
STATUTORY INSTRUMENTS

1989 No. 1952

INSURANCE

INDUSTRIAL ASSURANCE

The Insurance Companies (Accounts and Statements) (Amendment) Regulations 1989

Made - - - - 19th October 1989
Laid before Parliament 2nd November 1989
Coming into force - - 1st March 1990

The Secretary of State, in exercise of his powers under sections 17, 18, 20, 21, 96(1) and 97 of the Insurance Companies Act 1982(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Insurance Companies (Accounts and Statements) (Amendment) Regulations 1989 and shall come into force on 1st March 1990.
2. The Insurance Companies (Accounts and Statements) Regulations 1983(2) (“the principal Regulations”) shall have effect subject to the amendments specified in regulation 3 below.
3. In paragraph 6 of Schedule 6 to the principal Regulations—
 - (a) in sub-paragraph (c) after the semi-colon the word “and” shall be deleted;
 - (b) in sub-paragraph (d) after the word “income” for the full-stop there shall be substituted a semi-colon, after which there shall be inserted the word “and” and the following sub-paragraph—
 - “(e) in the case of a company to which section 31A of the Insurance Companies Act 1982(1) applies, that the company has fully complied with the requirements of that section.”,

and at the foot of the relevant page there shall be inserted as a footnote the words “(a) 1982 c. 50; section 31A was inserted by section 136 of the Financial Services Act 1986 (c. 60).”.

(1) 1982 c. 50.
(2) S.I.1983/1811, to which there are amendments not relevant to these Regulations.
(1) 1982 c. 50.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

19th October 1989

John Redwood
Parliamentary Under-Secretary of State,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Insurance Companies (Accounts and Statements) Regulation 1983 by adding a new sub-paragraph (e) to paragraph 6 of Schedule 6. The effect of the amendment is to require, in the case of a company to which section 31A of the Insurance Companies Act 1982 applies, the inclusion, in the certificate required to be given by regulation 26(a), of a statement that the company has fully complied with the requirements of that section. The section, which was added to the 1982 Act by section 136 of the Financial Services Act 1986 (c. 60) and which came into force on 29th April 1988, requires an insurance company, whether established within or outside the United Kingdom, which carries on long term insurance business in the United Kingdom to secure that adequate arrangements are in force for securing that transactions affecting the assets of the company (other than transactions outside its control) do not operate unfairly between the section 28 fund on funds and the other assets of the company or, in a case where the company has more than one identified fund, between those funds. Subsection (2) of section 31A defines the expressions “the section 28 fund or funds” and “identified funds”.

Where the statement required by the new sub-paragraph (e) cannot be truthfully made, paragraph 8 of Schedule 6 to the 1983 Regulations requires the statement to be omitted and the fact of its omission to be stated in a note to the certificate required to be given by regulation 26(a).

The audit provisions of regulation 27 and paragraph 11 of Schedule 6 to the 1983 Regulations apply to the statement required by the new sub-paragraph (e).