

## SCHEDULES

### SCHEDULE 9

Articles 2(2), 35(1)(a), 52(1), 54 and  
Schedules 2, 3 and 4

#### SAVINGS AND TRANSITIONAL PROVISIONS

#### Savings for policies on lives of persons ordinarily resident outside the United Kingdom and the Isle of Man or effected before certain dates

*Para. 1 rep. by SI 2001/3647*

2.—(1) Notwithstanding the repeal by this Order of section 4 of the Act of 1924 and the fact that the repeals made by this Order in subsection (2) of section 6 of the Act of 1948 cause the proviso to that subsection to cease to apply to industrial assurance companies, the provisions set out in this paragraph shall continue to apply to insurances effected<sup>[F1]</sup> before 1st December 2001<sup>[F1]</sup> by an industrial assurance company on the life of a person who, at the time of the proposal,<sup>[F1]</sup> was ordinarily resident<sup>[F1]</sup> outside the United Kingdom and the Isle of Man, including assurances the premiums in respect of which are payable at intervals of two months or more; but this paragraph does not apply where the person insuring has an interest in the life of the person insured.

(2) An industrial assurance company shall not<sup>F1</sup> . . . pay on the death of a child under the ages hereinafter specified any sum of money which exceeds or which, when added to any amount payable on the death of that child by any other industrial assurance company or by any friendly society or branch, whether registered or not registered, or by any trade union, exceeds the amounts hereinafter specified, that is to say,—

- (a) £6 in the case of a child under three years of age;
- (b) £10 in the case of a child under six years of age;
- (c) £15 in the case of a child under 10 years of age.

(3) Where an application is made for a certificate of the death of a child for the purpose of obtaining a sum of money from an industrial assurance company in respect of such an insurance—

- (a) the name of the company and the sum sought to be obtained from it shall be stated to the registrar of deaths;
- (b) the registrar of deaths shall write on or at the foot of the certificate the words “to be produced to the . . . (*naming the industrial assurance company*) said to be liable for payment of the sum of . . . (*stating the amount sought to be obtained*)”;
- (c) the certificate, together with all other certificates of the same death, shall be numbered in consecutive order.

(4) A registrar of deaths shall not give any one or more certificates of death for the payment in the whole of any sum of money exceeding—

- (a) £6 on the death of a child under three years of age; or
- (b) £10 on the death of a child under six years of age; or
- (c) £15 on the death of a child under 10 years of age.

**Changes to legislation:** Industrial Assurance (Northern Ireland) Order 1979, SCHEDULE 9 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(5) A registrar of deaths shall not give any such certificate unless the cause of death has been previously entered in the register of deaths on the certificate of a coroner or of a registered medical practitioner who attended the deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner, or of other satisfactory evidence thereof.

(6) An industrial assurance company shall not pay any sum on the death of a child under 10 years of age except upon production by the person claiming payment of a certificate of death issued by the registrar of deaths, or other person having the care of the register of deaths, containing the particulars mentioned in sub-paragraph (3).

(7) An industrial assurance company to which there is produced a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, inquire whether any and what sums of money have been paid on the same death by any other industrial assurance company, or any friendly society or branch.

**F1** SI 2001/3647

3. For the purpose of calculating the maximum sum which may<sup>F2</sup> . . . or paid<sup>F2</sup> . . . under paragraph 2(2), no account shall be taken of any repayment of the whole or any part of the premium paid in respect of any endowment policy, and<sup>F2</sup> paragraph] 2(6) shall not apply as respects any such payment.

**F2** SI 2001/3647

*Para. 4 rep. by SI 2001/3647*

5. Any endowment policy issued before 1st January 1925, which would have been in force on that date if the Act of 1929 had been in operation on and from the date on which the policy was issued, shall be deemed, for the purposes of this Order, to have been in force on 1st January 1925 and, in the case of a policy of the description mentioned in paragraph 1(1)(b), to have been issued in accordance with that paragraph, and, as respects any endowment policy in force on, or issued since, that date, Article 35 and paragraph 1 of this Schedule shall be deemed to have been in operation on and from the date on which the policy was issued.

#### Transitional provisions

*Para. 6 rep. by SI 2001/3647*

7. Any certificate of exemption issued under section 11 of the Collecting Societies and Industrial Assurance Companies Act 1896 or the corresponding provision of any Act repealed by that Act and in force immediately before the commencement of this Order shall continue in force until revoked by the Commissioner and have effect as if it were a certificate under Article 12 exempting the society from all the provisions of this Order.

8. The provisions of Part VI of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (as applied to Northern Ireland by any Order in Council under section 65 of that Act), and of regulations made under section 57 of that Act (as so applied), shall have effect in relation to this Order as they had in relation to the corresponding provisions of the enactments repealed by this Order.

**Changes to legislation:** *Industrial Assurance (Northern Ireland) Order 1979, SCHEDULE 9 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**9.—**(1) The inclusion in this Order of any express amendment or saving shall not be taken as prejudicing the operation of sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954 (which relate to the effect of repeals and substituting provisions).

(2) For the purposes of this Order, the provisions of section 29(1) (construction of references to the superseded enactment) and(3)( *a*) (statutory instruments or documents made, and things done, under the superseded enactment to have effect as if made or done under the superseding enactment) of that Act shall apply to all instruments and documents as they apply to statutory instruments and statutory documents within the meaning of that Act.

## Interpretation

*Para. 10 rep. by SI 2001/3647*

**Changes to legislation:**

Industrial Assurance (Northern Ireland) Order 1979, SCHEDULE 9 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act revoked by [2000 c. 8 s.416\(2\)](#)