



# Industrial Assurance and Friendly Societies Act 1948

1948 CHAPTER 39 11 and 12 Geo 6

An Act to amend the Friendly Societies Acts 1896 to 1929, and the Industrial Assurance Acts 1923 to 1929, and to amend provisions corresponding or relating to provisions of those Acts contained in the Industrial and Provident Societies Acts 1893 to 1928, and other enactments, as to payments on deaths of children, payments on deaths where no grant of probate or administration has been made, investment in savings banks, the designation of auditors appointed thereunder, the mode of determination of disputes and interpretation. [30th June 1948]

## Extent Information

**E1** Act: for full extent see [s. 24\(1\)\(2\)](#).

## Modifications etc. (not altering text)

**C1** Act amended by [Companies Act 1967 \(c. 81\), s. 86\(1\)\(2\)](#)

**C2** Power to exclude Act (N.I.) conferred by [Companies Act 1967 \(c. 81\), s. 96\(1\)](#)

## Commencement Information

**I1** Act wholly in force at Royal Assent

*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 [<sup>F1</sup>collecting societies] and on industrial assurance companies by the following enactments in . . . <sup>F2</sup> the <sup>M1</sup>Industrial Assurance Act 1923 and the <sup>M2</sup>Industrial Assurance and Friendly Societies Act 1929 (in this Act referred to respectively as . . . <sup>F2</sup> 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 <sup>M3</sup>National Insurance Act 1946 that is to say—

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

- (a) ..... <sup>F3</sup>
- (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 [<sup>F4</sup>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](#)
- 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 . . . <sup>F5</sup> industrial assurance companies may insure shall be included insuring money to be paid . . . <sup>F5</sup> to the person insured . . . <sup>F5</sup> 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 [<sup>F6</sup>Great Britain or the Isle of Man.]

..... <sup>F7</sup>

- (2) Such a . . . <sup>F5</sup> 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 [<sup>F8</sup>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 [<sup>F8</sup>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 [<sup>F8</sup>thirty pounds] when

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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 [<sup>F8</sup>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.
- (3) The provisions of the First Schedule to this Act shall have effect . . . <sup>F7</sup> 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 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 [<sup>F9</sup>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 [<sup>F10</sup>or by any registered friendly society in exercise of any power conferred by paragraph 2(d) of Schedule 1 of the <sup>M4</sup>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](#)

*Status: Point in time view as at 01/02/1991.*

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**Modifications etc. (not altering text)**

- C3 Unreliable marginal note.
- C4 S. 2(2) modified by [Decimal Currency Act 1969 \(c. 19\)](#), [s. 7\(2\)](#) and [S.I. 1977/1143](#), [Sch. 3 para. 4](#)
- C5 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](#).

**3** <sup>F11</sup> .....

**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 . . . <sup>F12</sup> 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** <sup>F13</sup> .....

**Textual Amendments**

- F13 [S. 5](#) repealed by [Finance Act 1966 \(c. 18\)](#), [Sch. 13 Pt. III](#)

**6 Prohibition of insuring money to be paid on death of a child under ten.**

(1) ..... <sup>F14</sup> an industrial assurance company, or [<sup>F15</sup>a trade union or employers association], shall not insure so as to render any sum payable under the insurance on the death of any person at any time before he or she attains the age of ten years, otherwise than by way of repayment of the whole or any part of premiums paid:

Provided that—

- (a) ..... <sup>F16</sup>
- (c) this subsection shall apply only in the case of a person who at the time of the proposal is ordinarily resident in [<sup>F17</sup>Great Britain or the Isle of Man];

and this subsection shall not apply to a sum payable to another person who has an interest in the life of the person on whose death the sum is payable.

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(2) The preceding subsection shall have effect in substitution for section sixty-two of the Act of 1896 (which limits amounts that may be insured or paid on the death of a person under ten years of age), . . . <sup>F14</sup> as it applies, by virtue of subsection (1) of section four of the Act of 1923, to industrial assurance companies, and, by virtue of section two of the <sup>M5</sup>Trade Union Act Amendment Act 1876, to trade unions; and sections sixty-three to sixty-six of the Act of 1896 and subsection (2) of section four of the Act of 1923 (which relate to persons to whom, and to conditions on which, payments may be made on the death of a person under ten years of age) shall cease to have effect: Provided that those enactments (other than the provisions thereof as to the persons to whom payment may be made) shall continue to apply as respects insurances effected before the passing of this Act, or effected thereafter by virtue of paragraph (a), (b) or (c) of the proviso to the preceding subsection, and as respects payments under such insurances.

