

# Policyholders Protection Act 1975

## **CHAPTER 75**

# POLICYHOLDERS PROTECTION ACT 1975

#### The Policyholders Protection Board

- 1 The Policyholders Protection Board.
- 2 Guidance to the Board by the Secretary of State.

# General scope of the Board's functions under this Act

- 3 Authorised insurance companies.
- 3A Authorised and other friendly societies.
  - 4 Protection confined to United Kingdom policies.

## Duties of the Board in case of companies in liquidation

- 5 Application of sections 6 to 11.
- 5A Application of sections 8A, 10 and 11.
  - 6 Compulsory insurance policies and securities.
  - 7 Third-party rights against insurance companies in road traffic cases.
  - 8 General policies other than compulsory insurance policies.
- 8A General contracts made by friendly societies
  - 9 Limits on the duties of the Board under sections 6 to 8.
- 10 Long term policies.
- 11 Special provision for future benefits under long term policies.
- 11A Application of provisions to closing societies.
  - 12 Disproportionate benefits under long term policies.

### General provisions with respect to the duties of the Board

13 General provisions with respect to the performance by the Board of their duties. Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Policyholders Protection Act 1975 (repealed). (See end of Document for details)

Exclusion and modification of duties of the Board where payments are made by other persons, etc.

Powers of the Board to assist policyholders of companies in liquidation, etc.

15 Interim payments to policyholders of companies in liquidation, etc.

Powers of the Board to protect policyholders of companies in financial difficulties

- 16 Companies in financial difficulties: transfers of business, etc.
- 17 Special provision with respect to long term business of a company in financial difficulties.
- 17A Schemes of arrangement, etc.: power of Secretary of State to intervene.

Levies on the insurance industry to finance the performance by the Board of their functions

- 18 General business expenditure and long term business expenditure.
- 19 Levies on intermediaries.
- 20 The exempt income level for the purposes of section 19.
- 21 Levies on authorised insurance companies.
- 22 (1)......

## Miscellaneous and supplementary

- 23 Special provision for persons insured under contracts of insurance not evidenced by policies.
- 23A Reimbursement by Board of payments by intermediaries.
  - 24 Application of general receipts by the Board.
  - 25 Application of surplus funds by the Board.
  - 26 Overseas companies.
  - 27 Disclosure of documents and information to the Board.
  - Statement by Secretary of State with respect to the exercise of his powers in relation to a company in liquidation, etc.
  - 29 Disclosure of documents and information to insurance advisers appointed by the Secretary of State.
  - 30 Report by Secretary of State with respect to the operation of this Act.
  - 31 Regulations.
  - 32 Interpretation.
  - 33 Short title and extent.

#### **SCHEDULES**

SCHEDULE 1 — Additional Provisions with respect to the Policyholders Protection Board

# Constitution of the Board

1 (1) The Board shall consist of five persons appointed by...

Appointment and tenure of members, etc.

- 2 (1) Any appointment made by the Secretary of State under...
- 3 (1) The Secretary of State shall appoint one of the...
- 4 (1) Subject to the following provisions of this paragraph, the...

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#### Remuneration, etc. of members

- 5 (1) Subject to sub-paragraph (2) below, Board shall pay to...
- 6 If a person ceases to be a member or an...

## Powers and procedure, etc.

- 7 (1) The Board may invest any funds held by them...
- 8 Subject to the provisions of this Schedule, the Board shall...
- 9 (1) Subject to sub-paragraph (2) below, a member or an...
- 10 The validity of any proceedings of the Board shall not...

# Performance of functions

11 The Board may authorise any member or alternate member or...

#### Instruments and contracts

- 12 The fixing of the common seal of the Board shall...
- 13 A document purporting to be duly executed under the seal...

### Accounts, audit and annual report

14 (1) It shall be the duty of the Board—

## SCHEDULE 2 — Additional Provisions with Respect to Levies on Intermediaries

## Restriction on the imposition of the levy

1 No levy shall be imposed under section 19 above in...

#### *The rate of the levy*

2 (1) Subject to sub-paragraph (2) below, the rate of a...

#### Statements for the purposes of section 20

- 3 (1) The Board may by notice in writing require any...
- 4 (1) Any person who causes or permits to be included...

#### Declaration and enforcement of the levy

- 5 (1) On imposing a levy under section 19 above in...
- 6 (1) An intermediary to whom notice of a levy is...

#### Notices under paragraphs 3 and 5

7 A notice under paragraph 3 or 5 above may be...

# SCHEDULE 3 — Additional Provisions with Respect to Levies on Authorised Insurance Companies

# Restrictions on the imposition of the levies

- 1 No levy may be imposed by the Board under section...
- 2 (1) The amounts required to be paid by any company...
- 3 The Board may not impose a levy for the purpose...

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## Statements of premium income

- 4 (1) The Secretary of State may by notice in writing...
- 4A In the application of this Schedule to a friendly society—...
- 4B (1) Any person who causes or permits to be included...
  - 5 (1) Any person who causes or permits to be included...

# Declaration and enforcement of levies

- 6 (1) Subject to paragraphs 1 to 3 above, levies may...
- 7 (1) An insurance company to which notice of the rate...

# Notices under paragraphs 4 and 6

- 8 A notice under paragraph 4 or 6 above may be...
- 8A (1) The Treasury may by regulations made by statutory instrument—...

## **Status:**

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# **Changes to legislation:**

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