



# Insurance Companies Act 1982 <sup>F1</sup>(repealed)

## CHAPTER 50

### INSURANCE COMPANIES ACT 1982 (REPEALED)

#### PART I

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#### Part I — CLASSES

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### SCHEDULE 2A — CRITERIA OF SOUND AND PRUDENT MANAGEMENT

#### *Integrity and skill*

- 1 The business of the insurance company is carried on with...
- 2 Each director, controller, manager or main agent of the insurance...
- 3 In the case of a non-EC company whose head office...

#### *Direction and management of the insurance company*

- 4 The insurance company is directed and managed by a sufficient...

#### *Business to be conducted in a sound and prudent manner*

- 5 The insurance company conducts its business in a sound and...
- 6 (1) The insurance company shall not be regarded as conducting...
- 7 The insurance company shall not be regarded as conducting its...
- 8 The insurance company shall not be regarded as conducting its...
- 9 The insurance company shall not be regarded as conducting its...

### SCHEDULE 2B] — RESTRICTION ON DISCLOSURE OF INFORMATION PART I — INFORMATION RELATING TO UK, EC AND NON-EC COMPANIES

#### *Restriction on disclosure*

- 1 (1) Subject to the following provisions of this Part of...

#### *Disclosure for facilitating discharge of functions by Secretary of State*

- 2 Paragraph 1 above does not preclude the disclosure of information...

#### *Disclosure for facilitating discharge of functions by other regulatory authorities*

- 3 (1) Paragraph 1 above does not preclude the disclosure by...

#### *Other permitted disclosures*

- 4 (1) Paragraph 1 above does not preclude the disclosure of...

#### *Information supplied by a supervisory authority*

- 5 (1) Paragraph 1 above applies also to information which—  
PART II — INFORMATION RELATING TO OTHER PERSONS

#### *Restriction on disclosure*

- 6 (1) Subject to paragraph 7 below, no information which—

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*Permitted disclosures*

- 7 (1) Paragraph 6 above does not preclude the disclosure of...

[SCHEDULE 2C] — TRANSFERS OF INSURANCE BUSINESS  
PART I — TRANSFERS OF LONG TERM BUSINESS

*Sanction of court required*

- 1 (1) Where it is proposed to carry out a scheme...

*Procedure with respect to applications*

- 2 (1) The court shall not determine an application under paragraph...

*Determination of applications*

- 3 (1) Where the transferor company is a UK or non-EC...

*Rights of policy holders*

- 4 (1) This paragraph applies where the court makes an order...

*Supplementary provisions*

- 5 (1) Where the court makes an order under this Part...  
PART II — TRANSFERS OF GENERAL BUSINESS

*Approval of Secretary of State required*

- 6 (1) Where it is proposed to execute an instrument by...

*Procedure with respect to applications*

- 7 (1) The Treasury shall not determine an application made under...

*Determination of applications*

- 8 (1) Where the transferor is a UK or non-EC company...

*Rights of policy holders*

- 9 (1) This paragraph applies where the Treasury approve an application made...

*Effect of approval of Secretary of State*

- 10 (1) Subject to paragraph 9(2) above, an instrument giving effect...

[SCHEDULE 2D] — FURTHER PROVISIONS WITH RESPECT TO  
CONTROLLERS OF UK COMPANIES

*Provisions supplementing sections 60 to 61A*

- 1 (1) This paragraph applies where— (a) a UK company which...

*Notice of objection where requisite notice not given*

- 2 (1) This paragraph applies where— (a) a UK company appoints...

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*Notices imposing conditions*

- 3 (1) This paragraph applies where either— (a) paragraph 1 above...

*Objection to existing controller*

- 4 (1) Where it appears to the Treasury that the criteria...

*Restrictions etc. as respects shareholdings*

- 5 (1) This paragraph applies where a person—

[SCHEDULE 2E] — INFORMATION FOR POLICY HOLDERS OF UK INSURERS AND EC COMPANIES

*Information before contract of long term insurance*

- 1 (1) Subject to sub-paragraph (2) and paragraph 5 below, this...

*Information during contract of long term insurance*

- 2 .....

*Information before contract of general insurance*

- 3 (1) This paragraph applies to a contract entered into by...
- 4 (1) Subject to sub-paragraph (2) below, this paragraph applies to...  
— GENERAL
- 5 (1) In the case of a contract involving two or...

SCHEDULE 2F] — RECOGNITION IN THE UNITED KINGDOM OF EC AND EFTA COMPANIES  
PART I — EC COMPANIES CARRYING ON BUSINESS ETC. IN THE UNITED KINGDOM

*Requirements for carrying on direct insurance business*

- 1 (1) An EC company shall not carry on direct insurance...
- 2 (1) An EC company shall not change the requisite details...