(3) . . . . . <sup>F18</sup>

**Textual Amendments**

- F14** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**
- F15** Words substituted by [Trade Union and Labour Relations Act 1974 \(c. 52\)](#), **Sch. 3 para. 5(2)**
- F16** [S. 6\(1\)](#) proviso paras. (a) (b) repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 7**
- F17** Words substituted by [S.I. 1948/2578](#) (Rev. VIII, p. 927: 1948 I, p. 1617)
- F18** [S. 6\(3\)](#) repealed by [Finance Act 1962 \(c. 44\)](#), **Sch. 11 Pt. VI**

**Marginal Citations**

- M5** [1876 c. 22](#).

**7 Power to extend application of preceding provisions of this Act which are limited to persons resident in Great Britain.**

If provision for the payment of death grants corresponding to the provision therefor made by or under the [<sup>F19</sup>enactments relating to . . . <sup>F20</sup>social security] is made by or under the law of a country or place outside Great Britain, His Majesty shall have power, exercisable by Order in Council a draft whereof shall be laid before Parliament, to provide for extending the application of section one of this Act, subsection (1) of section two thereof, and subsection (1) of section six thereof, [<sup>F21</sup>and section 71 of and paragraph (2)(d) of Schedule 1 to, the <sup>M6</sup>Friendly Societies Act 1974] subject to any modifications necessitated by differences between any provision made by or under [<sup>F19</sup>those enactments] and the corresponding provision, to insurances where the funeral expenses in question are those, or the life or death in question is that, of a person who at the time of the proposal is ordinarily resident in that country or place, and for consequential amendments of provisions of this Act.

**Textual Amendments**

- F19** Words substituted by [Social Security Act 1973 \(c. 38\)](#), **Sch. 27 para. 10**
- F20** Words repealed by [Social Security \(Consequential Provisions\) Act 1975 \(c. 18\)](#), **Sch. 1 Pt. I**
- F21** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 8**

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#### Marginal Citations

M6 1974 c. 46.

#### *Amendments as to procedure and administration*

### 8 Premium receipt books.

- (1) A collecting society, and an industrial assurance company, shall provide premium receipt books for use in respect of policies of industrial assurance issued by the society or company, and shall cause a receipt for each payment in respect of such a policy or of two or more such policies to be inserted in such a book.
- (2) Regulations may be made by the Commissioner, subject to the approval of the Treasury signified by statutory instrument which shall be subject to annulment in pursuance of resolution of either House of Parliament, with respect to the form of books to be provided as aforesaid and to the use thereof and the insertion of receipts therein, and, without prejudice to the generality of this subsection, regulations made for the purposes thereof may provide for prohibiting or restricting in any prescribed circumstances the use of a single premium receipt book for payments in respect of two or more policies.

#### Modifications etc. (not altering text)

C6 S. 8(2) amended by [Decimal Currency Act 1969 \(c. 19\), s. 7\(5\)](#)

### 9 Liability on policies not to be restricted on grounds of health if proposer's knowledge and belief is properly disclosed.

- (1) Nothing in any term or condition of an industrial assurance policy issued after the passing of this Act or in the law relating to insurance shall operate to except the society or company from liability under such a policy, or to reduce the liability of the society or company under such a policy, on the ground of any matter relating to the state of health of the person upon whose life the assurance is taken out, other than the ground of the proposer's having, when making the proposal or thereafter and before the making of the contract, either—
  - (a) made an untrue statement of his knowledge and belief as regards that matter; or
  - (b) failed to disclose to the society or company something known or believed by him as regards that matter.
- (2) In relation to a policy issued after the passing of this Act, subsection (4) of section twenty of the Act of 1923 (which relates to misstatements contained in certain proposal forms for industrial assurance policies) shall not apply to a misstatement concerning the state of health of the person upon whose life the assurance is to be taken out.

