

# LIFE INSURANCE.

No. 94 of 1953.

## An Act to amend the *Life Insurance Act* 1945-1950.

[Assented to 12th December, 1953.]

[Date of commencement, 9th January, 1954.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title  
and citation.

- 1.**—(1.) This Act may be cited as the *Life Insurance Act* 1953.  
(2.) The *Life Insurance Act* 1945-1950\* is in this Act referred to as the Principal Act.  
(3.) The Principal Act, as amended by this Act, may be cited as the *Life Insurance Act* 1945-1953.

Parts.

- 2.** Section three of the Principal Act is amended by omitting the words—

“ Part VI.—Commonwealth Government Insurance Office.”.

Definitions.

- 3.** Section four of the Principal Act is amended—

(a) by omitting from the definition of “ company ” in sub-section (1.) the words “, but does not include the Commonwealth Government Insurance Office ” ; and

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\* Act No. 28, 1945, as amended by Nos. 65 and 80, 1950.

(b) by omitting from sub-section (1.) the definition of " industrial policy " and inserting in its stead the following definition :—

" ' industrial policy ' means a policy in respect of which the premiums are contracted to be paid at intervals of less than two months and are contracted to be received, or are usually received, by means of collectors, and includes—

(a) a policy that has at any time been such a policy ; and

(b) a paid-up policy (not being a policy expressed to be an ordinary policy) granted in lieu of such a policy or of a policy referred to in the last preceding paragraph ;”.

4. After section twenty-three of the Principal Act the following section is inserted in Division 1 of Part III. :—

" 23A.—(1.) Where a company has been registered under this Act for a period of not less than twelve months and the Commissioner has reason to believe that the company is not carrying on life insurance business in Australia, he may serve on the company a notice requiring it to satisfy him, within one month after the date of service of the notice, that it is carrying on life insurance business in Australia.

Cancellation of registration.

" (2.) If a company on which a notice is served in pursuance of the last preceding sub-section does not, within the time specified in that sub-section, satisfy the Commissioner that it is carrying on life insurance business in Australia, the Commissioner may, with the approval of the Treasurer, cancel the registration of the company.

" (3.) Where the registration of a company is cancelled, the Commissioner—

(a) shall give notice of the cancellation to the company ; and

(b) may, by the same or by a subsequent notice, require the company to deliver to him, within a period specified in the notice, the certificate of registration furnished to the company under section twenty-two of this Act.”.

5. Section thirty-six of the Principal Act is amended by adding at the end thereof the following sub-section :—

Substitution and withdrawal of deposits.

" (4.) Where the registration of a company that has not commenced to carry on life insurance business in Australia is cancelled in pursuance of section twenty-three A of this Act, the Treasurer shall refund to the company any moneys, and deliver to the company any securities, deposited by the company in pursuance of section twenty-seven or twenty-eight of this Act.”.

6. Section forty-four of the Principal Act is amended by omitting paragraph (a) of sub-section (1.) and inserting in its stead the following paragraph :—

Accounts and balance-sheet.

" (a) a revenue account for the year in accordance with Form A in respect of its life insurance business or, if it maintains

more than one statutory fund for that business, in respect of each part of that business for which it maintains a statutory fund ; ”.

Actuarial reports and abstracts and statements of life insurance business.

7. Section forty-eight of the Principal Act is amended by omitting sub-section (3.) and inserting in its stead the following sub-section :—

“ (3.) The company shall cause a separate abstract and a separate statement or, in the case of an investigation referred to in the last preceding sub-section, a separate abstract, to be prepared in respect of each part of its life insurance business in respect of which a statutory fund is maintained and, where a statutory fund is maintained in respect of both ordinary life insurance business and industrial insurance business, the company shall cause separate abstracts and statements, or separate abstracts, as the case requires, to be prepared in respect of the ordinary life insurance business and in respect of the industrial insurance business.”.

8. Sections forty-nine and fifty of the Principal Act are repealed and the following sections inserted in their stead :—

Provisions as to valuations.  
Imp. Act 1923,  
s. 18.

“ 49.—(1.) The provisions of the succeeding sub-sections of this section apply in relation to valuations made, in respect of any company, in pursuance of this Division.

