



Industrial Assurance and Friendly Societies Act 1948 (Repealed)

1948 CHAPTER 39 11 and 12 Geo 6

Amendments as to procedure and administration

8 Premium receipt books. **E+W+S**

- (1) A collecting society, and an industrial assurance company, shall provide premium receipt books for use in respect of policies of industrial assurance issued by the society or company, and shall cause a receipt for each payment in respect of such a policy or of two or more such policies to be inserted in such a book.
- (2) Regulations may be made by the Commissioner, subject to the approval of the Treasury signified by statutory instrument which shall be subject to annulment in pursuance of resolution of either House of Parliament, with respect to the form of books to be provided as aforesaid and to the use thereof and the insertion of receipts therein, and, without prejudice to the generality of this subsection, regulations made for the purposes thereof may provide for prohibiting or restricting in any prescribed circumstances the use of a single premium receipt book for payments in respect of two or more policies.

Modifications etc. (not altering text)

C1 S. 8(2) amended by [Decimal Currency Act 1969 \(c. 19\), s. 7\(5\)](#)

9 Liability on policies not to be restricted on grounds of health if proposer's knowledge and belief is properly disclosed. **E+W+S**

- (1) Nothing in any term or condition of an industrial assurance policy issued after the passing of this Act or in the law relating to insurance shall operate to except the society or company from liability under such a policy, or to reduce the liability of the society or company under such a policy, on the ground of any matter relating to the state of health of the person upon whose life the assurance is taken out, other than the ground of

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the proposer’s having, when making the proposal or thereafter and before the making of the contract, either—

- (a) made an untrue statement of his knowledge and belief as regards that matter; or
- (b) failed to disclose to the society or company something known or believed by him as regards that matter.

(2) In relation to a policy issued after the passing of this Act, subsection (4) of section twenty of the Act of 1923 (which relates to misstatements contained in certain proposal forms for industrial assurance policies) shall not apply to a misstatement concerning the state of health of the person upon whose life the assurance is to be taken out.

10 Obligations as to delivery of policies and of copies of rules and amendments thereof. E+W+S

(1) A collecting society shall supply a member, free of charge, with the following, that is to say—

- (a) on his insuring with the society, with a printed policy signed by two of the committee of management and by the secretary, or, if the society has been granted a certificate under section ten of the Act of 1923 exempting it from the requirement imposed by this paragraph to supply a policy, with a copy of the rules of the society;
- (b) on written demand by him if a copy of the rules of the society has not previously been supplied to him, with a copy of the rules of the society;
- (c) on written demand by him if the rules of the society have been amended since he has been supplied with a copy thereof and a copy of the amendment has not previously been supplied to him, with a copy of the amendment;

and shall, on demand by him and on payment by him of such sum not exceeding [^{F1}ten pence] as the society may require, supply a member to whom a copy of the rules of the society has been supplied with a further copy thereof.

(2) Where an amendment of the rules of a collecting society modifies the terms or conditions of any insurance issued by the society by way of increase of premiums or reduction of benefit, the society shall, within two months from the date on which the amendment is registered pursuant to section thirteen of the Act of 1896, either—

- (a) serve every member of the society with a notice containing a statement which, in the opinion of the Commissioner, sufficiently sets forth the effect of the amendment; or
- (b) publish such a statement by advertisement in two or more of the newspapers in general circulation in every county where the society carries on business.

A member served with a notice under paragraph (a) of this subsection shall be regarded for the purpose of the preceding subsection as if he had been supplied with a copy of the amendment in question.

(3) For the purposes of this section, a policy shall be deemed to be signed by a person if it bears a stamped, printed or lithographed reproduction of his signature placed thereon with his authority.

(4) F2

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Textual Amendments

- F1** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 9**
- F2** [Ss. 10\(4\), 11\(4\), 12\(1\)\(4\), 17\(2\), 19\(1\)—\(4\), 21, 22, 25\(5\)](#), Sch. 6 repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 7**

Modifications etc. (not altering text)

- C2** [S. 10\(1\)](#) extended by [S.I. 1977/1144](#), **reg. 3(4)**

11 Matters to be set out in rules of collecting societies. E+W+S

- (1) Subsection (3) of section eight of the Act of 1923 (which requires the provisions of that Act mentioned in the First Schedule thereto to be set forth in the rules of collecting societies) shall extend to the following provisions, that is to say—

[^{F3} Sections 72 and 73(2) of the Friendly Societies Act 1974]	Insurances on life of parent or grandparent: limit on amount, and prohibition of assignment or charge
Section eight of this Act	Premium receipt books
Section nine of this Act	Restriction of liability on policies on ground of health
Subsections (1) and (2) of section ten of this Act	Obligations as to delivery of policies, and of copies of rules and amendments thereof
[^{F3} Schedule 5 to the said Act of 1974]	Death certificates in connection with payments referred to in [^{F3} section 72(1) of the said Act of 1974.]

and shall have effect, both as regards those provisions and as regards the relevant provisions of the Act of 1923, subject to the modification that the rules may, if the Commissioner consents, in any case, and shall in the case of the provisions of [^{F3}Schedule 5 to the said Act of 1974] in lieu of setting out the provisions in question, contain a statement which, in the opinion of the Commissioner, sufficiently sets forth the effect thereof.