### 10 Obligations as to delivery of policies and of copies of rules and amendments thereof.

- (1) A collecting society shall supply a member, free of charge, with the following, that is to say—

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- (a) on his insuring with the society, with a printed policy signed by two of the committee of management and by the secretary, or, if the society has been granted a certificate under section ten of the Act of 1923 exempting it from the requirement imposed by this paragraph to supply a policy, with a copy of the rules of the society;
- (b) on written demand by him if a copy of the rules of the society has not previously been supplied to him, with a copy of the rules of the society;
- (c) on written demand by him if the rules of the society have been amended since he has been supplied with a copy thereof and a copy of the amendment has not previously been supplied to him, with a copy of the amendment;

and shall, on demand by him and on payment by him of such sum not exceeding [<sup>F22</sup>ten pence] as the society may require, supply a member to whom a copy of the rules of the society has been supplied with a further copy thereof.

- (2) Where an amendment of the rules of a collecting society modifies the terms or conditions of any insurance issued by the society by way of increase of premiums or reduction of benefit, the society shall, within two months from the date on which the amendment is registered pursuant to section thirteen of the Act of 1896, either—
  - (a) serve every member of the society with a notice containing a statement which, in the opinion of the Commissioner, sufficiently sets forth the effect of the amendment; or
  - (b) publish such a statement by advertisement in two or more of the newspapers in general circulation in every county where the society carries on business.

A member served with a notice under paragraph (a) of this subsection shall be regarded for the purpose of the preceding subsection as if he had been supplied with a copy of the amendment in question.

- (3) For the purposes of this section, a policy shall be deemed to be signed by a person if it bears a stamped, printed or lithographed reproduction of his signature placed thereon with his authority.

- (4) ..... <sup>F23</sup>

**Textual Amendments**

**F22** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 9 para. 9](#)

**F23** [Ss. 10\(4\), 11\(4\), 12\(1\)\(4\), 17\(2\), 19\(1\)—\(4\), 21, 22, 25\(5\)](#), [Sch. 6](#) repealed by [Companies Act 1967 \(c. 81\)](#), [Sch. 7](#)

**Modifications etc. (not altering text)**

**C7** [S. 10\(1\)](#) extended by [S.I. 1977/1144](#), [reg. 3\(4\)](#)

**11 Matters to be set out in rules of collecting societies.**

- (1) Subsection (3) of section eight of the Act of 1923 (which requires the provisions of that Act mentioned in the First Schedule thereto to be set forth in the rules of collecting societies) shall extend to the following provisions, that is to say—

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[<sup>F24</sup>Sections 72 and 73(2) of the Friendly Insurances on life of parent or Societies Act 1974] grandparent: limit on amount, and prohibition of assignment or charge



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Section eight of this Act	Premium receipt books
Section nine of this Act	Restriction of liability on policies on ground of health
Subsections (1) and (2) of section ten of this Act	Obligations as to delivery of policies, and of copies of rules and amendments thereof
[ <sup>F24</sup> Schedule 5 to the said Act of 1974]	Death certificates in connection with payments referred to in [ <sup>F24</sup> section 72(1) of the said Act of 1974.]

and shall have effect, both as regards those provisions and as regards the relevant provisions of the Act of 1923, subject to the modification that the rules may, if the Commissioner consents, in any case, and shall in the case of the provisions of [<sup>F24</sup>Schedule 5 to the said Act of 1974] in lieu of setting out the provisions in question, contain a statement which, in the opinion of the Commissioner, sufficiently sets forth the effect thereof.

