union were not in liquidation. Receipt in case of liquidation.

46. On payment of all moneys intended to be secured to a credit union by any of the aforesaid securities, the mortgagor or other debtor or his successor or representatives shall be entitled to a receipt in the appropriate form provided by this Ordinance. Compulsory delivery of receipt.

BORROWING POWERS.

47. (1) A credit union may from time to time borrow moneys not exceeding in the aggregate twenty-five per centum of its combined share capital, deposits and reserves, upon the unanimous vote of the members of the committee of management, and may from time to time borrow moneys not exceeding in the aggregate fifty per centum of its combined share capital, deposits and reserves, upon the three-fourths majority vote of its members present and voting at a general meeting specially convened for the purpose. Power to borrow.

(2) A credit union may charge, hypothecate, mortgage or pledge its real and personal property and its undertakings, including its book debts and unpaid balances on shares issued by the credit union, in pursuance of a resolution passed as in manner provided in the foregoing subsection. Securities for loans to credit union.

VOTING.

48. (1) A member of a credit union shall have but a single vote at any meeting of the credit union irrespective of the number of shares issued to and held by him, and such a member save as hereinafter mentioned, shall in no circumstances whatsoever vote by proxy. Voting.

(2) In the case of any organisation whether incorporated or not being admitted to membership, such organisation shall vote through its duly accredited agent appointed for the purpose under the seal of such organisation.

RETURNS AND DOCUMENTS.

Forms and
deposits of
documents.

49. Every return and every document required for the purposes of this Ordinance shall be made in such form and shall contain such particulars as the Registrar prescribes, and shall be deposited and registered or recorded, with or without observations thereon, in such manner as the Registrar directs.

CONTRACTS.

Contracts of
credit unions.

50. Contracts on behalf of a credit union may be made, varied or discharged as follows—

- (a) any contract, which if made between private persons would be by law required to be in writing, and if made according to the law of this Colony to be by deed, may be made on behalf of the credit union in writing under the common seal of the credit union, and may in the same manner be varied or discharged;
- (b) any contract, which if made between private persons would be by law required to be in writing and signed by the persons to be charged therewith, may be made on behalf of the credit union in writing by any person acting under the express or implied authority of the credit union, and may in the same manner be varied or discharged;
- (c) any contract by deed which if made between private persons might be varied or discharged by a writing not by deed, signed by any person interested therein may be similarly varied or discharged on behalf of the credit union by a writing not by deed, signed by any person acting under the express or implied authority of the credit union;
- (d) any contract which if made between private persons would be by law valid though made by parol only and not reduced into writing, may be made by parol on behalf of the credit union, by any person acting under the express or implied authority of the credit union, and may in the same manner be varied or discharged;
- (e) any signature purporting to be made by a person holding any office in the credit union, attached to a writing whereby any contract purports to be made,

varied or discharged by or on behalf of the credit union shall *prima facie* be taken to be the signature of a person holding at the time when the signature was made the office so stated.

All contracts which may be or have been made, varied, or discharged according to the provisions contained in this section shall, so far as concerns the form thereof, be effectual in law and binding on the credit union and all other parties thereto, their executors or administrators as the case may be.

ORGANISATION AND MEETINGS.

51. Within fourteen days following the receipt by the provisional secretary of the certificate of the registry of the credit union, the secretary shall issue a notice convening a general meeting to be known as the organisational meeting for the purpose of electing the committee of management of not less than five members, a credit committee of five members and a supervisory committee of three members. The members constituting these committees shall hold office until the first annual general meeting and the election of successors. A list of the members constituting the committee of management shall be filed with the Registrar within fourteen days of their election.

Organisa-
tional
meeting.

52. (1) The annual general meeting shall be held during the month of July and special general meetings may be called in the manner provided in the rules of the credit union. The several committees above defined shall be elected at the annual general meeting and the members constituting these committees shall hold office until the succeeding annual general meeting and the election of successors. A list of the members constituting the committee of management shall be filed with the Registrar as in manner hereinabove provided.

