



Industrial Assurance and Friendly Societies Act 1948 (Repealed)

1948 CHAPTER 39 11 and 12 Geo 6

Amendments as to insurances authorised, and as to alienation of insurance benefits

1 Cesser of powers to insure for funeral expenses.

The powers to insure conferred on [^{F1}collecting societies] and on industrial assurance companies by the following enactments in . . . ^{F2}the ^{M1}Industrial Assurance Act 1923 and the ^{M2}Industrial Assurance and Friendly Societies Act 1929 (in this Act referred to respectively as . . . ^{F2}the Act of 1923 and the Act of 1929) shall cease to be exercisable at the expiration of one year from the day appointed for the coming into operation of section twenty-two of the ^{M3}National Insurance Act 1946 that is to say—

- (a) ^{F3}
- (b) section three of the Act of 1923 (which relates to insuring money for funeral expenses); and
- (c) section one of the Act of 1929 (which relates to insuring money to be paid on the duration of a life for a specified period, either with or without provision for a payment in the event of a death before the expiration of the period but subject to a limitation of any payment at death to an amount reasonable for funeral expenses):

Provided that—

- (a) this section shall apply only to insurances where the funeral expenses in question are those, or the life in question is that, of a person who at the time of the proposal is ordinarily resident in [^{F4}Great Britain or the Isle of Man]; and
- (b) nothing in this section shall prejudice any insurance effected in exercise of any of the said powers before the expiration of one year from the day appointed as aforesaid, or any rights or liabilities in respect of any such insurance.

Textual Amendments

F1 Words substituted by [Friendly Societies Act 1974 \(c. 46\), Sch. 9 para. 6](#)

Status: Point in time view as at 01/02/1993.

Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed), Cross Heading: Amendments as to insurances authorised, and as to alienation of insurance benefits. (See end of Document for details)

- F2** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**
F3 [S. 1\(a\)](#) repealed by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**
F4 Words substituted by [S.I. 1948/2578](#) (Rev. VIII, p. 927: 1948 I, p. 1617)

Marginal Citations

- M1** [1923 c. 8.](#)
M2 [1929 c. 28.](#)
M3 [1946 c. 67.](#)

2 †Power to insure life of parent or grandparent for not more than £20; and prohibition of alienation of such insurances.

- (1) Amongst the purposes for which . . . ^{F5} industrial assurance companies may insure shall be included insuring money to be paid . . . ^{F5} to the person insured . . . ^{F5} on the death of a parent or grandparent of his:

Provided that this subsection shall apply only where the death in question is that of a person who at the time of the proposal is ordinarily resident in [^{F6}Great Britain or the Isle of Man.]

. ^{F7}

- (2) Such a . . . ^{F5} company shall not, in effecting an insurance at any time in exercise of the power conferred by the preceding subsection, insure to be paid to any person on the death of any one of his parents or grandparents any sum which (either taken alone or when added to any sum or sums for the time being insured to be paid to that person on that death under any other relevant insurance or insurances taken out by him) exceeds [^{F8}thirty pounds] and, where an insurance has been effected in exercise of that power, shall not—

- (a) by virtue of or in connection with that insurance, pay to any person any sum which exceeds [^{F8}thirty pounds] when taken alone, or
- (b) by virtue of or in connection with that insurance, pay to the person by whom that insurance was taken out any sum which exceeds [^{F8}thirty pounds] when added to any sum or sums paid to him, on the death on which money was thereby insured to be paid, by virtue of or in connection with any other relevant insurance taken out by him, or
- (c) if any payment has been made on that death by virtue of or in connection with that insurance to the person by whom it was taken out and has not been repaid, pay to him on that death, by virtue of or in connection with any other relevant insurance taken out by him, any sum which exceeds [^{F8}thirty pounds] when added to the amount so paid and not repaid, or when added to it and to any sum or sums paid to him on that death by virtue of or in connection with any other relevant insurance or insurances taken out by him:

Provided that there shall be excluded for the purposes of this subsection any sum insured to be paid, or paid,—

- (i) by way of bonus other than a guaranteed bonus;
- (ii) by way of repayment of premiums; or
- (iii) under a free paid-up policy which is in force as such at, or has been applied for or claimed before, the passing of this Act.

