
STATUTORY INSTRUMENTS

1994 No. 1696

**The Insurance Companies (Third
Insurance Directives) Regulations 1994**

PART II

AMENDMENTS OF 1982 ACT

CHAPTER II

REGULATION OF INSURANCE COMPANIES

Powers of intervention

Grounds on which powers of intervention are exercisable

19.—(1) In subsection (2) of section 37 of the 1982 Act (grounds on which powers are exercisable)—

(a) after paragraph (a) insert—

“(aa) that the company is a UK or non-EC company and it appears to him that any of the criteria of sound and prudent management is not or has not been or may not be or may not have been fulfilled with respect to the company;”;

(b) in paragraph (b), sub-paragraph (ia)(1) shall cease to have effect; and

(c) in paragraph (g), for the words “a member State where it has its head office or” substitute the words “an EFTA State where it has its head office or an EEA State where it”.

(2) In subsection (3) of that section—

(a) for the words “sections 39 and 40” substitute the words “sections 39, 40 and 40A”;

(b) in paragraph (a) for the words “section 11 above” substitute the words “section 11 or 12A above”; and

(c) after paragraph (c) insert

“or

(d) on the grounds that the company is a UK or non-EC company and it appears to the Secretary of State that the company has failed to satisfy an obligation to which it is or was subject by virtue of section 32 or 35A above.”

(3) After subsection (4) of that section insert—

“(4A) The powers conferred on the Secretary of State by sections 43A and 44 below shall be exercisable in respect of a UK or non-EC company to obtain information to enable him to perform his functions under this Act.”

(4) In subsection (5) of that section—

(1) Sub-paragraph (ia) was inserted by [S.I. 1990/1333](#), reg 8(2) and amended by [S.I. 1993/174](#), reg 2(1)(b).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in paragraph (b), for the words “section 7(4)(c) above” substitute the words “section 96C(1)(c), (d) or (e) below”;
- (b) after that paragraph insert—
 - “(c) any UK company in a case where a person has notified an intention to acquire a notifiable holding in accordance with section 61A(1) below,”; and
- (c) after the words “became such a controller” insert the words “or acquired such a holding”.