Annual
general
meeting.

(2) No member of the supervisory committee may be elected or appointed a member of the committee of management, or of the credit committee, nor may any member be elected to the supervisory committee so as to hold office for more than three consecutive terms.

53. (1) The committee of management shall at their first meeting to be held within fourteen days of their election elect from their own members a president, and vice-president. They shall also appoint a secretary, assistant secretary and treasurer any one or all of whom may be a member or members of the

Election and
appointment
of officers.

committee of management, but may not be a member or members of the supervisory committee. The committee of management shall also appoint an education committee of not more than five members any one or more of whom may be members of the committee of management.

Remuneration
of certain
officers.

(2) No member of the committee of management, or of the credit, supervisory or education committee shall be paid any remuneration or receive any gratuity whatsoever: Save that the secretary, assistant secretary and treasurer shall receive such remuneration as may be agreed by members at a general meeting irrespective of their membership in the committee of management.

Financial
year.

54. The financial year of every credit union shall end on the last day of December.

OFFICERS IN RECEIPT OR CHARGE OF MONEY.

Security by
financial
officers.

1st Schedule

55. (1) Every officer of a credit union having receipt or charge of money shall, before taking upon himself the execution of his office, become bound with one sufficient surety at the least in a bond in the form contained in the First Schedule to this Ordinance, or such other form as the committee of management may approve, or give the security of a guarantee society, in such sum as the committee directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the credit union at such times as its rules appoint, or as the credit union or the committee of management thereof require him to do, and for the payment by him of all sums due from him to the credit union.

(2) Both the principal and the surety shall make a statutory declaration, testifying to the sufficiency of the security furnished by the bond.

(3) Within seven days after receipt of the policy of assurance issued by the guarantee society or after the execution of the bond, as the case may be, the policy or the bond together with the above mentioned declaration shall be forwarded by the credit union to the Registrar who shall thereupon issue his certificate as to the lodgment thereof; and a copy of the policy or bond certified under the hand of the Registrar shall be receivable in evidence without further proof of the contents of the signing, execution or issuing thereof.

(4) The committee of management of the credit union or the Registrar in their or his absolute discretion and without assigning any reason for so doing, may require the principal

at any time to verify the sufficiency of the bond or other security so given by him or to furnish a fresh policy of assurance or bond with one sufficient surety at the least.

56. Every officer of a credit union having receipt or charge of money, or his executors or administrators, shall, at such times as by the rules of the credit union he should render account, or upon demand made, or notice in writing given or left at his last or usual place of residence, give in his account as may be required by the credit union, or by the committee of management thereof, to be examined and allowed or disallowed by them, and shall on the like demand or notice pay over all moneys and deliver all property for the time being in his hands or custody to such person as the credit union or the committee of management appoint; and in case of any neglect or refusal to deliver such account, or to pay over such moneys or deliver such property in manner aforesaid, the credit union may sue upon the bond or security before mentioned, or may apply to a magistrate who may order the delivery of such account or property or the payment over of such sums of money with costs, and, in default of such delivery or payment the person making such default may be sentenced to imprisonment for three months; and the order of such magistrate shall be conclusive.

Officer in charge of money to render account.

DISPUTES.

57. (1) Every dispute between a member of a credit union or any person aggrieved who has for not more than six months ceased to be a member of a credit union, or any person claiming through such member or person aggrieved or claiming under the rules of a credit union, and the credit union or any officer thereof, shall be decided in manner directed by the rules of the credit union, and the decision so given shall be conclusive and binding on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction, and application for the enforcement thereof may be made to any magistrate.

Decision of disputes.

(2) Any party to a dispute in a credit union may apply to the Registrar to hear and determine the same, and the Registrar may, if he thinks fit, and after proper notice given to the parties to such dispute, hear and determine such dispute, and shall have power to order the expenses of determining the dispute to be paid either out of the funds of the credit union, or by such parties to the dispute as he may think fit and his determination and order shall have the same effect and be enforceable in like manner as a decision made in the manner directed by the rules of the credit union.

