

LIFE ASSURANCE COMPANIES.

8° GEO. VI., No. V.

No. 5 of 1944.

AN ACT to amend the Life Assurance Companies Act, 1889-1939, to make provision therein for the use of abridged forms during certain periods, and for other purposes incidental thereto.

[Assented to 12th October, 1944.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Life Assurance Companies Act Amendment Act, 1944*, and shall be read as one with the Life Assurance Companies Act, 1889-1939 (53 Viet. No. XII. (1889), as reprinted under the Amendments Incorporation Act, 1938, in Volume 2 of The Reprinted Acts of the Parliament of Western Australia), hereinafter referred to as the principal Act.

New section.

2. A section is inserted in the principal Act after section twenty-two as follows:—

Governor may
authorise use
of abridged
forms during
certain periods

22A. (1) When in the opinion of the Governor there exists in this State any emergency (whether in consequence of the Commonwealth of Australia

being engaged in a war or from any other cause) which the Governor considers justifies the substitution of abridged forms for the forms contained in the Schedules to this Act, the Governor may, notwithstanding anything to the contrary contained elsewhere in this Act but subject as in this section hereafter provided, by Order in Council authorise and direct that for a period to be specified in the order it shall not be necessary for companies which by any provisions of this Act are required to furnish statements or returns in the forms contained in the Schedules to this Act to furnish such statements or returns in such last-mentioned forms and that it will be sufficient if the said companies furnish such statements or returns in such abridged forms as may be prescribed by the said Order.

Provided that no abridged form shall be prescribed by any Order in Council under this section unless and until it has first been approved by the State Government Statistician and the Registrar of Companies as being sufficient to meet their official requirements respectively.

(2) Subject to subsection (3) of this section when the use of abridged forms in lieu of the forms contained in the Schedules to this Act is authorised and directed by an Order in Council under this section and whilst such order continues in force, every company which furnishes in the appropriate abridged forms any statements or returns which it is required by any provision of this Act to furnish in the forms contained in the Schedules to this Act shall be deemed to have complied duly with the requirements of any such provision.

(3) Notwithstanding that an Order in Council authorising and directing the use of abridged forms is still in force, it shall be lawful for the State Government Statistician by notice in writing under his hand served upon any company to require such company to furnish any statement or return, which by any provision of this Act such company is required to furnish, in the appropriate forms contained in the Schedules to this Act instead of in the

abridged form prescribed by such Order in Council, when the State Government Statistician considers that special circumstances (of which he shall be the sole judge) make it necessary or expedient for his official requirements that further particulars than those provided for in the abridged form shall be furnished by such company. Where any company is served with a notice as provided for in this subsection, such company shall comply in every respect with the requisitions thereof, and in such case the provisions of subsection (2) of this section shall not apply or have effect.

(4) The Governor may by any Order in Council made under this section direct that in addition to the three printed copies of every statement or abstract required by section twenty-three of this Act to be deposited at the office of the Registrar an additional printed copy of such statement or abstract as prepared in the abridged forms authorised by the Order in Council shall be so deposited for transmission by the Registrar to the Commonwealth Statistician and such direction shall be complied with.

Use of
abridged forms
prior to the
commencement
of this Act
to be deemed
to have been
authorised.

3. In so far as the Registrar has, prior to the commencement of this Act, permitted any company to furnish any statement or abstract required by the principal Act to be furnished by such company in an abridged form which was approved by the State Government Statistician and has accepted the same when deposited at the office of the Registrar in compliance with section twenty-three of the principal Act such permission and acceptance by the Registrar shall for all the purposes of the principal Act be deemed to have been duly authorised to the same extent as if this Act had already been passed when such abridged form was used and the use thereof had been authorised by the Governor by Order in Council.

Citation of
principal Act
as amended.

4. The principal Act as amended by this Act may be cited as the Life Assurance Companies Act, 1889-1944.