



Insurance Companies Act (Northern Ireland) 1968

1968 CHAPTER 6

An Act to amend and consolidate the Assurance Companies Acts (Northern Ireland) 1909 to 1947 and otherwise to amend the law relating to insurance companies and to the carrying on of insurance business. [4th April 1968]

Part I (ss. 1,2) rep. by 1974 c. 52; 1976 NI 3

Part II (ss. 3#13) rep. by 1973 c. 58; 1974 c. 52; 1976 NI 3

Part III (ss. 14#24) rep. by 1973 c. 58; 1976 NI 3

Part IV (ss. 25#39) rep. by 1973 c. 58; 1976 NI 3

Part V (ss. 40,41) rep. by 1973 c. 58

PART VI

WINDING UP

S. 42 rep. by 1973 c. 58; 1976 NI 3

S. 43 rep. by 1976 NI 3

44 Supplemental provisions as to winding up.

Subs. (1) rep. by 1976 NI 3

^{F1}(2) Where an insurance company to which this Act applies is being wound up by the court, or subject to the supervision of the court, or voluntarily, the value of a policy of any class or of a liability under such a policy requiring to be valued in the winding up shall be estimated in the manner applicable to policies and liabilities of that class provided by Schedule 3.

*Changes to legislation: There are currently no known outstanding effects for the
Insurance Companies Act (Northern Ireland) 1968. (See end of Document for details)*

- (3) The rules in Schedules 3 and 4 shall be of the same force, and may be revoked or amended, as if they were rules made in pursuance of section 21 of the Interpretation Act (Northern Ireland) 1954 (which confers power on a rule-making authority to make rules regulating the practice and procedure of a court in certain cases); and rules may be made under that section for the purpose of carrying into effect the provisions of this Act with respect to the winding up of insurance companies.]

Annotations:

F1 Rep. with saving, 1973 c. 58; 1976 NI 3; 1980 c. 25

S. 45 rep. by 1976 NI 3

Part VII (ss. 46 — 53) rep. by 1976 NI 3; 1979 NI 13; 1980 c. 25

PART VIII

MISCELLANEOUS, SUPPLEMENTAL AND TRANSITIONAL PROVISIONS

Ss. 54#72 rep. by 1969 c. 48; 1973 c. 58; 1976 NI 3; 1978 c. 23; 1980 c. 25

74 Short title.

This Act may be cited as the Insurance Companies Act (Northern Ireland) 1968.

SCHEDULES

Schedule 1 rep. by 1976 NI 3

Schedule 2 rep. by 1973 c. 58; 1976 NI 3

[^{F2}SCHEDULE 3

Section 44.

RULES FOR VALUING POLICIES AND LIABILITIES

Annotations:

F2 Rep. with saving, [1973 c. 58](#); [1976 NI 3](#); [1980 c. 25](#)

LIFE POLICIES

- 1 (1) The value of a life policy shall be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the commencement of the winding up, and the present value of the future annual premiums.
- (2) In calculating such present values interest shall be assumed at such rate, and the rate of mortality according to such tables, as the court may direct.
- (3) The premium to be calculated shall be such premium as according to the said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

ANNUITIES

- 2 An annuity shall be valued according to the tables used by the company which granted the annuity at the time of granting it, or, where those tables cannot be ascertained or adopted to the satisfaction of the court, according to such rate of interest and table of mortality as the court may direct.

CAPITAL REDEMPTION POLICIES

- 3 (1) The value of a capital redemption policy shall be the difference between the present value of the sum assured according to the date at which it is payable, including any bonus or addition thereto made before the commencement of the winding up, and the present value of the future annual premiums.

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- (2) In calculating such present values, interest shall be assumed at such rate as the court may direct.
- (3) The premium to be calculated shall be such premium as, according to the said rate of interest, is sufficient to provide for the sum assured by the policy, exclusive of any addition thereto for office expenses and other charges.

POLICIES OTHER THAN LIFE POLICIES AND CAPITAL REDEMPTION POLICIES

- 4 The value of a current policy of any kind other than a life policy or a capital redemption policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid: but this rule shall not apply to a policy of insurance upon goods, merchandise or property on board of a vessel or aircraft, or a policy of insurance against transit risks or risks incidental to transit, but any such policy shall be valued in like manner as it would have been valued if this Act had not passed.
- 5 The present value of a periodic payment under a policy, being a payment in respect of personal injury or disease shall in the case of total permanent incapacity, be such an amount as would, if invested in [^{F3} the purchase under the Government Annuities Act 1929 of a savings bank annuity], purchase an annuity equal to seventy-five per cent. of the annual value of the periodic payment, and, in any other case, shall be such proportion of that amount as may, under the circumstances of the case, be proper.]

Annotations:

F3 1969 c. 48

[^{F4}SCHEDULE 4

Section 44.

LIQUIDATOR'S DUTIES AS TO VALUATION OF LIABILITIES

Annotations:

F4 Rep. with saving, 1973 c. 58; 1976 NI 3; 1980 c. 25

Where an insurance company to which this Act applies is being wound up by the court or subject to the supervision of the court, the liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by the company, shall—

- (a) ascertain the value of the liability of the company to each such person, and
 (b) give notice of that value to such persons in such manner as the court may direct,

and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute that value in the manner and within a time to be prescribed by a rule or order of the court.]

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Changes to legislation: *There are currently no known outstanding effects for the Insurance Companies Act (Northern Ireland) 1968. (See end of Document for details)*

Schedule 5 rep. by 1978 c. 23; 1979 NI 13

Schedule 6 rep. by 1976 NI 3

Changes to legislation:

There are currently no known outstanding effects for the Insurance Companies Act (Northern Ireland) 1968.