“ (2.) The basis of valuation adopted shall be such as to place a proper value upon the liabilities, having regard to the mortality experience among the persons whose lives have been insured by the company, to the average rate of interest from investments and to the expenses of management (including commission), and shall be such as to ensure that no policy shall be treated as an asset.

“ (3.) The value placed upon the aggregate liabilities of a statutory fund in respect of policies by reason of the adoption of any basis of valuation shall not be less than it would have been if it had been calculated on the Minimum Basis in accordance with the rules set forth in the Fourth Schedule.

“ (4.) The actuary who makes the valuation shall certify that, in his opinion, the value placed upon the aggregate liabilities of a statutory fund in respect of policies by the valuation is not less than the value which would have been placed upon those aggregate liabilities if it had been calculated on the Minimum Basis in accordance with the rules set forth in the Fourth Schedule.

“ (5.) Where the balance-sheet of the company includes amongst the assets of the life insurance business to which a statutory fund relates any sums representing expenses of organization or extension, or the purchase of business or goodwill or other intangible assets, and the amount of the other assets of that business (after deducting debts due by the company in respect of that business) is less than

the balance of the revenue account, or the sum of the balances of the revenue accounts, as the case may be, as shown in the balance-sheet in respect of that business—

- (a) where the statutory fund relates to ordinary life insurance business only or to industrial insurance business only—the balance of the revenue account shall be shown in the appropriate valuation balance-sheet as reduced by the amount of the deficiency; and
- (b) where the statutory fund relates to both ordinary life insurance business and industrial insurance business—the balance of the revenue account in respect of the ordinary life insurance business and the balance of the revenue account in respect of the industrial insurance business shall each be shown in the appropriate valuation balance-sheet as reduced by a portion of the amount of the deficiency, being a portion ascertained by apportioning the amount of the deficiency between those revenue accounts so that the amount apportioned to each account bears to the amount to be apportioned the same proportion as the balance of that account bears to the sum of the balances of those accounts.

“ 50.—(1.) A company shall not pay, apply or allocate any part of a statutory fund—

- (a) as dividends or otherwise as profits to shareholders; or
- (b) as bonuses to policy owners,

except in accordance with this section.

“ (2.) If, as a result of the latest valuation in respect of a company which is either—

- (a) a valuation made in pursuance of sub-section (1.) of section forty-eight of this Act; or
- (b) a valuation (not being a valuation in pursuance of that sub-section) made in the course of an investigation into the financial condition of the company, being a valuation—
  - (i) the results of which are made public; and
  - (ii) in respect of which the provisions of sub-sections (2.), (3.) and (4.) of section forty-eight and of section forty-nine of this Act have been complied with,

the valuation balance-sheet or valuation balance-sheets in respect of the life insurance business to which a statutory fund relates discloses or disclose that the balance of the revenue account or, if there is more than one revenue account in respect of that business, the sum of the balances of the revenue accounts, is greater than the amount of the net liabilities of the company in respect of that business, the company may, with the approval of an actuary and subject to the next succeeding sub-section, pay or allocate the surplus or a part of it

Payment of dividends and bonuses from statutory funds

in any manner consistent with the provisions of the instruments constituting the company and the articles of association or other rules of the company.

“(3.) The amount paid or allocated to or for the benefit of the shareholders of the company under the last preceding sub-section in respect of that part of the surplus which is derived from participating policies registered in Australia shall not exceed one-quarter of the amount paid or allocated to or for the benefit of the owners of those policies.

“(4.) Where there were included as a liability of a company, in the latest valuation made in respect of the company, being a valuation referred to in paragraph (a) or (b) of sub-section (2.) of this section, bonuses which were attached to policies at the date of commencement of this Act or became attached to policies as a result of an allocation of surplus made in pursuance of this section, the company may, without regard to the conditions and limitations contained in the last two preceding sub-sections, pay or apply, in respect of those bonuses, moneys standing to the credit of the statutory fund or part of a statutory fund which relates to the business in which those policies are included.”.

Power to make  
investigation.

9. Section fifty-five of the Principal Act is amended by omitting paragraph (b) of sub-section (1.) and inserting in its stead the following paragraph :—

“(b) a valuation balance-sheet annexed to an abstract prepared in pursuance of Division 5 of this Part shows that the balance of the revenue account in respect of the life insurance business to which a statutory fund relates, or in respect of a part of that business, is less than the amount of the liabilities of the company in respect of that business or that part of that business, as the case requires ;”.

