EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Part VI of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, inter alia enables the owner of a life or endowment policy, which was taken out with a non-collecting friendly society and in respect of which separate premiums are payable, to obtain its reinstatement, if forfeited for the non-payment of premiums and the society is satisfied that the default was due to the owner or some other person performing or having performed service in the Reserve and Auxiliary Forces.

These Regulations provide (i) for the procedure in connection with the making of applications for the reinstatement of such policies, with the grant or refusal of such applications, and with appeals to the Chief Registrar of Friendly Societies, (ii) for the order to be made by the Chief Registrar where he allows an appeal, and (iii) for the submission of applications in certain circumstances to the Chief Registrar, where the time for making application to the society or appeal to the Chief Registrar has expired, and for the grant of relief in such cases, where appropriate.

The Reserve and Auxiliary Forces (Protection of Industrial Assurance &c. Policies) Regulations, 1951

1951 No. 1407

Made - - - -	*2nd August,* 1951
Laid before Parliament	*2nd August,* 1951
Coming into Operation	*4th August,* 1951

With the approval of the Treasury, the Industrial Assurance Commissioner in pursuance of sub-section (4) of section 57 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These regulations may be cited as the Reserve and Auxiliary Forces (Protection of Industrial Assurance &c. Policies) Regulations, 1951, and shall come into operation on the 4th day of August, 1951.

(2) In these regulations, unless and except so far as the context may otherwise require, the following expressions shall have the following meanings, that is to say:—

" the Act " means the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951 ;

" the Regulations " means these Regulations and includes the forms set out in the Schedule hereto ;

" the Commissioner " means the Industrial Assurance Commissioner ;

" company " means an industrial assurance company ;

" society " means a collecting society ;

" owner " in relation to any policy means the person who is for the time being the person entitled to receive the sums payable under the policy on maturity ;

" policy " includes a contract of assurance in respect of which no specific document constituting the contract is issued ;

(a) 14 & 15 Geo. 6. c. 65.

" relevant service " means service after the fifteenth day of July, nineteen hundred and fifty, of a description specified in the First Schedule to the Act;

" serviceman " means a man who performs relevant service, and includes a woman who performs relevant service;

(3) The Interpretation Act, 1889(a), applies to the interpretation of the Regulations as it applies to the interpretation of an Act of Parliament.

2.—(1) An application for relief under sub-section (4) of section 54 of the Act or for re-instatement of a policy under sub-section (5) thereof shall be made in writing within the time respectively required by those sub-sections and sent or delivered to the company or society, with which the policy in question was effected, at its head office, or at the place specified in the notice before forfeiture served under section 23 of the Industrial Assurance Act, 1923(b), and shall contain a statement setting out the policy number or numbers (if any) in question, the grounds on which the application is made, the date on which the serviceman began the performance of relevant service, the period, if known, for which the serviceman is required to perform relevant service, or, if he is no longer performing relevant service, the date on which he ceased performing relevant service.

(2) An application for the extension of a period of protection under sub-section (7) of section 54 of the Act shall be made in writing within twenty-eight days from the serving of a notice pursuant to Regulation 5 hereof and sent or delivered to the company or society, with which the policy in question was effected, at its head office, or at the place specified in the said notice, and shall contain a statement similar to that required under the immediately preceding paragraph of this Regulation.

(3) Any statement relating to a person's performance of relevant service contained in an application made under sub-sections (4), (5) or (7) of section 54 shall be verified in such manner, if any, as the company or society may reasonably require, including the production of a certificate of the kind referred to in sub-section (1) of section 60 of the Act.

3.—(1) Where a company or society grants relief under sub-section (4) of section 54 of the Act or reinstates a policy under sub-section (5) thereof, it shall endorse the policy, or serve upon the applicant a notice, to that effect, and where the company or society also fixes a period of protection, it shall in such endorsement or notice specify the duration of the period of protection fixed and the date on which such period of protection will expire, and state that appeal may be made to the Commissioner within twenty-eight days from the date of the receipt of the endorsed policy by the owner thereof, or from the date of the serving of the notice, if the applicant is not satisfied with the extension of the period of protection.

(2) Where a company or society extends a period of protection it shall endorse the policy, or serve upon the applicant a notice, to that effect, and shall in such endorsement or notice specify the date on which the extended period will expire, and state that appeal may be made to the Commissioner within twenty-eight days from the date of the receipt of the endorsed policy by the owner thereof, or from the date of the serving of the notice, if the applicant is not satisfied with the extension of the period of protection.

(a) 52 & 53 Vict. c. 63. (b) 13 & 14 Geo. 5. c. 8.