- (2) References to the above-named provisions of this Act [<sup>F25</sup>and of the said Act of 1974] shall accordingly be inserted in the First Schedule to the Act of 1923.
- (3) The requirement imposed by subsection (3) of section eight of the Act of 1923 to set out provisions of that Act in rules shall, in the case of a provision which is amended by this Act, be construed as relating to that provision as so amended.
- (4) . . . . . <sup>F26</sup>

#### Textual Amendments

- F24** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 10(1)**
- F25** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 10(2)**
- F26** [Ss. 10\(4\), 11\(4\), 12\(1\)\(4\), 17\(2\), 19\(1\)—\(4\), 21, 22, 25\(5\)](#), [Sch. 6](#) repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 7**

## 12 Matters to be set out in premium receipt books, and to be published.

- (1) . . . . . <sup>F27</sup>
- (2) . . . . . <sup>F28</sup> an industrial assurance company, shall cause to be set out, in every premium receipt book provided by them after the coming into operation of this subsection for use in respect of policies of industrial assurance, the matters specified in the Third Schedule to this Act relating to the provisions mentioned in that Schedule of the Act of 1896, of the Act of 1923 and of this Act and of regulations made for the purposes of section eight of this Act [<sup>F29</sup>and a collecting society shall cause to be set out, in every premium receipt book provided by them after the coming into operation of the <sup>M7</sup>Friendly Societies Act 1974 for use in respect of policies of industrial assurance, the matters specified in that Schedule relating to the provisions mentioned in that Schedule of the Act of 1923, of this Act, of the said Act of 1974 and of regulations made for the purposes of the said section 8].



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- (3) . . . . .<sup>F30</sup> the last preceding subsection shall not come into operation as respects any regulations made under section eight of this Act until the expiration of six months from the date on which the regulations come into operation.
- (4) . . . . .<sup>F27</sup>

**Textual Amendments**

**F27** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967 \(c. 81\)](#), [Sch. 7](#)

**F28** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 9 para. 11](#)

**F29** Words added by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 9 para. 11](#)

**F30** Words repealed by [Companies Act 1967 \(c. 81\)](#), [Sch. 7](#)

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**Marginal Citations**

**M7** [1974 c. 46](#)

**13 Returns as to industrial assurances.**

- (1) A collecting society . . .<sup>F31</sup> shall, as respects each year as respects which they are required by the Commissioner in the prescribed manner so to do, send to him within such period as may be prescribed a return giving prescribed particulars as to policies of industrial assurance issued by the society . . .<sup>F31</sup> which were in force at the beginning of that year, in force at the end of that year, issued during that year or discontinued or converted to free policies during that year.
- (2) A requirement under this section may be made either generally as to all such societies . . .<sup>F31</sup>, or as to any class thereof, or as to a particular society . . .<sup>F31</sup>, and the regulations may prescribe different particulars to be given in the case of different societies . . .<sup>F31</sup> or classes thereof.
- (3) Section sixteen of the Act of 1923 (which authorises the Commissioner to reject returns under the Act of 1896 . . .<sup>F31</sup> which are incomplete or incorrect or do not comply with the requirements of the Act applicable, and to give directions for the variation thereof) shall apply to returns under this section.
- (4) In this section the expression “year” means, in relation to a collecting society, a year ending on a thirty-first day of December, . . .<sup>F31</sup>.

**Textual Amendments**

**F31** Words repealed by [Insurance Companies Act 1980 \(c. 25, SIF 67\)](#), [Sch. 5](#)

**14** . . . . .<sup>F32</sup>

**Textual Amendments**

**F32** Ss. 14, 20 repealed by [Friendly and Industrial and Provident Societies Act 1968 \(c. 55\)](#), [Sch. 2](#)

*Status: Point in time view as at 01/02/1991.*

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15 <sup>F33</sup> .....

**Textual Amendments**  
**F33** 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](#)

**16 Provisions as to offences.**

- (1) ..... <sup>F34</sup>
- (2) Any collecting society or industrial assurance company which contravenes or fails to comply with any of the provisions of this Act, or of regulations made for the purposes of section eight thereof, shall be guilty of an offence under the Act of 1923:  
 ..... <sup>F35</sup>
- (3) Any collector of a collecting society or industrial assurance company, or any other person, who contravenes or fails to comply with any of the provisions of regulations made for the purposes of section eight of this Act affecting such collector or other person shall be guilty of an offence under the Act of 1923.
- (4) ..... <sup>F36</sup> any [<sup>F37</sup>trade union or employers association], which contravenes subsection (1) of section six of this Act shall be guilty of an offence under the [<sup>F38M8</sup>Friendly Societies Act 1974] and shall be liable to a fine not exceeding [<sup>F39</sup>fifty pounds][<sup>F39</sup>level 3 on the standard scale] .
- (5) ..... <sup>F34</sup>

