



CHAPTER viii

An Act to confer further powers on Lloyd's to amend Lloyd's Acts 1871 to 1925 and for other purposes.

[26th April 1951.]

WHEREAS by Lloyd's Act 1871 (in this Act referred to as 34 & 35 Vict. "the Act of 1871") certain persons were united into a society or corporation for the purposes of that Act and were incorporated by the name of Lloyd's (which incorporated body was in the Act of 1871 and is in this Act referred to as "the Society") and various powers were conferred upon the Society by the said Act:

And whereas by Lloyd's Act 1911 the objects of the Society were extended and now include the carrying on by members of the Society of the business of insurance of every description including guarantee business the advancement and protection of the interests of members of the Society in connection with the business carried on by them as members of the Society and in respect of shipping and cargoes and freight and other insurable property or insurable interests or otherwise the collection publication and diffusion of intelligence and information and the doing of all things incidental or conducive to the fulfilment of the objects of the Society:

And whereas further powers were conferred on the Society and further provisions were made with reference to the Society by Lloyd's Signal Stations Act 1888 Lloyd's Act 1911 and Lloyd's Act 1925:

51 & 52 Vict.
c. 29.
15 & 16 Geo. 5.
c. xxvi.

And whereas the number of and the business carried on by members of the Society and the activities of the Society have increased and are increasing and the Society desires to erect and fit up new premises for its accommodation and the accommodation of its members and for other purposes and to borrow money

but doubts have arisen as to whether it has power to borrow for that or any other purpose and it is expedient that the provisions of this Act with respect thereto be enacted:

And whereas in addition to members there are annual subscribers to and associates of the Society and others who may be granted admission to the rooms of the Society and who enjoy such privileges as the committee of the Society from time to time determine:

And whereas under section 8 of Lloyd's Act 1911 the Society may act as trustee either solely or jointly with any other person of any trust deed or guarantee or other document furnished to the Society by any member of the Society as security for meeting his liabilities under policies underwritten by him or on his account at Lloyd's and it is expedient to extend the powers of the Society under that section in manner provided by this Act:

And whereas under section 9 of Lloyd's Act 1911 the Society may for the purposes mentioned in that section either by itself or jointly with any other guarantor or guarantors guarantee the payment of claims and demands upon policies of insurance including guarantees underwritten by members of the Society or on their account at Lloyd's subject as mentioned in the said section and it is expedient to extend the powers of the Society under that section in manner provided by this Act:

And whereas it is expedient that the other provisions of this Act be enacted:

And whereas the objects of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short and
collective
titles.

1.—(1) This Act may be cited as Lloyd's Act 1951.

(2) Lloyd's Acts 1871 to 1925 and this Act may be cited together as Lloyd's Acts 1871 to 1951.

Interpretation.

2. In this Act unless there is something in the subject or context repugnant to such construction—

“the Act of 1871” means Lloyd's Act 1871;

“the Act of 1911” means Lloyd's Act 1911;

“the committee” means the Committee of Lloyd's constituted under the Act of 1871;

“the Society” means the Society incorporated by the Act of 1871 by the name of Lloyd's.

3.—(1) The Society may raise or borrow money and secure the same and any interest thereon upon any property of the Society either in order to acquire any land or to develop and turn to account any land acquired by or in which the Society is interested (and in particular by constructing altering pulling down reconstructing decorating furnishing fitting up maintaining and improving buildings and whether the same shall be intended for occupation or part occupation of the Society or its members or subscribers or otherwise) or for any other purpose of the Society.

Powers of
Society
to borrow.

(2) The powers conferred on the Society by this section may be exercised by the committee:

Provided that the committee shall not without the sanction of the Society in general meeting raise or borrow any sum of money which will make the amount borrowed by the Society and then outstanding exceed such amount or the total of such amounts as may previously have been prescribed by the Society in general meeting but no lender or other person dealing with the Society shall be concerned to see or inquire whether this limit is observed.

4. It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Saving for
powers of
Treasury.
9 & 10 Geo. 6.
c. 58.

5.—(1) It shall be lawful and shall be deemed always to have been lawful for the Society to act as trustee either solely or jointly with any other person of any trust deed or guarantee or other document relating to the insurance business carried on at Lloyd's by members of or annual subscribers to the Society.

Society may
act as trustee
for certain
purposes.

(2) Any trustee or trustees of any such trust deed or guarantee or other document as aforesaid may transfer any trust fund subject to any such trust deed guarantee or document to the Society and assign to the Society the benefit or advantage to which he or they are entitled under any such trust deed guarantee or document and on the execution of such transfer or deed of assignment the Society shall be entitled to such trust fund and to all benefits and advantages under any such trust deed guarantee or document in the same manner and to the same extent and on the same trusts as such trustees held or were entitled to the same.

(3) Section 8 (Society may act as trustee for certain purposes) of the Act of 1911 is hereby repealed.

(4) (a) Notwithstanding the repeal of the said section 8 any trust deed guarantee document transfer deed of assignment or other instrument of whatsoever nature entered into or made under the powers of that section and in force immediately before

the passing of this Act shall continue in full force and effect in every respect and may be enforced as fully and effectually as if that section had not been repealed.

(b) The mention of particular matters in this subsection shall not be held to prejudice or affect the general application of section 38 (Effect of repeal in future Acts) of the Interpretation Act 1889 with regard to the effect of repeals.

52 & 53 Vict.
c. 63.

Extension
of powers of
Society with
reference to
guarantees.

6.—(1) Section 9 (Powers to Society with reference to guarantees) of the Act of 1911 shall have effect subject to the following amendments:—

(a) In subsection (1) the following provisions shall be and are hereby repealed:—

(i) the words from the beginning of the subsection to the words “member of the Society” where those words first occur;

(ii) paragraphs (A) and (B) of the proviso;

(b) The following subsection shall be substituted for subsection (3):—

“(3) The Society shall notify the Board of Trade of any guarantee given by the Society pursuant to this section and shall furnish to the Board of Trade such further information (if any) in relation to such guarantee as the Board may at any time require”.

(2) The schedule to the Act of 1911 is hereby repealed.

Miscellaneous
amendments of
Lloyd's Acts.

7.—(1) In section 20 (Exclusion from membership for violation of fundamental rules &c.) of the Act of 1871 the words “the Arbitration Act 1950 or any statutory modification or re-enactment thereof for the time being in force” shall be substituted for the words “the Common Law Procedure Act 1854 relative to arbitrations”.

9 & 10 Geo. 6.
c. 28.

(2) In section 10 (Power to apply capital stock &c. to meet deficiency of guarantors &c.) of the Act of 1911 the words “and the Assurance Companies Act 1946 or any statutory modification or re-enactment thereof for the time being in force” shall be inserted after the words “the Assurance Companies Act 1909” wherever those words occur.

Costs of Act.

8. The costs charges and expenses of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Society.

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