Report by  
Judicial  
manager.

10. Section sixty-two of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “ or to the Commonwealth Government Insurance Office ”.

Transfer of  
business to  
another  
company.

11. Section sixty-five of the Principal Act is amended by omitting the words “ or to the Commonwealth Government Insurance Office ”.

Notice  
regarding proof  
of age.

12. Section eighty-one of the Principal Act is amended by omitting the words “ In respect of any life policy issued by a company after the commencement of this Act,” and inserting in their stead the words “ Where a company issues a life policy which provides that proof of age of the life insured is a condition precedent to the payment of the sum insured,”.

**13.** Section eighty-three of the Principal Act is repealed and the following section inserted in its stead :—

“ 83.—(1.) A policy is not avoided by reason only of a mis-statement of the age of the life insured.

Mis-statement  
of age.  
Imp. Act 1923,  
s. 20 (4.) (a).  
V. 4602, s. 553.  
Q., ss. 21, 26.

“ (2.) Where the true age as shown by the proofs is greater than that on which the policy was based, the company may vary the sum insured by, and the bonuses (if any) allotted to, the policy so that, as varied, they bear the same proportion to the sum insured by, and the bonuses (if any) allotted to, the policy before variation as the amount of the premiums that have become payable under the policy as issued bears to the amount of the premiums that would have become payable if the policy had been based on the true age.

“ (3.) Where the true age as shown by the proofs is less than that on which the policy was based, the company shall either—

- (a) vary the sum insured by, and the bonuses (if any) allotted to, the policy so that, as varied, they bear the same proportion to the sum insured by, and the bonuses (if any) allotted to, the policy before variation as the amount of the premiums that have become payable under the policy as issued bears to the amount of the premiums that would have become payable if the policy had been based on the true age ; or
- (b) reduce, as from the date of issue of the policy, the premium payable to the amount that would have been payable if the policy had been based on the true age and repay to the policy owner the amount of over-payments of premium less any amount that has been paid as the cash value of bonuses in excess of the cash value that would have been paid if the policy had been based on the true age.”.

**14.** Section eighty-five of the Principal Act is repealed and the following section inserted in its stead :—

“ 85.—(1.) A minor who has attained the age of ten years but has not attained the age of sixteen years may, with the written consent of his parent or of a person standing *in loco parentis* to the minor—

Minors.  
Cf. Q. 1901,  
No. 20, s. 20.  
N.Z. 1908, s. 76,  
1920, s. 4.

- (a) effect a policy upon his own life or upon another life in which he has an insurable interest ; or
- (b) take an assignment of a policy.

“ (2.) A minor who has attained the age of sixteen years may—

- (a) effect a policy upon his own life or upon another life in which he has an insurable interest ; or
- (b) take an assignment of a policy,

and, subject to the next succeeding sub-section, is as competent in all respects to have and exercise the powers and privileges of a policy owner in relation to a policy of which he is the owner as he would be if he were of full age.

“(3.) A minor who has attained the age of sixteen years is not competent to assign or mortgage a policy except with the consent in writing of his parent or of a person standing *in loco parentis* to the minor.”.

Assignments of policies.

15.—(1.) Section eighty-seven of the Principal Act is amended—

(a) by omitting sub-section (1.) and inserting in its stead the following sub-section :—

“(1.) Subject to section ninety-one of this Act, an assignment of a policy made after the commencement of this Act—

(a) shall be by memorandum of transfer in accordance with, or substantially in accordance with, the form in the Fifth Schedule to this Act—

(i) endorsed upon the policy, or upon an annexure to the policy that is referred to in, or in an endorsement on, the policy; and

(ii) signed by the transferor and by the transferee; and

(b) is not valid until registered in accordance with this section by the company liable under the policy.”; and

(b) by adding at the end thereof the following sub-section :—

“(9.) This section does not—

(a) impose on a minor any liability to which he would not, but for this section, be subject;

(b) confer on a minor any power or capacity which, but for this section, he would not have; or

(c) validate a receipt or discharge or a surrender of, or security over, a policy given by a minor, if but for this section, that receipt, discharge, surrender or security would not be valid.”.