**Textual Amendments**  
**F34** 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](#)  
**F35** S. 16(2) proviso repealed by [Friendly Societies Act 1974](#) (c. 46), [Sch. 11](#)  
**F36** Words repealed by [Friendly Societies Act 1974](#) (c. 46), [Sch. 11](#)  
**F37** Words substituted by [Trade Union and Labour Relations Act 1974](#) (c. 52), [Sch. 3 para. 5\(3\)](#)  
**F38** Words substituted by [Friendly Societies Act 1974](#) (c. 46), [Sch. 9 para. 12](#)  
**F39** Words “level 3 on the standard scale” substituted (E.W.S) for “fifty pounds” by virtue of (E.W.) [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), [ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975](#) (c. 21, SIF 39:1), [ss. 289F, 289G](#)

**Marginal Citations**  
**M8** 1974 c. 46.

*Miscellaneous and general*

- 17
- (1) ..... <sup>F40</sup>
  - (2) ..... <sup>F41</sup>
  - (3) ..... <sup>F42</sup>

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**Textual Amendments**

- F40** 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**
- F41** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967](#) (c. 81), **Sch. 7**
- F42** S. 17(3) repealed by [Northern Ireland Constitution Act 1973](#) (c.36), **Sch. 6 Pt.I**

[<sup>F43</sup>**17A Policies given emergency protection.**

- (1) Where, in relation to any policy of assurance which has been protected under the <sup>M9</sup>Industrial Assurance and Friendly Societies (Emergency Protection from Forfeiture) Act 1940, the amount of a free paid-up policy or of a surrender value is required to be ascertained, the provisions of the policy, or of any guarantee given in relation thereto, or of the Industrial Assurance Acts 1923 and 1929, relating to free paid-up policies and surrender values shall have effect subject to such modifications as appear to the Industrial Assurance Commissioner to be necessary having regard to the failure to pay premiums during the period of protection and the variation of the terms of the policy under section 3 of the said Act.
- (2) In relation to a policy of assurance effected with a registered society other than a collecting society, the reference in subsection (1) above to the Industrial Assurance Commissioner is a reference to him in his capacity as Chief Registrar of Friendly Societies.
- (3) Section 24(1) of this Act, so far as relating to the Isle of Man and the Channel Islands, shall not apply to subsections (1) and (2) above, but those subsections shall extend to any place to which the repeal of the said Act of 1940 by the <sup>M10</sup>Statute Law (Repeals) Act 1974 is extended by Order in Council under section 3(2) of that Act.]

**Textual Amendments**

- F43** S. 17A inserted by [Statute Law \(Repeals\) Act 1974](#) (c. 22), **s. 2.**

**Marginal Citations**

- M9** 1940 c. 10
- M10** 1974 c. 22

**18**

- (1) ..... **F44**
- (2) ..... **F45**
- (3) ..... **F46**

**Textual Amendments**

- F44** 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**
- F45** S. 18(2), Sch. 5 repealed by [Friendly Societies Act 1955](#) (4 & 5 Eliz. 2 c. 19), **s. 5(2)**
- F46** S. 18(3) repealed by [Administration of Estates \(Small Payments\) Act 1965](#) (c. 32), s. 7(6), **Sch. 4**

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

**19 Provisions as to investment by registered societies and certain other bodies.**

(1) ..... <sup>F47</sup>

<sup>X1</sup>(5) It is hereby declared that nothing in section forty-four of the Act of 1896 (which enacts that the trustees of a registered society may invest its funds to any amount in the ways therein mentioned, including investment in the Post Office Savings Bank or in any savings bank certified under the Trustee Savings Banks Act 1863), . . . <sup>F48</sup> is to be construed as imposing any obligation on any savings bank authority as respects their or his receiving any such funds, money or capital.

In this subsection the expression “savings bank authority” has the meaning assigned to it by subsection (3) of section ten of the <sup>M11</sup>Savings Banks Act 1920.

