

New Zealand.

ACCIDENT INSURANCE COMPANIES.

1908, No. 2.

AN ACT to consolidate certain Enactments of the General Assembly relating to Accident Insurance Companies.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. (1.) The Short Title of this Act is "The Accident Insurance Companies Act, 1908."

Enactments consolidated.

(2.) This Act is a consolidation of the enactments mentioned in the First Schedule hereto, and with respect to those enactments the following provisions shall apply:—

Savings.

(a.) All statements, instruments, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(b.) All matters and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

Interpretation.
1902, No. 43, sec. 2

2. In this Act, if not inconsistent with the context,—

"Accident" means accident resulting in loss of life or in bodily injury:

"Accident insurance" includes the following, whether the contract is one of primary insurance or of reinsurance, and whether the premium payable is a sum certain, or consists of sums uncertain or variable in time, number, or amount:—

(a.) Insurance against accident, disease, disability, or any change of physical or mental condition;

(b.) Insurance or indemnity against employers' liability, whether under statutory law or common law;

(c.) Insurance or indemnity against charges under section twenty of "The Workers' Compensation for Accidents Act, 1908," taking precedence of incumbrances, mortgages, or charges lawfully existing; and

(d.) Generally any contract in the nature of any of the foregoing whereby the benefit under the contract accrues payable on or after the occurrence of some contingent event:

"Company" means any person or association, whether incorporated or otherwise, not being established under any Act relating to friendly societies, who issues or is liable under accident-insurance policies in New Zealand, and includes companies now established in or out of New Zealand, and includes also mutual associations as well as proprietary:

"Minister" means the Minister of Finance.

3. (1.) Every company shall at the expiration of each of its financial years prepare a statement of its accident-insurance business transacted in New Zealand during such year, and of its balance-sheet at the close of such year, in the form in the Second Schedule hereto.

Company to prepare annual statement.
1902, No. 43, sec. 3

(2.) Where a company transacts any other class of insurance business besides accident insurance, the statement shall include an explanation of the manner in which the expenditure common to the business as a whole has been apportioned amongst the different classes of business.

4. Every such statement shall be signed by the principal officer of the company managing the accident-insurance business in New Zealand, and shall be printed; and the original so signed, together with three printed copies thereof, shall within four months after the close of the company's financial year be deposited with the Minister.

Printed statement to be deposited with Minister.
Ibid, sec. 4

5. The Minister is hereby empowered to ask for such additional explanation of any item in the statement deposited as he deems necessary for the purposes of this Act.

Further information to be given if required.
Ibid, sec. 5

6. The Minister shall lay annually before Parliament copies of all statements deposited with him.

Statements to be laid before Parliament.

7. (1.) If any company makes default in duly complying with the requirements of this Act, or with any request the Minister makes under section five hereof, and continues in default for seven days after notice by the Minister, then in every such case the company and also its attorney, general agent, or other agent shall be severally liable to a fine not exceeding fifty pounds for every day during which such default continues after such notice.

Ibid, sec. 6
Penalty in default.
Ibid, sec. 7

(2.) If any such default as aforesaid is continued for a period of three months the Minister may, by notice in the *Gazette*, prohibit the defaulting company from carrying on business in New Zealand, either absolutely or for such time as he thinks fit.

(3.) If any company, or any person as attorney, general agent, or other agent of such company, or otherwise for or on behalf of such company, after the publication of such notice as last aforesaid, receives any application for insurance, or accepts any premium for insurance, or otherwise carries on the business of such company in New Zealand, then, in addition to and irrespective of the penalty hereinbefore provided, such company and person shall be severally liable to a fine of one hundred pounds for each and every act done in breach of this provision.

Penalty for signing false statement. 1902, No. 43, sec. 8

Penalties recoverable summarily. Ibid, sec. 9
Commissioner's powers. Ibid, sec. 10

Policies free of stamp duty. Ibid, sec. 11

8. Every person who signs or deposits any statement required by this Act, knowing the same to be false in any particular, is liable to a fine not exceeding fifty pounds.

9. All fines imposed by this Act are recoverable in a summary way.

10. The powers of the Commissioner under "The Government Accident Insurance Act, 1899," shall be deemed to have at all times included power to enter into contracts of accident insurance as defined by this Act.

11. Accident-insurance policies shall be exempt from stamp duty, and the exemption shall apply to every such policy heretofore issued and not stamped.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENTS CONSOLIDATED.

1902, No. 43.—"The Accident Insurance Companies Act, 1902."

SECOND SCHEDULE.

STATEMENT AND BALANCE-SHEET OF ACCIDENT INSURANCE COMPANY.

Revenue Account of the *for the Year ending*

	£ s. d.		£ s. d.
Amount of accident funds at beginning of the year		Claims after deducting reinsurances	
Premiums received after deduction of reinsurance premiums		Interest	
Interest, dividends, and rents		Commission	
Other receipts [<i>Accounts to be specified</i>]		Salaries	
		Expenses of management	
		Dividends and bonuses to shareholders	
		Other payments [<i>Accounts to be specified</i>]	
		Appropriated to reserve for unearned premiums	
		Amount of accident funds at end of year	
	£		£

Balance-sheet on the

<i>Liabilities.</i>	£ s. d.	<i>Assets.</i>	£ s. d.
Shareholders' capital paid up (if any)		Mortgages on property within New Zealand	
Accident funds (as per Revenue Account)		Mortgages on property outside New Zealand	
Reserve for unearned premiums		Other investments [<i>Securities to be specified</i>]	
Claims outstanding		Loans on personal security	
Other sums owing by the company [<i>Accounts to be specified</i>]		Agents' balances	
		Outstanding premiums	
		Outstanding interest	
		Interest accrued but not due	
		Cash—	
		On deposit	
		In hand and on current account	
		Other assets [<i>To be specified</i>]	
	£		£

Section 3.
Ibid, Schedule.