*Requisite details for purposes of paragraphs 1 and 2*

- 3 The requisite details for the purposes of paragraphs 1 and...

*Requirements for carrying on reinsurance business*

- 4 (1) An EC company shall not carry on reinsurance business...
- 5 (1) An EC company shall not change the requisite details...

*Requisite details for purposes of paragraphs 4 and 5*

- 6 The requisite details for the purposes of paragraphs 4 and...

*Power of Secretary of State where notice given under paragraph 4 or 5*

- 7 (1) This paragraph applies where the Treasury receive from an EC...



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*Requirements for providing insurance*

- 8 (1) An EC company shall not provide insurance of a...  
9 (1) An EC company shall not change the requisite details...

*Requisite details for purposes of paragraphs 8 and 9*

- 10 The requisite details for the purposes of paragraph 8 and...

*Additional requirements for covering relevant motor vehicle risks*

- 11 An EC company shall not provide insurance in the United...

*Power to prevent disposal of assets*

- 12 (1) The powers conferred on the Treasury by section 40A...

*Powers to obtain information*

- 13 (1) Subject to sub-paragraph (2) below, the powers conferred by...  
14 (1) The powers conferred by section 44 above on the...  
14A Paragraphs 13 and 14 above shall apply in relation to...

*Residual power to protect policy holders*

- 15 The Treasury may exercise their powers under section 45 above...

*Powers of intervention*

- 16 (1) Where it appears to the Treasury that an EC...

*Power to withdraw recognition*

- 17 (1) This paragraph applies where— (a) an EC company is...  
PART II — EFTA COMPANIES PROVIDING INSURANCE IN UNITED  
KINGDOM

*Documents to be furnished to the Secretary of State*

- 18 (1) An EFTA company which intends to provide insurance in...

*Additional requirements with respect to relevant motor vehicle risks*

- 19 An EFTA company shall not provide insurance in the United...

*Powers of intervention*

- 20 (1) Where it appears to the Treasury that an EFTA...

*Power to require information*

- 21 The Treasury may, for the purpose of facilitating the exercise...

*Withdrawal of authorisation*

- 22 (1) Where an EFTA company is providing insurance in the...  
PART III — EFTA COMPANIES PROVIDING INSURANCE THROUGH  
ESTABLISHMENTS IN THE UNITED KINGDOM

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*Notification to Secretary of State*

- 23 (1) Where an EFTA company intends to provide insurance through...

*Issue of certificates by Secretary of State*

- 24 (1) An EFTA company which intends to provide insurance through...

PART IV — SUPPLEMENTAL

*Offences*

- 25 (1) An EC company commits an offence if—

*Interpretation etc.*

- 26 (1) In this Schedule— “authorised agent”, in relation to an...

*Gibraltar*

- 27 (1) Except in its application to a Gibraltar company, this...  
28 (1) Where, in the case of an EC company which...  
29 (1) Where, in the case of an EC company which...

SCHEDULE 2G — RECOGNITION IN OTHER EEA STATES OF UK INSURERS  
PART I — UK INSURERS CARRYING ON BUSINESS ETC. IN OTHER  
MEMBER STATES

*Requirements for carrying on direct insurance business*

- 1 (1) A UK insurer shall not carry on direct insurance...  
2 (1) A UK insurer shall not change the requisite EC...  
3 (1) A UK company shall not change the requisite UK...

*Requisite details for purposes of paragraphs 1 to 3*

- 4 (1) The requisite EC details for the purposes of paragraphs...

*Requirements for providing insurance*

- 5 (1) A UK insurer shall not provide insurance of any...  
6 (1) A UK insurer shall not change the requisite details...

*Requisite details for purposes of paragraphs 5 and 6*

- 7 The requisite details for the purposes of paragraphs 5 and...

*Requirement to notify cessation of insurance business etc.*

- 8 (1) A UK insurer which has ceased—

PART II — UK INSURERS PROVIDING INSURANCE IN EFTA STATES

*Notification to Secretary of State*

- 9 (1) Where a UK insurer intends to provide insurance in...

*Issue of certificates by Secretary of State*

- 10 (1) A UK insurer which intends to provide insurance in...

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PART III — UK INSURERS PROVIDING INSURANCE IN THE UNITED KINGDOM THROUGH BRANCHES IN OTHER EEA STATES

11 (1) Where a UK insurer intends to provide insurance in...

PART IV — SUPPLEMENTAL

*Offences*

12 (1) A UK insurer commits an offence if—

*Interpretation*

13 (1) In this Schedule— “direct insurance business” means insurance business...