(2.) The amendment effected by paragraph (a) of the last preceding sub-section shall be deemed to have come into operation on the twentieth day of June, One thousand nine hundred and forty-six.

16. After section ninety of the Principal Act the following section is inserted :—

Assignment of policy to company issuing it not to merge rights, &c., under policy.  
A.M.P. 1941,  
s. 8.

“90A. The rights and liabilities arising under a policy shall not be deemed, either at law or in equity, to be merged or extinguished by reason only of an assignment of the policy, whether at law or in equity, to the company that issued the policy.”.

17. Section ninety-one of the Principal Act is repealed and the following section inserted in its stead :—

“ 91. Where a company is satisfied that—

- (a) a policy has been issued or transferred to, or the ownership of a policy is otherwise vested in, persons as trustees ; and
- (b) those persons are no longer the trustees for the purposes of the trust,

Policies held  
by trustees.  
A.M.P. 1941,  
s. 5.

the company may, if it sees fit, at the request in writing of the persons claiming to be the trustees for the time being for the purposes of the trust and on the evidence of a statutory declaration by one of those persons verifying the claim, record the names of those persons as the owners of the policy, and thereupon those persons become the owners of the policy.”

18. Section ninety-four of the Principal Act is amended—

- (a) by inserting in sub-section (5.), after the word “ representative ”, the words “ or, if the policy has been assigned in pursuance of the power to borrow money conferred by the next succeeding sub-section, the receipt of the owner for the time being of the policy ” ; and
- (b) by adding at the end thereof the following sub-section :—

Family  
insurance  
policies.

“ (7.) Except as expressly provided by this section, nothing in this section affects the operation of the law in force in a State or Territory relating to trustees.”

19. Section one hundred and three of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

Probate or  
administration  
may be  
dispensed with  
in certain cases.

“ (1.) Where—

- (a) there is only one policy under which moneys are payable by a particular company to the personal representative of a deceased person and those moneys do not, excluding bonus additions, exceed Five hundred pounds ; or
- (b) there are two or more policies under which moneys are so payable and the aggregate of those moneys does not, excluding bonus additions, exceed Five hundred pounds,

the company may, without requiring the production of any probate or letters of administration, pay the moneys, together with the bonuses (if any) which have been added to the policy or policies, to a person—

- (c) who is the husband, wife, father, mother, child, brother, sister, nephew or niece of the deceased person ; or
- (d) who satisfies the company that he is entitled to the property of the deceased person under his will or under the law relating to the disposition of the property of deceased persons or that he is entitled to obtain probate of the will of the deceased person or to take out letters of administration of his estate.”



20. After section one hundred and three of the Principal Act the following section is inserted :—

Death of owner  
of policy not  
being life  
insured.  
N.Z. 1925, s. 5.

“ 103A.—(1.) Subject to this section, where the owner of a policy, not being the person whose life is insured by the policy, predeceases the person whose life is so insured, and a person satisfies the company that issued the policy—

(a) that he is entitled, under the will or on the intestacy of the deceased owner, to the benefit of the policy ; or

(b) that he is entitled to obtain probate of the will, or to take out letters of administration of the estate, of the deceased owner,

the company may, without requiring the production of any probate or letters of administration, endorse on the policy a declaration that that person has so satisfied the company and is the owner of the policy, and thereupon that person becomes, subject to the next succeeding sub-section, the owner of the policy.

“ (2.) The last preceding sub-section does not confer on a person declared to be the owner of a policy any beneficial interest in the policy which he would not otherwise have had.

“ (3.) This section applies in relation to a policy referred to in sub-section (1.) of this section whether the deceased owner died before or after the commencement of this section.

“ (4.) This section does not apply in relation to—

(a) a policy the surrender value of which, at the date of the death of the deceased owner, exceeds or exceeded Two hundred pounds ; or

(b) a policy which is one of two or more policies owned by the deceased owner and issued by the same company if the aggregate of the surrender values of those policies at the date of the death of the deceased owner exceeds or exceeded Two hundred pounds.

“ (5.) For the purposes of the last preceding sub-section, the surrender value of a policy is the amount (including any amount in respect of bonus additions) that would be paid by the company issuing the policy upon its surrender.”.

21. Section one hundred and six of the Principal Act is repealed and the following section inserted in its stead :—

Unclaimed  
moneys.

