
STATUTORY INSTRUMENTS

1951 No. 1408

RESERVE AND AUXILIARY FORCE

The Reserve and Auxiliary Forces (Protection of Friendly Society Life Policies) Regulations, 1951

<i>Made</i>	- - - -	<i>2nd August 1951</i>
<i>Laid before Parliament</i>		<i>2nd August 1951</i>
<i>Coming into Operation</i>		<i>4th August 1951</i>

With the approval of the Treasury, the Chief Registrar of Friendly Societies in pursuance of subsection (4) of section 57 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Reserve and Auxiliary Forces (Protection of Friendly Society Life Policies) Regulations, 1951, and shall come into operation on the 4th day of August, 1951.

(2) In these Regulations, unless and except so far as the context may otherwise require, the following expressions shall have the following meanings, that is to say:—

“the Act” means the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951;

“Chief Registrar” means the Chief Registrar of Friendly Societies;

“society” means a friendly society (whether registered or not) and reference to a society includes reference to a branch of a society;

“owner” in relation to any policy means the person who is for the time being the person entitled to receive the sums payable under the policy on maturity;

“policy” includes a contract of assurance in respect of which no specific document constituting the contract is issued;

“relevant service” means service after the fifteenth day of July, nineteen hundred and fifty, of a description specified in the First Schedule to the Act;

“serviceman” means a man who performs relevant service, and includes a woman who performs relevant service.

(3) The Interpretation Act, 1889, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. An application for reinstatement of a policy under subsection (2) of section 55 of the Act shall be made in writing within the time required by that subsection and sent or delivered to the

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society, which forfeited the policy in question, at its registered office or at any other place at which the society conducts its affairs, and shall contain a statement referring to the policy in question and setting out the grounds on which the application is made, the date on which the serviceman began the performance of relevant service, the date on which he ceased such performance or if he has not so ceased, the period, if known, for which the serviceman is required to perform relevant service.

3. Where a society, after application having been duly made, reinstates a policy, it shall endorse the policy, or serve upon the applicant a notice, to that effect.

4. Where a society, after application having been duly made, refuses to reinstate a policy, it shall serve upon the applicant a notice in the form set out in the Schedule hereto.

5. An appeal to the Chief Registrar under subsection (3) of section 55 of the Act shall be made in writing and addressed to him at 17, North Audley Street, London, W.1, within twenty-eight days from the date of the serving of the notice under the preceding regulation.

6. Where the Chief Registrar allows an appeal duly made under subsection (3) of section 55, he shall make an order requiring the society to reinstate the policy and to endorse the policy, if any, to the effect that it has been reinstated or to serve upon the applicant a notice to that effect.

7. Where, in relation to any policy to which section 55 of the Act applies, the time for making an application to the society or an appeal to the Chief Registrar has expired, the owner of the policy, or any one on his behalf, may submit an application to the Chief Registrar and if it appears to the Chief Registrar that—

- (a) there were good reasons for the failure to make the application to the society or to appeal to the Chief Registrar within the required time and there has been no undue delay in submitting the application under this Regulation; and
- (b) if an application to the society or appeal to the Chief Registrar had been made within the said time it would have been granted or allowed;

he may make an order directing the society to reinstate the policy and otherwise to do such acts in relation to the policy as the society would have done or would have been required to do had the application or appeal been made within the required time and granted or allowed.

8. Any notice required to be served on any person by the Regulations shall either be delivered or sent by post or so delivered or sent to or left at his last known place of abode.

Dated the 2nd day of August, 1951

B. K. White
Chief Registrar of Friendly Societies

We approve these Regulations.

Dated the 2nd day of August, 1951

R. J. Taylor
Wm. Hannan
Two of the Lords Commissioners of His Majesty's Treasury

SCHEDULE

EXPLANATORY NOTE

Part VI of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, inter alia enables the owner of a life or endowment policy, which was taken out with a non-collecting friendly society and in respect of which separate premiums are payable, to obtain its reinstatement, if forfeited for the non-payment of premiums and the society is satisfied that the default was due to the owner or some other person performing or having performed service in the Reserve and Auxiliary Forces.

These Regulations provide (i) for the procedure in connection with the making of applications for the reinstatement of such policies, with the grant or refusal of such applications, and with appeals to the Chief Registrar of Friendly Societies, (ii) for the order to be made by the Chief Registrar where he allows an appeal, and (iii) for the submission of applications in certain circumstances to the Chief Registrar, where the time for making application to the society or appeal to the Chief Registrar has expired, and for the grant of relief in such cases, where appropriate.