(3) For the purpose of hearing and determining any such dispute the Registrar to whom a dispute is referred may administer oaths, and may require the attendance of all parties concerned, and of witnesses, and the production of all books and documents relating to the matter in question; and any person refusing to attend or to produce any documents, or to give evidence before the Registrar, shall be guilty of an offence under this Ordinance.

(4) Where the rules contain no direction as to disputes, or where no decision is made on a dispute within forty days after application to the credit union for a reference under its rules, or where the Registrar refuses to hear and determine a dispute, the member or person aggrieved may apply to the magistrate of the district wherein is situated the registered office of the credit union who may hear and determine the matter in dispute.

Ch. 7. No. 1.

(5) Notwithstanding anything contained in the Arbitration Ordinance or in any other Ordinance the Magistrate and the Registrar or any arbitrator or umpire to whom a dispute is referred under the rules of a credit union shall not be compelled to state a case on any question of law arising in the case, but the Magistrate or Registrar may, at the request of either party, state a case for the opinion of the Supreme Court, on any question of law, and may also grant to any party such discovery as to documents and otherwise or such inspection of documents as might be granted by the Supreme Court, and discovery shall be made on behalf of the credit union by such officer thereof as the Magistrate or Registrar may determine.

SPECIAL RESOLUTIONS.

Special
resolutions
procedure.

58. (1) For the purposes of this Ordinance a special resolution shall mean a resolution which is—

- (a) passed by a majority of not less than three-fourths of such members of a credit union for the time being entitled under the rules to vote as may have voted in person, or by a duly accredited agent in the case of a member other than an individual where the rules so provide, at any general meeting of which notice specifying the intention to propose the resolution, has been duly given according to the rules; and
- (b) confirmed by a majority of such members for the time being entitled under the rules to vote as may have voted in person or by a duly accredited agent in the case of a member other than an individual where the rules so provide, at a subsequent general meeting of which notice has been duly given, held

not less than fourteen days nor more than one month from the day of the meeting at which such resolution was first passed.

At any meeting mentioned in this section a declaration of the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact.

(2) A copy of every special resolution signed by the chairman of the meeting at which the resolution was confirmed and countersigned by the secretary, shall be sent to the Registrar and registered by him, and until that copy is so registered the special resolution shall not take effect.

DISSOLUTION OF CREDIT UNIONS.

59. A credit union may be dissolved—

- (a) by an order to wind up the credit union, or a resolution for the winding up thereof, made as is directed in regard to companies by the Companies Ordinance, the provisions whereof shall apply to any such order or resolution, except that the term "Registrar" shall for the purpose of such winding up have the meaning given to it by this Ordinance; or
- (b) by the consent of three-fourths of the members, testified by signatures to an instrument of dissolution.

Provisions
as to
dissolution of
credit unions.
Ch. 31. No. 1.

60. Where a credit union is wound up in pursuance of an order or resolution the liability of a present or past member of the credit union to contribute for payment of the debts and liabilities of the credit union, the expenses of the winding up, and the adjustment of the rights of contributories amongst themselves, shall, subject to the provisions of section 37, be qualified as follows—

Liability of
members in
winding up.

- (a) no person who has ceased to be a member for one year or upwards prior to the commencement of the winding up shall be liable to contribute;
- (b) no person shall be liable to contribute, in respect of any debt or liability contracted after he ceased to be a member;
- (c) no person, not a member, shall be liable to contribute, unless it appears to the court that the contributions of the existing members are insufficient to satisfy the just demands on the credit union;
- (d) no contribution shall be required from any person exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a past or present member;

- (e) a person shall be taken to have ceased to be a member in respect of any share withdrawn from the date of the notice or application for withdrawal.

Provisions to
instrument of
dissolution.