“ 106.—(1.) A company shall, within three months after the thirty-first day of December in each year, deliver to the Treasurer a statement of all unclaimed moneys as at that date.

“ (2.) The statement shall set forth, in respect of each policy to which it refers, the name of the person whose life is insured, the name of the policy owner (if known), their last-known addresses, the amount due, the date on which it became due and the State or Territory in which the policy is registered.

“(3.) The company shall pay to the Treasurer, at the time of the delivery of the statement, the total amount of unclaimed moneys shown in the statement, less such amounts (if any) of those moneys as the company has paid, between the thirty-first day of December last preceding and the date on which the statement is delivered (particulars of which amounts shall be furnished in writing by the company with the statement), to the persons to whom those amounts were due.

“(4.) Where unclaimed moneys have been paid to the Treasurer under this section and the Treasurer or an authorized officer is satisfied that, but for this section, a person would be paid those unclaimed moneys by the company by which they were paid to the Treasurer (or, if that company is no longer carrying on life insurance business, by a company to which the life insurance business of the first-mentioned company has been sold or disposed of), the Treasurer or an authorized officer shall pay those unclaimed moneys to that company and specify the person to whom the company is to pay those moneys, and the company shall thereupon pay those moneys to that person.

“(5.) If a company, after paying to the Treasurer an amount in respect of a policy in pursuance of this section, satisfies the Treasurer or an authorized officer that the amount so paid exceeds the amount that would have been payable under the policy to the policy owner, the Treasurer or an authorized officer shall refund to the company the amount of the excess.

“(6.) Subject to sub-section (4.) of this section, the company is, upon payment to the Treasurer of an amount as required by this section, discharged from further liability in respect of that amount.

“(7.) The Consolidated Revenue Fund is appropriated for the purposes of, and to the extent necessary to give effect to, this section.

“(8.) The Treasurer shall cause particulars of every sum of not less than Ten pounds shown in a statement delivered to him under this section to be published in the *Gazette*.

“(9.) A company shall not contravene or fail to comply with any provision of this section which applies to it.

Penalty : One hundred pounds.

“(10.) In this section—

‘authorized officer’ means the Secretary to the Department of the Treasury or an officer of the Public Service of the Commonwealth authorized by him to act under this section ;

‘unclaimed moneys’ means all sums of money which, after the commencement of this Act, became or become legally payable by a company in respect of policies but in respect of which the time within which proceedings may be taken for their recovery has expired, and includes sums of money payable on the maturity, after the commencement of this Act, of an endowment policy or endowment insurance policy which are not claimed within seven years after the maturity date of the policy.”.

## Definitions.

**22.** Section one hundred and fourteen of the Principal Act is amended by omitting from sub-section (1.) the definition of "child's advancement policy" and inserting in its stead the following definition :—

" 'child's advancement policy' means a policy effected, before a child has attained the age of twenty-one years, by a person other than the child, which contains one or both of the following provisions :—

- (a) provision for payment of a sum to the executors, administrators or assigns of the child on his death after attaining the vesting age ; and
- (b) provision for payment of a sum to the child or his assigns on his attaining an age not less than the vesting age ; "

## Property in child's advancement policy.

**23.** Section one hundred and sixteen of the Principal Act is amended—

- (a) by omitting from sub-section (2.) the word "alienate" and inserting in its stead the word "assign" ;
- (b) by omitting from sub-section (4.) the words "owner of the policy" (wherever occurring) and inserting in their stead the words "person effecting the policy" ; and
- (c) by omitting from sub-section (4.) the word "alienate" and inserting in its stead the word "assign" .

**24.** Section one hundred and nineteen of the Principal Act is repealed and the following section inserted in its stead :—

## Lost policy.

" 119.—(1.) Where—

- (a) the owner of a policy ; or
- (b) a person claiming the benefit of the provisions of section one hundred and three or one hundred and three A of this Act in respect of a policy,

claims that the policy (in this section referred to as 'the original policy') is lost or has been destroyed, the company liable under the original policy may, subject to this section, upon application by the owner or that person and upon such evidence as to the loss or destruction of the original policy as the company deems sufficient, issue to the applicant a special policy in substitution for the original policy.

