
STATUTORY INSTRUMENTS

1997 No. 2781

MINISTERS OF THE CROWN

The Transfer of Functions (Insurance) Order 1997

Made - - - - *26th November 1997*
Laid before Parliament *8th December 1997*
Coming into force *5th January 1998*

THE TRANSFER OF FUNCTIONS (INSURANCE) ORDER 1997

1. Citation and commencement
 2. Transfer of functions to the Treasury
 3. Functions retained by the Secretary of State
 4. Functions to be exercisable by the Secretary of State and the Treasury concurrently
 5. Transfers of property, etc.
 6. Designation for purposes of European Communities Act 1972
 7. Supplementary
 8. Consequential amendments etc.
- Signature

SCHEDULE — MODIFICATION OF ENACTMENTS

PART I — INSURANCE COMPANIES ACT 1982 (C. 50)

1. The Insurance Companies Act 1982 shall be amended as follows...
2. In section 3(1) for “Secretary of State” there shall be...
3. In section 5— (a) subject to sub-paragraph (d)(ii) below, for...
4. In sections 6 and 7 for “Secretary of State”, in...
5. In section 8— (a) for “Secretary of State”, in each...
6. In section 9— (a) for “Secretary of State”, in each...
7. In section 11— (a) for “Secretary of State”, in each...
8. In section 12— (a) for “Secretary of State”, in each...
9. In section 12A— (a) for “Secretary of State”, in each...
10. In section 13— (a) for “Secretary of State”, in each...
11. In section 19(2) for “Secretary of State”, in both places...
12. In section 21A— (a) in subsection (1)—
13. In section 22— (a) for “Secretary of State”, in each...
14. In sections 23 and 24(1) for “Secretary of State”, in...

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15. In section 25— (a) for “Secretary of State”, in each...
16. In section 26— (a) for “Secretary of State”, in each...
17. In section 29(3) for “Secretary of State” there shall be...
18. In section 30(3)— (a) for “Secretary of State”, in both...
19. In section 32(4)— (a) for “Secretary of State”, in each...
20. In section 33— (a) for “Secretary of State”, in each...
21. In section 34A(4) for “Secretary of State considers” there shall...
22. In section 37— (a) for “Secretary of State”, in each...
23. In sections 38 and 39 for “Secretary of State”, in...
24. In section 40— (a) for “Secretary of State”, in both...
25. In section 40A— (a) for “Secretary of State”, in both...
26. In section 41 for “Secretary of State” there shall be...
27. In section 42— (a) for “Secretary of State”, in each...
28. In section 43— (a) for “Secretary of State”, in both...
29. In section 43A(1) for “Secretary of State”, in each place...
30. In section 44— (a) for “Secretary of State”, in each...
31. In section 44A— (a) for “Secretary of State”, in each...
32. In section 45— (a) for “Secretary of State”, in each...
33. In section 46— (a) for “Secretary of State”, in each...
34. In section 47— (a) in subsections (1) and (3) for...
35. In section 48, after subsection (2) there shall be inserted—...
36. In section 52A(1)— (a) for “Secretary of State”, in both...
37. In section 52B(2) for “Secretary of State” there shall be...
38. In section 54— (a) for “Secretary of State”, in each...
39. In section 56(6)— (a) after “above” there shall be inserted...
40. In section 60— (a) for “Secretary of State”, in each...
41. In section 61— (a) for “Secretary of State”, in each...
42. In section 61A— (a) for “Secretary of State”, in each...
43. In the following sections for “Secretary of State”, in each...
44. In section 78— (a) for “Secretary of State”, in each...
45. In sections 82 and 83 for “Secretary of State”, in...
46. In section 83A after “conferred on” there shall be inserted...
47. In section 84— (a) in subsection (1) for “Secretary of...
48. In sections 85(2) and 86(1) for “Secretary of State” there...
49. In section 93 after “consent of”, in both places it...
50. In section 94— (a) in subsection (2)—
51. In the following provisions for “Secretary of State”, in each...
52. Schedule 2B shall be amended as follows.
53. In paragraph 1(2) after “obtained by” there shall be inserted...
54. In paragraph 2— (a) after “assisting” there shall be inserted...
55. In paragraph 3— (a) in sub-paragraph (1)—
56. In paragraph 4(2)— (a) after “disclosure by” there shall be...
57. In paragraph 5— (a) in sub-paragraph (1)—
58. Schedule 2C shall be amended as follows.
59. For “Secretary of State”, in each place it occurs, there...
60. In paragraph 3, in sub-paragraphs (1)(c), (2), (3) and (4)(a),...
61. In paragraph 6(1) for “his” there shall be substituted “their”....
62. In paragraph 7— (a) in sub-paragraph (1)—
63. In paragraph 8— (a) in sub-paragraph (1)—
64. In paragraph 9— (a) in sub-paragraph (1) for “approves” there...
65. Schedule 2D shall be amended as follows.
66. For “Secretary of State”, in each place it occurs, there...
67. In paragraph 1(5) for “has”, in both places it occurs,...