<sup>X1</sup>(6) This section shall extend to Northern Ireland.

**Editorial Information**

**X1** S. 19(5)(6) repealed (E.W.) (S.) by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**

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**Textual Amendments**

**F47** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 7**

**F48** Words (N.I.) in part repealed by [Post Office Savings Bank Act 1954 \(c. 62\)](#), **Sch.** and [Trustee Savings Banks Act 1954 \(c. 63\)](#), **Sch. 3** and in part spent

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**Modifications etc. (not altering text)**

**C8** The “Act of 1896” means [Friendly Societies Act 1896 \(c. 25\)](#)

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**Marginal Citations**

**M11** 1920 c. 12.

20 <sup>F49</sup> .....

**Textual Amendments**

**F49** Ss. 14, 20 repealed by [Friendly and Industrial and Provident Societies Act 1968 \(c. 55\)](#), **Sch. 2**

21— <sup>F50</sup> .....  
22.

**Textual Amendments**

**F50** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 7**

**23 Interpretation.**

(1) In this Act, except where the context otherwise requires,—

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

- (a) the expression “society” means a society for any of the purposes specified in [<sup>F51</sup>Schedule 1 to the <sup>M12</sup>Friendly Societies Act 1974] the expression “registered society” means a society registered under that Act, [<sup>F52</sup>or the <sup>M13</sup>Friendly Societies Act 1896] and references to a society or to a registered society or to a registered friendly society include references to a branch of such a society;
- (b) the expression “policy” includes any contract of assurance, and for the purposes of this Act the date of the making of any such contract shall be deemed to be the date of the issue of a policy;
- (c) the expression “proposal” in relation to an insurance, includes an application for an insurance, and the expression “proposer” shall be construed accordingly; and
- [<sup>F53</sup>(d) the expression “trade union” and “employers association” have the same meaning respectively as they have in the <sup>M14</sup>Trade Union and Labour Relations Act 1974.]

(2) In this Act the expression “parent” includes a stepfather and a stepmother.

(3) . . . . . <sup>F54</sup>

**Textual Amendments**

- F51** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 13**
- F52** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 13** added (in place of s. 23(1)(d))
- F53** S. 23(1)(d) repealed by [Industrial Relations Act 1971 \(c. 72\)](#), **Sch. 9** and new s. 23(1)(d) inserted by [Trade Union and Labour Relations Act 1974 \(c. 52\)](#), 25(1), Sch. 3 para. 5(4)
- F54** S. 23(3) repealed by [Adoption Act 1950 \(c. 26\)](#), **Sch. 4**

**Marginal Citations**

- M12** 1974 c. 46.
- M13** 1896 c. 25.
- M14** 1974 c. 52.

**24 Extent.**

(1) This Act shall extend to Great Britain, the Isle of Man and the Channel Islands.

(2) Except as regards . . . <sup>F55</sup> section nineteen thereof, this Act shall not extend to Northern Ireland.

**Textual Amendments**

- F55** Words repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. I**

**25 Short title, citation, construction and repeal.**

(1) This Act may be cited as the Industrial Assurance and Friendly Societies Act 1948.

(2) This Act and the Industrial Assurance Acts, 1923 to 1929, may be cited together as the Industrial Assurance Acts, 1923 to 1948, . . . <sup>F56</sup>

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

- (3) References in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as references to that enactment as amended by or under any other enactment, including this Act.
- (4) This Act, in its application to collecting societies and industrial assurance companies, shall be construed as one with the Industrial Insurance Acts, 1923 to 1929, . . . <sup>F56</sup>
- (5) . . . . . <sup>F57</sup>

**Textual Amendments**

**F56** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

**F57** [Ss. 10\(4\), 11\(4\), 12\(1\)\(4\), 17\(2\), 19\(1\)–\(4\), 21, 22, 25\(5\), Sch. 6](#) repealed by [Companies Act 1967 \(c. 81\)](#), [Sch. 7](#)

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

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## SCHEDULES

### FIRST SCHEDULE

Section 2.

