

## **PRO FORMA NOTICE OF, AND APPLICATIONS FOR, CONFIRMATION**

- A. Notice of Application**
- B. Application - amalgamation**
- C. Application – transferor society**
- D. Application – transferee society**

## Annex 2A

*Publication of Notice of application to the Authority for confirmation of an amalgamation or transfer of engagements in the London, Edinburgh, or Belfast Gazettes and in any newspapers as may be directed by the Authority.*

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### BUILDING SOCIETIES ACT 1986

#### Notice under paragraph 8 of Schedule 16 to the said Act.

Notice is hereby given that ..... Building Society, Register No.....B, whose principal office is at ....., desires to amalgamate with\*/transfer its engagements to\*/accept a transfer of the engagements of\* ..... Building Society, Register No.....B, and that both societies have jointly\*/each society has\* applied to the Financial Services Authority to confirm the amalgamation\*/transfer\*.

Any interested party may make written representations to the Authority and/or give notice of intention to make oral representations to the Authority with respect to the application. Written representations and notices of intention to make oral representations should be received by the Authority at 25 The North Colonnade, Canary Wharf, London E14 5HS by ..... 20 .... If notice is given of oral representations these will be heard by the Authority on .....20 ....., at a time and place to be determined by the Authority.

**\*delete as applicable**

**Annex 2B**

***Form of application to the Authority for confirmation of an amalgamation***

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To the Financial Services Authority

**BUILDING SOCIETIES ACT 1986**

**APPLICATION UNDER SECTION 93(2)(d) OF THE ACT FOR CONFIRMATION OF AN AMALGAMATION**

..... **BUILDING SOCIETY, REGISTER NO.....B, AND**

.....**BUILDING SOCIETY, REGISTER NO.....B**

The above-named societies desire to amalgamate on .....[insert effective date] and apply to the Authority to confirm the amalgamation.

In making this application the societies declare that:

1. At a meeting of..... Building Society held on ..... 20..., and at a meeting of ..... Building Society held on .....20..., the following resolutions were passed:

A shareholding members' resolution, as required by section 93(2)(c)(i) of the Act, that the societies do amalgamate in accordance with the terms of an amalgamation agreement, two copies of which, signed by the Secretary of each society for identification, are enclosed with this application.

A borrowing members' resolution, as required by section 93(2)(c)(ii) of the Act, that the societies do amalgamate in accordance with the terms of the above-mentioned agreement.

2. A statement, in accordance with Schedule 16 to the Act, approved by the Authority, so far as it concerned matters specified in that Schedule, was sent to each member of ..... Building Society and of ..... Building Society who was entitled to receive it.

3. Three copies of the Memorandum and Rules of the successor society have been sent to the registration team.

(Seals of the societies making the application)

Date:.....

**Annex 2C**

***Form of application to the Authority for confirmation of transfer of engagements  
(transferor society)***

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To the Financial Services Authority

**BUILDING SOCIETIES ACT 1986**

**APPLICATION UNDER SECTION 95(3) OF THE ACT FOR CONFIRMATION OF  
A TRANSFER OF ENGAGEMENTS**

..... **BUILDING SOCIETY, REGISTER NO.....B**

The above-named society desires to transfer its engagements to ..... Building Society on .....20... [insert effective date] and applies to the Authority to confirm the transfer.

In making this application the society declares that:

1. At a meeting of ..... Building Society held on .....20.. the following resolutions were passed:

A shareholding members' resolution, as required by section 94(2) of the Act, that ..... Building Society do transfer its engagements to ..... Building Society in accordance with the terms of an instrument of transfer, two copies of which, signed by the Secretary of each society for identification, are enclosed with this application.

A borrowing members' resolution, as required by section 94(2) of the Act that ..... Building Society do transfer its engagements to ..... Building Society in accordance with the terms of the above-named instrument.

2. A statement, in accordance with Schedule 16 to the Act, approved by the Authority, so far as it concerned matters specified in that Schedule, was sent to each member of ..... Building Society who was entitled to receive it.

(Seal of the Society making the application)

Date.....

**Annex 2D**

***Form of application to the Authority for confirmation of a transfer of engagements (transferee society)***

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To the Financial Services Authority

**BUILDING SOCIETIES ACT 1986**

**APPLICATION UNDER SECTION 95(3) OF THE ACT FOR CONFIRMATION OF A TRANSFER OF ENGAGEMENTS**

..... **BUILDING SOCIETY, REGISTER NO.....B**

The above-named society desires to accept a transfer of engagements of ..... Building Society on .....20.. [insert effective date] and applies to the Authority to confirm the transfer.

In making this application the society declares that:

- \*1. At a meeting of ..... Building Society held on ..... 20., the following resolutions were passed:

A shareholding members' resolution, as required by section 94(5)(a) of the Act, that ..... Building Society shall undertake to fulfil the engagements of ..... Building Society in accordance with the terms of an instrument of transfer, two copies of which, signed by the Secretary of each society for identification, are enclosed with this application.

A borrowing members' resolution, as required by section 94(5)(a) of the Act, that ..... Building Society shall undertake to fulfil the engagements of ..... Building Society in accordance with the terms of the above-mentioned instrument.

- \*2. The ..... Building Society, pursuant to the consent of the Authority in accordance with section 94(5)(b) of the Act, has undertaken by a resolution of its Board of Directors to fulfil the engagements of ..... Building Society in accordance with the terms of an instrument of transfer two copies of which, signed by the Secretary of each society for identification, are enclosed with this application.

- \*3. A statement in accordance with Schedule 16 to the Building Societies Act 1986, approved by the Authority, so far as it concerned matters specified in that Schedule, was sent to each member of ..... Building Society who was entitled to receive it.

(Seal of the Society making this application)

Date.....

**\*delete as applicable (either paragraph 2, or both paragraphs 1 and 3)**