" (2.) Where an application under the last preceding sub-section is made by a person referred to in paragraph (b) of that sub-section, the company shall not issue a special policy unless the company is satisfied that the provisions of section one hundred and three or one hundred and three A of this Act should be applied in favour of the applicant in relation to the policy.

" (3.) A special policy shall—

- (a) be a copy, as nearly as can be ascertained, of the original policy in substitution for which it has been issued ;

- (b) contain copies of every endorsement on the original policy registered by the company ; and
- (c) state the reason for the issue of the special policy.

“ (4.) Before issuing a special policy the company shall, if the amount insured, exclusive of bonus additions, exceeds Two hundred pounds, give at least one month’s notice of its intention so to do—

(a) in a newspaper circulating—

- (i) in the district in which the owner of the original policy resides or, if the application for the special policy is made by a person claiming the benefit of the provisions of section one hundred and three or one hundred and three A of this Act, in the district in which the deceased policy owner ordinarily resided at the time of his death ; or
- (ii) in the district in which the original policy is considered by the company to have been lost or destroyed ; and

(b) if the newspaper in which notice is given in pursuance of the last preceding paragraph does not circulate in the State or Territory in which the original policy is registered, in a newspaper circulating in that State or Territory.

“ (5.) The expenses of the advertisement and all other costs of the issue of a special policy shall be paid by the applicant at the time of application.

“ (6.) The fact of the issue of a special policy and the reason for its issue shall be recorded by the company in the appropriate register of policies.

“ (7.) A special policy is valid and available for all purposes for which the original policy in substitution for which it has been issued would have been valid and available and, after the issue of the special policy, the original policy in substitution for which it has been issued is void.

“ (8.) If the company fails to issue a special policy within six months after receipt of an application in writing from the policy owner, the Court, or the Supreme Court or a County Court, District Court or Local Court of Full Jurisdiction of a State or Territory, may, upon application by summons, and upon such evidence as to the loss or destruction of the original policy as the court deems sufficient, order the company, upon such terms and within such time as the court thinks fit, to issue a special policy.

“ (9.) If the owner of a special policy or a person claiming the benefit of the provisions of section one hundred and three or one hundred and three A of this Act in respect of a special policy, claims that the special policy is lost or has been destroyed the provisions of this section apply as if the special policy were an original policy issued by the company.”

Return of  
Industrial  
policies and  
premium receipt  
books after  
inspection.

25. Section one hundred and twenty-four of the Principal Act is amended by omitting the words "the owner of the policy" and inserting in their stead the words "that person".

Premium receipt  
book to show  
date to which  
premiums paid,  
&c.

26. Section one hundred and twenty-nine of the Principal Act is amended by omitting from sub-section (1.) all the words after the word "relates" and inserting in their stead the words—

“, and the record shall—

- (a) if it is the first entry on a page of the premium receipt book—be signed by the agent or servant with his usual signature; and
- (b) if it is not such an entry—be signed by the agent or servant with his usual signature or be initialled by him.”.

Repeal of  
Part VI.

27. Part VI. of the Principal Act is repealed.

Voting by post.

28.—(1.) Section one hundred and forty of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words "after the commencement of this Act" and inserting in their stead the words "after it is registered under this Act"; and
- (b) by adding at the end thereof the following sub-section:—

“(3.) This section does not apply to a company which is incorporated outside Australia.”.

(2.) The amendment effected by paragraph (b) of the last preceding sub-section shall be deemed to have come into operation on the twentieth day of June, One thousand nine hundred and forty-six.

29. Section one hundred and forty-six of the Principal Act is repealed and the following section inserted in its stead:—

Service of  
notices.

“146.—(1.) Where a notice is required or permitted by this Act to be given to or served upon a person, the notice shall be in writing and may be given or served—

- (a) in the case of a notice addressed to a person other than a company—by serving it upon him personally or by sending it by prepaid post addressed to him at his usual or last known place of abode or business; and
- (b) in the case of a notice addressed to a company—by serving it personally upon the person last known to the Commissioner as being the principal officer of the company or by sending it by prepaid post addressed to him at his address last known to the Commissioner,

and, if it is so sent by post, shall be deemed to have been given or served on the date on which it would have been delivered in the ordinary course of post.

“(2.) In this section, ‘company’ includes a body corporate which has ceased to carry on life insurance business in Australia.”.