61. (1) Where a credit union is terminated by an instrument of dissolution—

- (a) the instrument of dissolution shall set forth the liabilities and assets of the credit union in detail, the number of members and the nature of their interests in the credit union respectively, the claims of creditors (if any) and the provisions to be made for their payment, and the intended appropriation or division of the funds and property of the credit union, unless the same be stated in the instrument of dissolution to be left to the Registrar ;
- (b) alterations in the instrument of dissolution may be made with the like consents as hereinbefore provided, and testified in the same manner ;
- (c) a statutory declaration shall be made by three members and the secretary of the credit union that the provisions of this Ordinance have been complied with, and shall be sent to the Registrar with the instrument of dissolution, and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanour ;
- (d) the instrument of dissolution and all alterations therein shall be registered in the manner herein provided for the registry of rules, and shall be binding upon all the members of the credit union ;
- (e) the Registrar shall cause a notice of the dissolution to be advertised at the expense of the credit union once a week for four weeks in the *Royal Gazette* and in a daily local newspaper ; and unless within three months from the date of the *Royal Gazette* in which such advertisement first appears, a member or other person interested in or having any claim on the funds of the credit union commences proceedings to set aside the dissolution of the credit union in the Petty Civil Court of the district in which the registered office of the credit union is situate, and such dissolution is set aside accordingly, the credit union shall be legally dissolved from the date of such advertisement and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto ;

(f) notice shall be sent to the Registrar of any proceeding to set aside the dissolution of a credit union not less than fourteen days before it is commenced by the person by whom it is taken, or of any order setting it aside, within fourteen days after it is made, by the credit union.

(2) On dissolution, the credit union shall not be dissolved and registration of the credit union shall not be cancelled until a certificate signed by the liquidator or by the secretary or some other officer of the credit union approved by the Registrar has been lodged with the Registrar that all property vested in the credit union has been duly conveyed or transferred by the credit union to the persons entitled.

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS.

62. It shall be an offence under this Ordinance if—

Offences.

- (a) a credit union, or an officer or member thereof, or any other person, fails to give any notice, send any return or document, do or allow to be done anything which the credit union, officer or member, or person is by this Ordinance required to give, send, do or allow to be done; or
- (b) a credit union, or an officer or member thereof, or any other person, wilfully neglects or refuses to do any act, or to furnish any information required for the purposes of this Ordinance by the Registrar, or by any other person authorised under this Ordinance, or does anything forbidden by this Ordinance; or
- (c) a credit union, or an officer or member, thereof, or any other person, makes a return, or wilfully furnishes information in any respect false or insufficient; or
- (d) where a dispute is referred under this Ordinance to the Registrar, a person refuses to attend or to produce any documents, or to give evidence before the Registrar.

63. (1) No person who is an undischarged bankrupt or has compounded with his creditors or has made an arrangement or composition with his creditors under the Bankruptcy Ordinance or the Deeds of Arrangement Ordinance shall be elected or appointed, or if so elected and appointed, shall act as an officer of a credit union.

Bankrupt not
to be officer
of credit union
Ch. 6, No. 6.
Ch. 6, No. 7.

(2) Any person acting in contravention of this section shall be liable to a fine of ninety-six dollars.

Limitation of
office holding.

64. No person shall hold the office of treasurer in more than one credit union.

Offences by
credit
unions to be
also offences
by officers.

65. Every offence by a credit union under this Ordinance shall be deemed to have been also committed by every officer of the same bound by the rules thereof to fulfil the duty whereof such offence is a breach, or, if there be no such officer, then by every member of the committee of the same, unless such member be proved to have been ignorant of or to have attempted to prevent the commission of such offence.

Continuing
offences.

66. Every act or default under this Ordinance constituting an offence, if continued, shall constitute a new offence in every week during which the default continues.

Punishment of
fraud or
misappropriation.