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68. In paragraph 2— (a) in sub-paragraph (2)(a) for “he becomes”...
69. In paragraph 3— (a) in sub-paragraph (1)(a) for “is” there...
70. In paragraph 4— (a) in sub-paragraph (1) for “he” there...
71. Schedule 2F shall be amended as follows.
72. For “Secretary of State”, in each place it occurs, there...
73. In paragraph 1— (a) in sub-paragraph (2)(b)(i) for “has” there...
74. In paragraph 2— (a) in sub-paragraph (2)—
75. In paragraph 4(2)(b)(i) for “has” there shall be substituted “have”....
76. In paragraph 7— (a) in sub-paragraph (1) for “receives” there...
77. In paragraph 12(2) for “is” there shall be substituted “are”....
78. In paragraph 13(1)— (a) for “him” there shall be substituted...
79. After paragraph 14 there shall be inserted— Paragraphs 13 and 14 above shall apply in relation to...
80. In paragraph 15 for “his” there shall be substituted “their”....
81. In paragraph 16— (a) in sub-paragraph (1) for “he”, in...
82. In paragraph 17— (a) in sub-paragraph (1)(b) for “is” there...
83. In paragraph 20— (a) in sub-paragraph (1) for “he”, in...
84. In paragraph 21— (a) for “him of his” there shall...
85. In paragraph 22— (a) in sub-paragraph (1)—
86. In paragraph 24— (a) in sub-paragraph (1)(b) for “does” there...
87. Schedule 2G shall be amended as follows.
88. For “Secretary of State”, in each place it occurs, there...
89. In paragraph 1— (a) in sub-paragraph (2)(b) for “has” there...
90. In paragraph 2— (a) in sub-paragraph (2)(b) for “has” there...
91. In paragraph 5— (a) in sub-paragraph (2)(b) for “has” there...
92. In paragraph 6— (a) in sub-paragraph (2)(b) for “has” there...
93. In paragraph 10— (a) in sub-paragraph (1)(c) for “does” there...

PART II — OTHER ENACTMENTS

Lloyd’s Act 1871 (c.xxi)

94. In sections 35 and 39 of the Lloyd’s Act 1871...

Restriction of Advertisement (War Risks Insurance) Act 1939 (c. 120)

95. In the Restriction of Advertisement (War Risks Insurance) Act 1939...

Insurance Companies Act 1958 (c. 72)

96. In section 34(1) of the Insurance Companies Act 1958 for...

Companies Act 1967 (c. 81)

97. In section 91 of the Companies Act 1967 for “Board...

Policyholders Protection Act 1975 (c. 75)

98. The Policyholders Protection Act 1975 shall be amended as follows....
99. For “Secretary of State”, in each place it occurs, there...
100. In section 11(10)(b) for “him” there shall be substituted “the...”
101. In section 25(1)— (a) for “considers” there shall be substituted...
102. In section 28— (a) in subsections (1), (3) and (4)...
103. In section 29— (a) for “him” there shall be substituted...
104. In Schedule 1— (a) in paragraph 1(5) for “him” there...
105. In Schedule 3— (a) in paragraph 4(1) for “him” there...

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Insurance Brokers (Registration) Act 1977 (c. 46)

- 106. The Insurance Brokers (Registration) Act 1977 (other than section 30...
- 107. For “Secretary of State”, in each place it occurs, there...
- 108. In section 6(3)— (a) for “him” there shall be substituted...
- 109. In section 7(8)— (a) for “him” there shall be substituted...
- 110. In section 27(2)— (a) for “him” there shall be substituted...
- 111. In the Schedule, in paragraph 2(3)— (a) for “him” there...

Financial Services Act 1986 (c. 60)

- 112. In section 180(1)(bb) of the Financial Services Act 1986 after...

Banking Act 1987 (c. 22)

- 113. In section 84(1) of the Banking Act 1987, in the...

Income and Corporation Taxes Act 1988 (c. 1)

- 114. In section 431(2) of the Income and Corporation Taxes Act...

Road Traffic Act 1988 (c. 52)

- 115. In section 155 of the Road Traffic Act 1988, in...

Companies Act 1989 (c. 40)

- 116. In section 87(4) of the Companies Act 1989, in the...

Friendly Societies Act 1992 (c. 40)

- 117. The Friendly Societies Act 1992 shall be amended as follows...
- 118. In section 64(3A) after “theirs” there shall be inserted “under...
- 119. In Schedule 15, in paragraph 13(2) for “Secretary of State...

Reinsurance (Acts of Terrorism) Act 1993 (c. 18)

- 120. The Reinsurance (Acts of Terrorism) Act 1993 shall be amended...
- 121. For “Secretary of State”, in each place it occurs, there...
- 122. In section 1— (a) in subsection (1)—
- 123. In section 2(1)— (a) the words “, with the consent...

Finance Act 1994 (c. 9)

- 124. In Schedule 7 to the Finance Act 1994, after paragraph...

Pensions Act 1995 (c. 26)

- 125. In section 107(1) of the Pensions Act 1995, in the...

Policyholders Protection Act 1997 (c. 18)

- 126. The Policyholders Protection Act 1997 (which amends the Policyholders Protection...
- 127. For “Secretary of State”, in each place it occurs, there...
- 128. In section 6(1), in the new section 17A to be...
- 129. In section 7(12), in the new paragraph 8A for Schedule...
- 130. In section 17(1), in the new subsection (2C) to be...

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131. In section 23(4) for “thinks” there shall be substituted “think”....
132. In Schedule 3, in paragraph 4(3), in the new paragraph...

Explanatory Note