30. After section one hundred and forty-seven of the Principal Act the following section is inserted :—

“147A. Where a document is, by this Act, required to be printed, the Commissioner may, in his discretion, permit it to be typewritten or lithographed or to be reproduced by mechanical means approved by the Commissioner.”.

Printing of documents.

31. The First Schedule to the Principal Act is amended—

First Schedule.

- (a) by omitting from the heading to Form A the words “ [name of Statutory Fund] ” and inserting in their stead the words “ [description of life insurance business] ” ;
- (b) by omitting from Form A the words—  
 “ Amount of Statutory Fund at beginning of year ”  
 and inserting in their stead the words—  
 “ Balance of Account at beginning of year ” ;
- (c) by omitting from Form A the words—  
 “ Amount of Statutory Fund at end of year, as shown in the Balance-sheet ”  
 and inserting in their stead the words—  
 “ Balance of Account at end of year, as shown in the Balance-sheet ” ;
- (d) by omitting from Form D the words—  
 “ Life Insurance Statutory Funds, including Reserve Accounts (to be specified separately) Funds and Accounts (to be specified) in respect of other classes of business ”  
 and inserting in their stead the words—  
 “ Balances of Revenue Accounts and Reserve Accounts (to be specified separately) in respect of life insurance business  
 Balances of Revenue Accounts and Reserve Accounts (to be specified separately) in respect of other classes of business ” ;
- (e) by omitting from Form D the words—  
 “ Office Premises  
 Other freehold and leasehold property ”  
 and inserting in their stead the words—  
 “ Freehold and leasehold property ” ;
- (f) by omitting from Form D the words—  
 “ Other parts of British Dominions  
 Foreign ”  
 and inserting in their stead the word—  
 “ Other ” ;

- (g) by omitting note 2 from Form D ;
- (h) by inserting in Form D, after note 7, the following note :—  
     “ NOTE 7A.—Investments in debentures, loans or other securities of Local Government and semi-governmental bodies must be shown as Securities of Local Government and semi-governmental bodies.” ;
- (j) by omitting from Form E the words “ In Australia.” and inserting in their stead the words “ Policies on Registers in Australia.” ; and
- (k) by omitting from Form E the words “ Outside Australia.” and inserting in their stead the words “ Policies on Registers outside Australia.”.

Second  
Schedule.

32. The Second Schedule to the Principal Act is amended—

- (a) by omitting from paragraph (1) of regulation 4 in Part I. the words “ one-half of the amount of the statutory fund at the beginning of the year to a sum equal to one-half of that fund at the end of the year ” and inserting in their stead the words “ one-half of the aggregate of the balance or balances of the revenue account or accounts and the balance or balances of any reserve accounts in respect of the life insurance business to which the statutory fund relates at the beginning of the year to a sum equal to one-half of the aggregate of the balances of those accounts at the end of the year ” ;
- (b) by omitting from the heading to Form H the words “ [*name of Statutory Fund*] ” and inserting in their stead the words “ [*description of life insurance business*] ” ;
- (c) by omitting from Form H the words—  
     “ Amount of Statutory Fund at beginning of period ”  
 and inserting in their stead the words—  
     “ Balance of Account at beginning of period ” ;
- (d) by omitting from Form H the words—  
     “ Amount of Statutory Fund at end of period, as shown in the Balance-sheet ”  
 and inserting in their stead the words—  
     “ Balance of Account at end of period, as shown in the Balance-sheet ” ;
- (e) by omitting from the heading to Form J the words “ [*name of Statutory Fund*] ” and inserting in their stead the words “ [*description of life insurance business*] ” ;
- (f) by omitting from Form J the words—  
     “ Reserve Accounts ” ; and

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- (g) by omitting from Form J the words---  
“ Amount of Statutory Fund ”  
and inserting in their stead the words—  
“ Balance of Revenue Account ”.

33. The Sixth Schedule to the Principal Act is amended by Sixth Schedule. adding at the end of Part II. the following rule:—

“ 3. In determining, for the purposes of rule 1 of these Rules, the amount of the paid-up policy which would be granted in the case of a policy for the whole term of life (where the premiums are payable throughout life), it shall be assumed that the paid-up policy would not participate in future profits.”

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