#### DEATH CERTIFICATES IN CONNECTION WITH PAYMENTS REFERRED TO IN SUBSECTION (2) OF SECTION TWO

- 1 A . . . <sup>F58</sup> industrial assurance company shall not, by virtue of or in connection with any relevant insurance of money to be paid on the death of a parent or grandparent of the person by whom the insurance was taken out, pay to that person on the death any sum not excluded for the purposes of subsection (2) of section two of this Act by the proviso thereto, except upon production of a certificate of the death for the purposes of this Schedule stated therein to be issued to the person to whom the payment is made, unless the death occurred outside Great Britain.

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#### Textual Amendments

**F58** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

- 2 On so making payment of any such sum the . . . <sup>F59</sup> company shall cause to be indorsed on the certificate a statement showing—
- (a) the name of the . . . <sup>F59</sup> company;
  - (b) the amount of any such sum paid; and
  - (c) the date of the contract for the insurance;
- and on receiving any repayment of a sum so paid by virtue of or in connection with an insurance effected in exercise of the power conferred by subsection (1) of section two of this Act the . . . <sup>F59</sup> company shall cause to be indorsed on the certificate a statement showing the repayment.

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#### Textual Amendments

**F59** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

- 3 Where such a society or company is charged with a contravention of subsection (2) of section two of this Act in respect of the payment by the . . . <sup>F60</sup> company of a sum which exceeded the limit of [<sup>F61</sup>thirty pounds] imposed by paragraph (b) or (c) of that subsection in consequence of the addition as thereby required of another sum paid by another [<sup>F62</sup>company or by a registered friendly society], or of two or more other sums so paid, and which would not have exceeded that limit apart from such addition, it shall be a defence for the . . . <sup>F60</sup> company charged to prove—



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*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

- (a) that the sum in respect of which they are charged was paid in accordance with paragraph 1 of this Schedule; and
- (b) that the certificate produced disclosed no payment by any other [<sup>F62</sup>company or by a registered friendly society] of any sum or sums required by the said paragraph (b) or (c) to be added, or disclosed such payment but only to an amount insufficient to cause the sum in respect of which they are charged to exceed the said limit;

subject however in the case of a certificate which is a duplicate to the provisions of paragraph 6 of this Schedule.

**Textual Amendments**

- F60** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**
- F61** Words substituted by [Industrial Assurance and Friendly Societies Act 1948 \(Amendment\) Act 1958 \(c. 27\)](#), **s. 1(1)**
- F62** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 14(a)**

[<sup>F63</sup>4 The provisions of paragraphs 4, 5, 8, 9 and 10 of Schedule 5 to the Friendly Societies Act 1974 shall apply in relation to certificates of death for the purposes of this Schedule and the issue of duplicate thereof.]

**Textual Amendments**

- F63** [Sch. 1 para. 4](#) substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 14(b)**

<sup>F64</sup> .....  
5

**Textual Amendments**

- F64** [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**

6 On production to a . . . <sup>F65</sup> company of a duplicate which records a requirement for an indorsement made by them to be repeated [<sup>F66</sup>in accordance with regulations under paragraph 5 of Schedule 5 to the <sup>M15</sup>Friendly Societies Act 1974, the company] shall cause the duplicate to be indorsed accordingly, and paragraph 3 of this Schedule shall not apply in the case of a certificate which is a duplicate whereon such a requirement is recorded unless the duplicate has been indorsed by the society or company in question.

**Textual Amendments**

- F65** Words repealed by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 11**
- F66** Words substituted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 14(c)**

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

**Marginal Citations**

**M15** 1974 c. 46.

F67

7—9.

**Textual Amendments**

**F67** 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**

SECOND SCHEDULE

Section 4.

AMENDMENTS CONSEQUENTIAL ON SECTIONS ONE TO THREE

**Modifications etc. (not altering text)**

**C9** The text of Schedule 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<b>Enactment to be amended</b>	<b>Amendment</b>	<b>Provisions of this Act on which amendment is consequential</b>
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F68

F68

F68

The Industrial Assurance Act, 1923 (13 & 14 Geo. 5. c. 8.):

Section three

At the beginning add  
“Subject to the provisions of sections one and two of the Industrial Assurance and Friendly Societies Act, 1948”.