- (2) References to the above-named provisions of this Act [^{F4}and of the said Act of 1974] shall accordingly be inserted in the First Schedule to the Act of 1923.
- (3) The requirement imposed by subsection (3) of section eight of the Act of 1923 to set out provisions of that Act in rules shall, in the case of a provision which is amended by this Act, be construed as relating to that provision as so amended.
- (4) ^{F5}

Textual Amendments

- F3** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 10(1)**
- F4** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 10(2)**

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F5 Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967](#) (c. 81), [Sch. 7](#)

12 Matters to be set out in premium receipt books, and to be published. **E+W+S**

- (1) ^{F6}
- (2) ^{F7} an industrial assurance company, shall cause to be set out, in every premium receipt book provided by them after the coming into operation of this subsection for use in respect of policies of industrial assurance, the matters specified in the Third Schedule to this Act relating to the provisions mentioned in that Schedule of the Act of 1896, of the Act of 1923 and of this Act and of regulations made for the purposes of section eight of this Act [^{F8} and a collecting society shall cause to be set out, in every premium receipt book provided by them after the coming into operation of the ^{M1}Friendly Societies Act 1974 for use in respect of policies of industrial assurance, the matters specified in that Schedule relating to the provisions mentioned in that Schedule of the Act of 1923, of this Act, of the said Act of 1974 and of regulations made for the purposes of the said section 8].
- (3) ^{F9} the last preceding subsection shall not come into operation as respects any regulations made under section eight of this Act until the expiration of six months from the date on which the regulations come into operation.
- (4) ^{F6}

Textual Amendments

- F6** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967](#) (c. 81), [Sch. 7](#)
- F7** Words repealed by [Friendly Societies Act 1974](#) (c. 46), [Sch. 9 para. 11](#)
- F8** Words added by [Friendly Societies Act 1974](#) (c. 46), [Sch. 9 para. 11](#)
- F9** Words repealed by [Companies Act 1967](#) (c. 81), [Sch. 7](#)

Marginal Citations

- M1** 1974 c. 46

13 Returns as to industrial assurances. **E+W+S**

- (1) A collecting society . . . ^{F10} shall, as respects each year as respects which they are required by the Commissioner in the prescribed manner so to do, send to him within such period as may be prescribed a return giving prescribed particulars as to policies of industrial assurance issued by the society . . . ^{F10} which were in force at the beginning of that year, in force at the end of that year, issued during that year or discontinued or converted to free policies during that year.
- (2) A requirement under this section may be made either generally as to all such societies . . . ^{F10}, or as to any class thereof, or as to a particular society . . . ^{F10}, and the regulations may prescribe different particulars to be given in the case of different societies . . . ^{F10} or classes thereof.
- (3) Section sixteen of the Act of 1923 (which authorises the Commissioner to reject returns under the Act of 1896 . . . ^{F10} which are incomplete or incorrect or do not comply

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with the requirements of the Act applicable, and to give directions for the variation thereof) shall apply to returns under this section.

(4) In this section the expression “year” means, in relation to a collecting society, a year ending on a thirty-first day of December, . . . ^{F10} .

Textual Amendments

F10 Words repealed by [Insurance Companies Act 1980 \(c. 25, SIF 67\)](#), [Sch. 5](#)

14 ^{F11} **E+W+S**

Textual Amendments

F11 [Ss. 14, 20](#) repealed by [Friendly and Industrial and Provident Societies Act 1968 \(c. 55\)](#), [Sch. 2](#)

15 ^{F12} **E+W+S**

Textual Amendments

F12 [Ss. 3, 15, 16\(1\)\(5\), 17\(1\), 18\(1\), Sch.1 paras.5, 7–9, Sch.4](#) repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

16 **Provisions as to offences.** **E+W+S**

(1) ^{F13}

(2) Any collecting society or industrial assurance company which contravenes or fails to comply with any of the provisions of this Act, or of regulations made for the purposes of section eight thereof, shall be guilty of an offence under the Act of 1923:

. ^{F14}

(3) Any collector of a collecting society or industrial assurance company, or any other person, who contravenes or fails to comply with any of the provisions of regulations made for the purposes of section eight of this Act affecting such collector or other person shall be guilty of an offence under the Act of 1923.

(4) ^{F15} any [^{F16}trade union or employers association], which contravenes subsection (1) of section six of this Act shall be guilty of an offence under the [^{F17M2}Friendly Societies Act 1974] and shall be liable to a fine not exceeding [^{F18}fifty pounds][^{F18}level 3 on the standard scale] .

(5) ^{F13}

Textual Amendments

F13 [Ss. 3, 15, 16\(1\)\(5\), 17\(1\), 18\(1\), Sch.1 paras.5, 7–9, Sch.4](#) repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

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- F14** S. 16(2) proviso repealed by Friendly Societies Act 1974 (c. 46), **Sch. 11**
- F15** Words repealed by Friendly Societies Act 1974 (c. 46), **Sch. 11**
- F16** Words substituted by Trade Union and Labour Relations Act 1974 (c. 52), **Sch. 3 para. 5(3)**
- F17** Words substituted by Friendly Societies Act 1974 (c. 46), **Sch. 9 para. 12**
- F18** Words “level 3 on the standard scale” substituted (E.W.S) for “fifty pounds” by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G**

Marginal Citations

- M2** 1974 c. 46.

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