

1956/69



THE MUTUAL INSURANCE REGULATIONS 1956

H. E. BARROWCLOUGH, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of May 1956

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Mutual Insurance Act 1955, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Mutual Insurance Regulations 1956.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Mutual Insurance Act 1955:

“Association” means one of the associations named in the First Schedule hereto:

Except as provided in this regulation, expressions defined in the Act have the meanings so defined.

3. (1) Subject to the provisions of these regulations, any association may, if authorised so to do by a resolution passed at a special meeting of its members, grant to its members insurances of all or any of the kinds specified in the Second Schedule hereto.

(2) Where such a resolution relates to some only of the said kinds of insurances, another such resolution relating to others or another of the said kinds of insurances may be passed subsequently.

(3) Any such resolution may from time to time be varied or revoked by a resolution passed at a later meeting of members of the association:

Provided that a resolution purporting to extend the powers of the association shall not be valid unless it is passed at a special meeting of members.

(4) The secretary of each association shall cause a copy of every resolution of members of the association passed under this regulation, including any resolution varying or revoking a previous resolution so passed, to be filed with the Registrar and another copy to be deposited in the office of the Public Trustee. Every copy intended to be so filed or deposited shall be certified as correct by the secretary of the association.

(5) Any such resolution which purports to extend the powers of an association shall have no effect until copies thereof have been filed and deposited as provided in this regulation.

4. (1) An association shall not grant policies or contracts of insurance of any of the kinds specified in the Second Schedule hereto unless—

(a) The association has made an arrangement in pursuance of section 25 of the Act for the reinsurance of risks under policies or contracts of insurance of that kind, and the arrangement has been approved by the Public Trustee and is for the time being in full force; or

(b) The Public Trustee has agreed that there need be no such arrangement.

(2) The association shall not vary or cancel any such arrangement without the approval of the Public Trustee.

(3) If any insurance cover is granted in contravention of the provisions of this regulation, the policy or contract of insurance shall be binding on the association, but for the purposes of section 40 of the Act the policy or contract shall be deemed to be an insurance cover which the association is not for the time being authorised to grant.

5. (1) The regulations specified in the Third Schedule hereto are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

SCHEDULES

FIRST SCHEDULE

Reg. 2

ASSOCIATIONS TO WHICH THESE REGULATIONS APPLY

The Taranaki Farmers' Mutual Fire Insurance Association.

The Wellington Farmers' Union Mutual Fire Insurance Association.

The Otago Farmers' Union Mutual Fire Insurance Association.

SECOND SCHEDULE

Reg. 3

ADDITIONAL KINDS OF INSURANCE WHICH ASSOCIATIONS MAY GRANT

EMPLOYERS' liability insurance.
 Personal accident insurance.
 House owner's and householder's comprehensive insurance.
 Public liability insurance.
 Comprehensive insurance in respect of farm tractors, farm implements, and farm machinery.
 Marine insurance (in respect of property while it is within New Zealand and New Zealand territorial waters).
 Plate glass insurance.
 Storm, tempest, and flood insurance in respect of farm buildings.
 Insurance against loss of profits as a result of fire, lightning, or explosion.
 Fidelity guarantee insurance.
 Baggage insurance.
 All risks insurance in respect of chattels.
 Burglary and housebreaking insurance.
 Livestock mortality insurance.

THIRD SCHEDULE

Reg. 5

REGULATIONS REVOKED

REGULATIONS extending powers of associations under the Mutual Fire Insurance Amendment Act 1913, made on 25 March 1915 and published in the *Gazette* on 1 April 1915 at page 1022.

The Mutual Insurance (Personal Accident) Regulations 1950. (S.R. 1950/176.)

T. J. SHERRARD,
 Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and amend the regulations which prescribe the additional kinds of insurance which the three existing mutual insurance associations may undertake under section 13 of the Mutual Insurance Act 1955. The list is extended, and an obligation is imposed on the associations to reinsure.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 May 1956.

These regulations are administered in the Public Trust Office.