



# Industrial Assurance Act 1923

## 1923 CHAPTER 8

### *Disputes*

#### **32 Disputes**

- (1) In all disputes between a collecting society or industrial assurance company, and
- (a) any member or person assured ; or
  - (b) any person claiming through a member or person assured, or under or in respect of any policy, or under the rules, or under this Act; or
  - (c) any person aggrieved who has ceased to be a member or any person claiming through such person aggrieved,

that member or person may, notwithstanding any provisions of the rules of the society or company to the contrary, apply to the county court, or to a court of summary jurisdiction for the place where that member or person resides, and the court may (but in the case of a court of summary jurisdiction only if the amount of the claim does not exceed twenty-five pounds and not less than fourteen days' notice of the application has been given to the society or company) settle that dispute according to the provisions of the Friendly Societies Act, 1896, and, where a dispute is settled under this section by a court of summary jurisdiction, the court may make such order as to costs as it considers fair and reasonable :

Provided that any such dispute may be referred to the Commissioner—

- (a) by such collecting society, industrial assurance company, member or person as aforesaid, if the amount of the claim does not exceed fifty pounds and the legality of the policy is not questioned, and fraud or misrepresentation is not alleged; and
- (b) in any case, by both parties, without restriction as to the amount of claim or the nature of the question to be decided ;

and, where a dispute is so referred, the Commissioner may deal with the dispute as if it were a dispute referred to him under the provisions of section sixty-eight of the Friendly Societies Act, 1896, and the consent of the Treasury to his dealing therewith had been given.

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*Status: This is the original version (as it was originally enacted).*

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- (2) In any case where a doubt arises as to the continued existence of the person on whose life a policy of industrial assurance was taken out, the Commissioner may, on the application of the owner of the policy or of the society or company which issued the policy, award that the society or company shall pay to the owner of the policy the surrender value thereof at the time of the award, and the award shall be a discharge for all claims by or against the society or company in connection with the policy.