Section one. Section two.

Section twenty, subsection (1).

At the expiration of one year from the day appointed for the coming into operation of section twenty-two of the National Insurance Act, 1946, substitute for paragraph (b) the following paragraph — “(b) where the policy assures a payment of

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

money on the death of  
 a parent or grandparent  
 and is effected in exercise  
 of the power conferred by  
 subsection (1) of section  
 two of the Industrial  
 Assurance and Friendly  
 Societies Act, 1948; or”.

The Industrial Assurance and  
 Friendly Societies Act, 1929  
 (19 & 20 Geo. 5. c. 28):—

Section one, subsection (1).      At the beginning add      Section one. Section two.  
 “Subject to the provisions  
 of sections one and two of  
 the Industrial Assurance and  
 Friendly Societies Act 1948”.

#### Textual Amendments

**F68** Entries relating to the Friendly Societies Act 1896 repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)

### THIRD SCHEDULE

Section 12.

#### MATTERS TO BE SET OUT IN PREMIUM RECEIPT BOOKS

The matters to be set out in premium receipt books under section twelve of this Act are the following, that is to say—

- (a) As to the following provisions of the Act of 1923, either those provisions (as amended by this Act in the case of a provision which is amended thereby), or, as to any of them as to which the Commissioner consents to the substitution of a statement which in his opinion sufficiently sets forth the effect thereof, such a statement—
- (b) As to the following provisions of this Act and of regulations, either those provisions, or, as to any of them as to which the Commissioner consents to the substitution of a statement which in his opinion sufficiently sets forth the effect thereof, such a statement—

Subsections (2), (4) and (5) of section 2 [F69(in the case of industrial assurance companies only)]	Insurances on life of parent or grandparent: limit on amount, and prohibition of assignment or charge.
Section 8 and regulations made for the purposes thereof.	Premium receipt books.
Section 9	Restriction of liability on policies on ground of health.
Subsections (1) and (2) of section 10 (in the case of collecting societies only).	Obligations as to delivery of policies, and of copies of rules and amendments thereof.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

- (c) [<sup>F70</sup>In the case of industrial assurance companies only] as to the following provisions of the Act of 1896 and of this Act, a statement which in the opinion of the Commissioner sufficiently sets forth the effect thereof—

Subsections (1) and (2) of section 6 of this Act and section 62 of the Act of 1896 taken together.	Payments on deaths of children under ten years of age.
The First Schedule to this Act.	Death certificates in connection with payments referred to in section 2(2) of this Act.

- (d) [<sup>F71</sup>In the case of collecting societies only, as to the following provisions of the Friendly Societies Act 1974, a statement which in the opinion of the Commissioner sufficiently sets forth the effect thereof—

Section 71(1) to (4) and Schedule 6 paragraph 3	Payments on deaths of children under 10 years of age.
Sections 72 and 73(2)	Insurances on life of parent or grandparent; limit on amount and prohibition of assignment or charge.
Schedule 5	Death certificates in connection with payments referred to in section 72 of that Act.]

**Textual Amendments**

- F69** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 15(a)**  
**F70** Words inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 15(b)**  
**F71** [Sch. 3 para. \(d\)](#) inserted by [Friendly Societies Act 1974 \(c. 46\)](#), **Sch. 9 para. 15(b)**

FOURTH  
SCHEDULE.....  
F72

**Textual Amendments**

- F72** [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**

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*Changes to legislation: There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed). (See end of Document for details)*

FIFTH

SCHEDULE. ....

F73

**Textual Amendments**

**F73** S. 18(2), Sch. 5 repealed by [Friendly Societies Act 1955 \(4 & 5 Eliz. 2 c. 19\)](#), s. 5(2)

SIXTH

SCHEDULE. ....

F74

**Textual Amendments**

**F74** Ss. 10(4), 11(4), 12(1)(4), 17(2), 19(1)—(4), 21, 22, 25(5), Sch. 6 repealed by [Companies Act 1967 \(c. 81\)](#), Sch. 7

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Industrial Assurance and Friendly Societies Act 1948 (Repealed).