SCHEDULE 3 — Determination of Premium Limit

- 1 Subject to the following provisions of this Schedule, the premium...
- 2 If the accounts so deposited relate to a financial year...
- 3 If no accounts have been deposited under section 22 above...

SCHEDULE 3A — Law applicable to certain contracts of insurance

PART II — LONG TERM BUSINESS

*General rules as to applicable law*

- 6 The law applicable to the contract is the law of...
- 7 Where the policy holder is an individual and has his...

*mandatory rules*

8 Nothing in this Part of this Schedule restricts the application...

*supplementary provisions*

- 9 (1) Where a member State includes several territorial units, each...
- 10 (1) Subject to the preceding provisions of this Part of...

SCHEDULE 4 — Saving and Transitional Provisions

*Saving for requirements, directions and powers under the Companies Act 1967*

1 The repeal by the Insurance Companies Amendment Act 1973 of...

*Periodic actuarial investigations under section 18 above in relation to any period of twelve months beginning before 1st October 1982*

2 .....

*Adjustments of established surplus for purposes of section 30(1) above*

3 .....

*Margins of solvency*

4 .....

5 .....

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*Postponement of coming into force of section 36 above*

6 . . . Section 36 of this Act shall not take...

*Saving for schemes of operation submitted under Insurance Companies (Authorisation and Accounts: General Business) Regulations*

7 For the purposes of section 37(2)(f) of this Act, a...

*Saving for requirements under section 29 of the Insurance Companies Act 1974*

8 Where a requirement under section 29 of the Insurance Companies...

*Postponement of effect of sections 37(3) and 38(3) above in respect of long term business*

9 .....

*Deposits made with Accountant General before 1st January 1982*

10 A deposit made under regulation 6 of the Insurance Companies...

*Continuation of business where contract made before 1st January 1982*

11 Where— (a) as a result of the repeal of section...

*Applications for approval of transfer made before 1st January 1982*

12 .....

*Saving for section 42 of the Insurance Companies Act 1974*

13 .....

14 .....

*Saving for winding up commenced before rules made under section 365 of the Companies Act or section 317 of the Companies (Northern Ireland) Order 1986*

15 The provisions of this Act, so far as re-enacting provisions...

*Saving for repeal of section 17(2) and (3) of, and Schedules 3 and 4 to, the Insurance Companies Act 1958*

16 .....

*Northern Ireland*

17 Section 17(2)(a) of the Interpretation Act 1978 shall not apply...

18 .....

*Continuing offences*

19 Where an offence for the continuance of which a penalty...

*Transitional provisions relating to sections 9(7), 71(3), 81(2) and 88(2) of this Act*

20 .....

21 .....

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*General*

- 22 Subject to paragraph 17 above and without prejudice to any...
- 23 Without prejudice to paragraph 22 above, any enactment or document...
- 24 Where a period of time specified in any enactment repealed...

SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS

*The Companies Act 1948*

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....

*The Companies Act 1967*

- 6 .....

*The Children and Young Persons Act (Northern Ireland) Act 1968*

- 7 .....

*The Employers' Liability (Compulsory Insurance) Act 1969*

- 8 In section 1(3)(b) of the Employers' Liability (Compulsory Insurance) Act...
- 9 .....
- 10 .....

*The Employer's Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972*

- 11 In Article 5(3)(b) of the Employer's Liability (Defective Equipment and...
- 12 .....

*The Local Government Act 1972*

- 13 In the Local Government Act 1972— (a) in section 140(1)...

*The Consumer Credit Act 1974*

- 14 In section 189(1) of the Consumer Credit Act 1974 in...

*The Solicitors Act 1974*

- 15 In section 87(1) of the Solicitors Act 1974—

*The Policyholders Protection Act 1975*

- 16 In the Policyholders Protection Act 1975— (a) in section 3(2)...
- 17 .....

*The Insurance Brokers (Registration) Act 1977*

- 18 In section 29(1) of the Insurance Brokers (Registration) Act 1977...

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19 .....

*The Credit Unions Act 1979*

20 In section 15(2)(d) of the Credit Unions Act 1979 for...

21 .....

*The Industrial Assurance (Northern Ireland) Order 1979*

22 In the Industrial Assurance (Northern Ireland) Order 1979—

*The Companies Act 1980*

23 .....

24 .....

25 .....

*The Companies Act 1981*

26 .....

*The Road Traffic (Northern Ireland) Order 1981*

27 In Article 101(1) of the Road Traffic (Northern Ireland) Order...

28 (a) .....

SCHEDULE 6 — REPEALS

**Status:**

Point in time view as at 01/12/2001.

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