67. (1) If any person obtains possession by false representation or imposition of any property of a credit union, or having the same in his possession withholds or misapplies the same, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the credit union and authorised by this Ordinance, he shall, on such complaint as is in this section mentioned, be liable to a fine of ninety-six dollars and costs, and to be ordered to deliver up all such property, or to repay all sums of money applied improperly, and in default of such delivery or repayment, or of the payment of such fine and costs as aforesaid, to be imprisoned for three months :

Provided that where on such a complaint against a person of withholding or misapplying property, or applying it for unauthorised purposes, it is not proved that that person acted with any fraudulent intent, he shall not be liable to conviction but may be ordered to repay any sum of money applied improperly, with costs, and in default of such delivery or repayment or of the payment of such costs as aforesaid to be imprisoned for three months.

(2) Complaints under this section may be made—

- (a) in the case of a credit union, by the credit union or any member authorised by the credit union, or the committee thereof; or
- (b) in any case, by the Registrar or by any person authorised in writing by the Registrar.

(3) Nothing in this section shall prevent any such person from being proceeded against by way of indictment, if not previously convicted of the same offence under this Ordinance.

Penalty for
falsification.

68. If any person wilfully makes, orders, or allows to be made any entry or erasure in, or omission from, any balance sheet of a credit union, or any contribution or collecting book, or any return or document required to be sent, produced, or

delivered for the purposes of this Ordinance, with intent to falsify the same, or to evade any of the provisions of this Ordinance, he shall be liable to a fine of two hundred and forty dollars.

69. If any officer of a credit union or any person on its behalf, Penalty for not using name of credit union. uses any seal purporting to be a seal of the credit union, whereon its name is not engraved as aforesaid, or issues or authorises the issue of any notice, advertisement, or other official publication of the credit union, or signs or authorises to be signed on behalf of the credit union any bill of exchange, promissory note, endorsement, cheque, order for money or goods, or issues or authorises to be issued any receipt, or letter of credit of the credit union, wherein its name is not mentioned in manner aforesaid, he shall be liable to a fine of two hundred and forty dollars, and shall further be personally liable to the holder on any such bill of exchange, promissory note, cheque, or order for money or goods for the amount thereof unless the same is duly paid by the credit union.

70. It shall be an offence under this Ordinance if any person Delivery of untrue rules. with intent to mislead or defraud gives to any other person a copy of any rules, other than the rules for the time being registered under this Ordinance, on the pretence that the same are existing rules of a registered credit union, or that there are no other rules of such credit union, or gives to any person a copy of any rules on the pretence that such rules are the rules of a registered credit union when the credit union is not registered.

71. Every credit union, officer or member of a credit union, Penalty for ordinary offences. or other person, guilty of an offence under this Ordinance for which no penalty is expressly provided herein, shall be liable to a fine of ninety-six dollars.

72. (1) Unless otherwise expressly provided, all offences under this Ordinance may be prosecuted, and all penalties imposed by this Ordinance or by any regulations thereunder, or by the rules of a credit union, may be recovered in the manner provided by the Summary Courts Ordinance. Recovery of penalties.

Ch. 3. No. 4.

(2) Any such penalty shall be recoverable at the suit of the Registrar or by any person authorised in writing by the Registrar or by any person aggrieved.

73. In every case where no time is specially limited for making Time limit for making complaints. a complaint for an offence under this Ordinance, such complaint shall be made within three years from the time when the matter of such complaint arose, and not after.

GENERAL.

Regulations
for carrying
out Ordinance.

74. (1) The Governor in Council may make regulations respecting registry and procedure under this Ordinance, and the duties and functions of the Registrar, and the inspection of documents kept by the Registrar under this Ordinance, and generally for carrying this Ordinance into effect.

2nd Schedule.

(2) Unless otherwise provided by such regulations, the forms contained in the Second Schedule to this Ordinance shall be used.

Approval of
regulations.

75. Regulations made under this Ordinance shall have no force or effect until they have been approved by the Legislative Council.

