

STATUTORY INSTRUMENTS

1979 No. 1574

Industrial Assurance (Northern Ireland) Order 1979

Provisions applying to both collecting societies and industrial assurance companies

Illegal policies

20.—^[F1](1) Where an industrial assurance policy was, at the time of its issue, illegal or not within the legal powers of the relevant insurer which issued it, the collecting society or industrial assurance company which receives, or is entitled to receive, premiums in respect of that policy (whether or not it issued the policy) shall, without prejudice to any other penalty, be^[F2] liable] to pay to the owner of the policy a sum equal to the surrender value of the policy (to be ascertained in manner hereafter provided), or, if the policy was issued after commencement of this Order, a sum equal to the amount of the premiums paid, unless it is proved that owing to any false representations on the part the proposer, the relevant insurer did not know that the policy was illegal or beyond its legal powers.]

(2) A collector of, or person employed by, a society or company shall not knowingly assist in effecting a policy of industrial assurance which is illegal or not within the legal powers of the society or company.

F1	SI 2001/3647
F2	SI 2002/1555

Premium receipt books

21.—^[F3](1) ^[F3]Subject to paragraph (2),] a collecting society and an industrial assurance company shall provide premium receipt books for use in respect of policies of industrial assurance^{F3}. . . , and shall cause a receipt for each payment in respect of such a policy, or of two or more such policies, to be entered in such a book.

^[F3](2) A collecting society or industrial assurance company is not required to provide a premium receipt book in accordance with paragraph (1), if it provides either or both—

- (a) receipts in respect of each premium received; or
- (b) statements recording premiums received.

(3) Paragraph (2) applies only if the company or society has given the owner of the policy of industrial assurance and, if different, the person who ordinarily pays the premiums in relation to that policy—

- (a) notice in writing that, from a specified date falling not less than one month after the date of the notice, receipts or statements or both will be provided in respect of that policy; and
- (b) a statement of protective provisions, in accordance with Article 22(2).

(4) For the purposes of paragraphs (2) and (3), “receipt” means a document which complies with the requirements specified in Article 21A, and “statement” means a document which complies with the requirements specified in Article 21B.]

Changes to legislation: Industrial Assurance (Northern Ireland) Order 1979, Cross Heading: Provisions applying to both collecting societies and industrial assurance companies is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F3 SI 2001/3647

[^{F4}**21A.** A receipt must state—

- (a) the number of the policy in respect of which a premium is received;
- (b) the amount of the premium received and, if premiums are paid in respect of more than one policy, the amount referable to a particular policy;
- (c) the date on which the premium is received;
- (d) the name of the collector;
- (e) the registered name of the society or company; and
- (f) an address to which the owner may direct any enquiries in connection with the policy.]

F4 SI 2001/3647

21B.—(1) This Article applies if a society or company provides a statement recording premiums received in respect of a policy of industrial assurance.

(2) Subject to paragraph (4), the society or company must provide such a statement to the owner of that policy—

- (a) before the end of a period of twelve months beginning with the day on which the society or company agreed with the owner of the policy to provide statements recording premiums received; and
- (b) at least once in every subsequent period of twelve months.

(3) A statement must be in writing and must state—

- (a) the period to which the statement relates;
- (b) the number (if any) and the date of the policy in respect of which a premium or premiums have been received during that period;
- (c) the amount or, as the case may be, the aggregate amount of the premium or premiums received during that period and, if premiums are paid in respect of more than one policy, the amount or aggregate amount referable to a particular policy;
- (d) the registered name of the society or company.

(4) If, in any period mentioned in paragraph (2)(a) or (b) (whichever is applicable)—

- (a) no premium is received by a society or company in respect of that policy; or
- (b) the society or company has paid all sums it is liable to pay under that policy,

the society or company is not required to give a statement in respect of that period.

(5) For the purposes of this Article, writing includes any means of electronic communication which may be processed to produce a legible text.

Matters to be set out in premium receipt books

22.—[^{F5}(1)] [^{F5}Subject to paragraph (2), a premium receipt book provided in accordance with Article 21(1) must set out] the matters specified in Schedule 4 relating to the statutory provisions specified in that Schedule.

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[^{F5}(2) If a collecting society or industrial assurance company ceases to provide a premium receipt book in respect of a policy of industrial assurance, the society or company must give to the owner of that policy a written statement of the matters specified in Schedule 4A to this Order ('statement of protective provisions').]

F5 SI 2001/3647

Returns as to industrial assurances

23.—(1) A collecting society ...^{F6} shall, for each year as respects which they are required by the [^{F7} Commission] in the prescribed manner to do so, send to him within such period as may be prescribed a return giving prescribed particulars as to policies of industrial assurance issued by the society ...^{F6} which were in force at the beginning of that year, in force at the end of that year, issued during that year or discontinued or converted to free policies during that year.

Para. (2) rep. by 1992 c. 40

(3) In this Article, "year" means—

(a) in relation to a collecting society, a year ending on 31st December; and

Sub#para. (b) rep. by 1980 c. 25

F6 1980 c. 25

F7 1992 c. 40

Valuations, etc.

24. The provisions of Schedule 5 shall, in the case of a^{F8} . . . an industrial assurance company, have effect in relation to valuations and to the other matters specified therein, including the powers of the [^{F8} Commission] in any case where the valuation discloses a deficiency.

F8 1992 c. 40

General meetings

25.—(1) At least one general meeting of every^{F9} . . . industrial assurance company shall be held in every year.

(2) Except where the day, hour and place of an annual or other periodical meeting is fixed by the rules, notice of every general meeting shall either be given by the^{F9} . . . company to the members by advertisement to be published at least twice in two or more of the newspapers in general circulation in every county where the^{F9} . . . industrial assurance company carries on business, or be served upon every member.

(3) The notice shall specify the day, hour and place, and objects of the meeting, and, in case any amendment of a rule is intended to be proposed, shall contain a copy of every such amendment.

(4) The^{F9} . . . industrial assurance company shall publish the last of such advertisements, or serve the notice, at least 14 days before the day appointed for the meeting, and shall, during those 14 days, keep a copy of the notice in legible characters affixed in some conspicuous place in or outside every office at which the business of the^{F9} . . . company is carried on.

F9 1992 c. 40

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act revoked by [2000 c. 8 s.416\(2\)](#)