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- (3) The provisions of the First Schedule to this Act shall have effect . . . ^{F7} as to the production of certificates of death in connection with the making of payments relevant for the purposes of the last preceding subsection.
- (4) Where under any relevant insurance money is for the time being insured to be paid to the person by whom the insurance was taken out on the death of a parent or grandparent of his, any assignment or charge made by him after the passing of this Act of or on all or any of the rights in respect of the insurance conferred on him by the policy or by any provision of the Industrial Assurance Acts 1923 to 1929, or of this Act, and any agreement so made by him to assign or charge all or any of those rights, shall (except in the case of a charge or agreement to charge for the purpose only of securing sums paid for keeping on foot or restoring the insurance) be void, and on any bankruptcy of his [^{F9}where the receiving order or the award of sequestration of his estate was made after the passing of this Act] none of those rights shall pass to any trustee or other person acting on behalf of his creditors.
- (5) In this section and in the said Schedule the expression “relevant insurance” means an insurance effected by any registered friendly society or industrial assurance company in exercise either of the power conferred by subsection (1) of this section or of any power conferred by section three of the Act of 1923 or section one of the Act of 1929 [^{F10}or by any registered friendly society in exercise of any power conferred by paragraph 2(d) of Schedule 1 of the ^{M4}Friendly Societies Act 1974 or paragraph 2 of Schedule 6 to that Act] and references to a payment on a person’s death include references to a payment for his funeral expenses.

Textual Amendments

- F5** Words repealed by [Friendly Societies Act 1974 \(c. 46\), Sch. 11](#)
- F6** Words substituted by [S.I. 1948/2578 \(Rev. VIII, p. 927: 1948 I, p. 1617\)](#)
- F7** Words repealed by [Companies Act 1967 \(c. 81\), Sch. 7](#)
- F8** Words substituted by [Industrial Assurance and Friendly Societies Act 1948 \(Amendment\) Act 1958 \(c. 27\), s. 1\(1\)](#)
- F9** Words repealed (E.W.) by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235, Sch. 10 Pt. III](#) and (S.) by [Bankruptcy \(Scotland\) Act 1985 \(c. 66, SIF 66\), s. 75\(2\), Sch. 8](#)
- F10** Words inserted by [Friendly Societies Act 1974 \(c. 46\), Sch. 9 para. 7](#)

Modifications etc. (not altering text)

- C1** Unreliable marginal note.
- C2** [S. 2\(2\)](#) modified by [Decimal Currency Act 1969 \(c. 19\), s. 7\(2\)](#) and [S.I. 1977/1143, Sch. 3 para. 4](#)
- C3** [S. 2\(2\)](#) amended by [S.I. 1977/1144, Sch. 3 para. 6](#); 1980/1947, Sch. 3 para. 3 and by 1980/1948, Sch. para. 5

Marginal Citations

- M4** [1974 c. 46.](#)

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Textual Amendments

F11 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**

4 Amendments consequential on preceding sections.

There shall be made in the Acts of . . . ^{F12} 1923 and 1929, the amendments, consequential on the provisions of the three preceding sections, which are set out in the Second Schedule to this Act.

Textual Amendments

F12 Words repealed by Friendly Societies Act 1974 (c. 46), **Sch. 11**

5 ^{F13}

Textual Amendments

F13 S. 5 repealed by Finance Act 1966 (c. 18), **Sch. 13 Pt. III**

^{F14}6

Textual Amendments

F14 S. 6 repealed (E.W.S.) (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5), 93(4)); S.I. 1993/16, art 2, **Sch.3** Appendix.

^{F15}7

Textual Amendments

F15 S. 7 repealed (E.W.S.) (1.2.1993) by Friendly Societies Act 1992 (c. 40), s. 120(2), **Sch. 22 Pt.I** (with ss. 7(5), 93(4)); S.I. 1993/16, art. 2, **Sch.3** Appendix.

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