List of
Officers to be
evidence of
appointment.

76. The list mentioned in section 14 of this Ordinance communicated by a credit union under the same section shall be signed by the secretary, and when received by the Registrar, shall be entered in the register, and a copy of any such entry, purporting to be certified under the hand of the Registrar, shall, without any further proof of the signature of the Registrar, be *prima facie* evidence in all Courts of Justice that any person named therein has been duly appointed to the office or for the purposes therein set forth.

Evidence of
documents.

77. Every document purporting to be signed by the Registrar, or any inspector, or auditor, appointed under this Ordinance, shall, in the absence of any evidence to the contrary, be received in evidence without proof of his signature.

Duties of the
Registrar.

78. The Registrar shall in every year make a return to the Governor containing in respect of every credit union the following particulars—

- (a) the date of registration and the objects of the credit union ;
- (b) the number of members on the roll of the credit union and the number of shares together with the aggregate nominal value of such shares issued and held by each member, and the total sum on loan to members outstanding on the last day of December in every year ;
- (c) the amount of money invested on real or other security in conformity with the rules of the credit union in that behalf ;

- (d) the amount of money deposited in a bank or in the treasurer's hands on the preceding thirty-first day of December ;
- (e) a report of his proceedings and of the principal matters transacted by him ;
- (f) such other matters as may be prescribed.

79. A scale of fees to be paid for matters to be transacted or for the inspection of documents under this Ordinance may be prescribed by the Governor in Council.

FIRST SCHEDULE.

Section 55 (1)

Form of Bond.

KNOW all men by these presents that we A.B.....
of.....one of the officers having receipt
or charge of money of the.....Credit Union
(Co-operative) Society Limited, hereinafter referred to as the "Credit Union",
whose registered office is at.....
in the Island of.....and C.D. of.....
(as surety on behalf of the said A.B.) are jointly and severally held and firmly
bound to the Credit Union in the sum of.....
to be paid to the Credit Union, 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 executors and administrators, firmly by these presents :
Dated the.....day of.....19.....

Whereas the above bounden A.B. has been duly appointed to the office
of.....of the.....Credit
Union (Co-operative) Society Limited, and he, together with the above bounden
C.D. as his surety, have entered into the above written bond subject to the
condition hereinafter contained ; Now therefore the condition of the above written
bond is such, that if the said A.B. do render a just and true account of all moneys
received and paid by him on account of the credit union, at such times as the rules
thereof appoint, and do pay over all the moneys remaining in his hands, and assign
and transfer, or deliver all property (including books and papers) belonging to the
Credit Union in his hands or custody to such person or persons as the Credit Union
or the committee thereof appoint according to the rules of the Credit Union,
together with the proper and legal receipts or vouchers for such payments, then
the above written bond shall be void but otherwise shall remain in full force.

Signed and Delivered }
in the presence of }

SECOND SCHEDULE

Section 44.

Form of Receipt to be endorsed on Mortgage of Further Charge.

The.....Credit Union (Co-operative) Society, Limited, hereby acknowledges to have received all moneys intended to be secured by the within (or above) written deed.

Dated this.....day of.....19.....

..... } Members of the Committee of Management.
..... }
..... }
..... Secretary.

Section 5.

Acknowledgment of Registry of Credit Union.

The.....Credit Union (Co-operative) Society Limited, is registered under the Credit Union (Co-operative) Societies Ordinance thisday of.....19.....

..... Registrar of Credit Union (Co-operative) Societies.

Section (10) 3.

Acknowledgment of Registry of Amendment of Rules.

The foregoing amendment of the rules of..... Credit Union (Co-operative) Society Limited, is registered under the Credit Union (Co-operative) Societies Ordinance, this.....day of.....19...

..... Registrar of Credit Union (Co-operative) Societies.

Passed in Council this twenty-first day of December, in the year of Our Lord one thousand nine hundred and forty-five.

W. J. BOOS, Clerk of the Council.