



## 2009 CHAPTER 6

### *Declarations of presumed death*

#### **Insurance against claims**

7.—(1) Where a declaration has been made under section 1 then, unless the High Court otherwise directs, the trustee, if any, must as soon as may be effect a policy of insurance in respect of any claim which may arise by virtue of an order under section 6(2).

(2) Any premium payable by the trustee in respect of a policy of insurance effected under subsection (1) shall be a proper charge on the estate being administered by the trustee.

(3) Where a declaration has been made under section 1, an insurer may, before making payment of any capital sum (other than in respect of an annuity or other periodical payment) to any person as a result of that declaration, require that person to effect in his or her own name for the benefit of that insurer a policy of insurance to satisfy any claim which that insurer may establish in the event of a variation order being made.