

SCHEDULES

SCHEDULE 4

FRIENDLY SOCIETIES: CONSEQUENTIAL AMENDMENTS

PART II

APPLICATION OF THE 1975 ACT TO EXISTING CONTRACTS

9 For section 4 there shall be substituted—

“4 Protection confined to United Kingdom policies.

(1) A policyholder is eligible for the assistance or protection of the Board in accordance with any provision of sections 8A to 16 below only in respect of a policy of insurance which was a United Kingdom policy for the purposes of this Act at the material time for the purposes of the provision in question.

(2) A contract of insurance with a friendly society is a United Kingdom policy for the purposes of this Act at any time when the performance by the society of any of its obligations under the contract would constitute the carrying on by the society in the United Kingdom of insurance business of any class.”

10 In section 8A—

(a) in subsection (1)—

(i) the words “and subsection (2)” shall be omitted, and

(ii) for “is a qualifying policy” there shall be substituted “was a United Kingdom policy at the beginning of the liquidation”, and

(b) subsection (2) shall be omitted.

11 In section 10—

(a) in subsection (2)—

(i) the words “and subsection (2A)” shall be omitted, and

(ii) for “is a qualifying policy” there shall be substituted “was a United Kingdom policy at the beginning of the liquidation”, and

(b) subsection (2A) shall be omitted.

12 In section 11—

(a) in subsection (3)—

(i) the words “and subsection (3A)” shall be omitted, and

(ii) for “is a qualifying policy” there shall be substituted “was a United Kingdom policy at the beginning of the liquidation”, and

(b) subsection (3A) shall be omitted.

13 In section 12—

(a) in subsection (1)—

Status: This is the original version (as it was originally enacted).

- (i) the words “Subject to subsection (1A) below,” shall be omitted, and
 - (ii) for “is a qualifying policy” there shall be substituted “was a United Kingdom policy at the beginning of the liquidation”, and
 - (b) subsection (1A) shall be omitted.
- 14 In section 15—
- (a) in subsection (2), for the words from “if” to the end there shall be substituted—
 - “(a) if he is a policyholder in respect of a general policy or a long term policy of a company in liquidation which was a United Kingdom policy at the beginning of the liquidation; or
 - (b) if he is a policyholder in respect of a general policy or a long term policy of a company in provisional liquidation which was a United Kingdom policy at the time when the provisional liquidator was appointed.”, and
 - (b) in subsection (3), the words “, in relation to the insurance of a protected risk or commitment” shall be omitted.
- 15 In section 16—
- (a) in subsection (6), after “In this subsection” there shall be inserted “and in the following provisions of this section”, and
 - (b) in subsection (9), for “is a qualifying policy and insures a protected risk or commitment” there shall be substituted “was a United Kingdom policy at the relevant time”.
- 16 In section 17—
- (a) in subsection (4)—
 - (i) the words “Subject to subsection (4A) below,” shall be omitted, and
 - (ii) for “is a qualifying policy” there shall be substituted “was a United Kingdom policy at the relevant time as defined by section 16(6) above”, and
 - (b) subsection (4A) shall be omitted.
- 17 In section 21, subsection (9A) shall be omitted.
- 18 In section 32(1), at the end there shall be inserted “and references to United Kingdom policies shall be construed in accordance with section 4 above”.