4.—(1) Where a company or society, after application having been duly made to it, refuses to grant relief under sub-section (4) of section 54 of the Act, or refuses to re-instate a policy under sub-section (5) thereof, or refuses to extend a period of protection under sub-section (7) thereof, it shall serve upon the applicant a notice respectively in form A, B or C, set out in the Schedule hereto.

(2) Where a company or society proposes to terminate or shorten a period of protection, which is then current, it shall serve upon the owner of the policy in question a notice in form D or E (whichever is appropriate) set out in the Schedule hereto, but no such period of protection shall be terminated or shortened so as to expire earlier than twenty-eight days from the date of the serving of the appropriate notice.

5. A company or society shall, not more than twenty-eight days and not less than seven days before the expiry of a period of protection, serve upon the owner of the policy in question a notice in form F set out in the Schedule hereto, and where there is default in serving such notice within the time aforesaid the period of protection shall, notwithstanding that it would otherwise expire, be extended by virtue of this Regulation so as not to expire until the company or society has served such notice after the time aforesaid and seven days have elapsed from the date of the serving thereof.

Provided that where a company or society has served upon the owner of the policy a notice pursuant to paragraph (2) of Regulation 4, it shall not be required to serve a further notice pursuant to this Regulation, and the provision of this Regulation with regard to the extension of the period of protection shall be without effect.

6. An appeal to the Commissioner under sub-section (9) of section 54 of the Act shall be made in writing and addressed to him at 17, North Audley Street, London, W.1, within twenty-eight days from the date of the receipt of the policy, endorsed pursuant to Regulation 3, by the owner thereof, or from the date of the serving of a notice pursuant to the said Regulation, or pursuant to Regulation 4, notifying the applicant or the owner of the policy, as the case may be, of the decision or proposal of the company or society against which the appeal is made.

7. Where, on appeal being duly made under sub-section (9) of section 54 of the Act, the Commissioner is satisfied that the application to the company or society ought to have been granted, or that the company or society ought to have fixed a longer period of protection, or granted a greater extension of such period, or that the period of protection ought not to be terminated or shortened, he may make an order requiring the company or society to grant the application, or fix or extend a period of protection, as determined by him, and to endorse the policy in question, or serve upon the appellant a notice, to that effect, or to withdraw the notice served pursuant to paragraph (2) of Regulation 4, as the case may be.

8.—(1) A company or society shall not forfeit a policy in respect of the non-payment of premiums at a time when in relation to that policy—

(*a*) a right to make an application under sub-section (4) or (7) of section 54 of the Act or a right to appeal to the Commissioner under sub-section (9) thereof is subsisting ; or

(*b*) such application or appeal is pending.

(2) For the purpose of the preceding paragraph an application or appeal shall be deemed to be pending where the application or appeal has been duly made and the applicant or appellant has not been notified in the form provided for by the Regulations or by any order made by the Commissioner under the Regulations of the decision of the company or society or the Commissioner.

9. Where in relation to any policy of assurance to which section 54 of the Act applies the time for making an application to the company or society or for appealing to the Commissioner has expired, the owner of the policy or any other person on his behalf may submit an application to the Commissioner and if it appears to the Commissioner that—

(i) there were good reasons for the failure to make the application to the company or society or to appeal to the Commissioner within the required time and there has been no undue delay in submitting the application under this Regulation ; and

(ii) if an application or appeal had been made within the said time it would have been granted or allowed ;

he may make an order requiring the company or society to reinstate the policy, where it has been forfeited after the passing of the Act, and otherwise to do such acts in relation to the policy as the company or society would have done or would have been required to do had the application or appeal been made within the required time and granted or allowed.

10. Where the terms of a policy are varied in accordance with the provisions of sub-section (3) of section 56 of the Act, the company or society shall endorse the policy, or serve a notice on the owner of the policy, to that effect.

11. The statement required by virtue of sub-section (2) of section 57 of the Act to be contained in a notice under section 23 of the Industrial Assurance Act, 1923, shall be in Form G set out in the Schedule hereto.

12. Any notice required to be served on any person by the Regulations shall either be delivered or sent by post to him or so delivered or sent to or left at his last last known place of abode.

B. K. White,
Industrial Assurance Commissioner.

Dated the 2nd day of August, 1951.

We approve these Regulations.

R. J. Taylor,
Wm. Hannan,
Two of the Lords Commissioners of
His Majesty's Treasury.

Dated the 2nd day of August, 1951.

SCHEDULE

FORM A

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Part VI

*Policy No. .....**

Your application for relief from forfeiture of the above-mentioned $\frac{\text{policy}\dagger}{\text{policies}}$ has been considered and we regret that we are unable to grant your request.

If you are not satisfied with this decision an appeal may be made by or on behalf of the owner of the $\frac{\text{policy}\dagger}{\text{policies}}$ within twenty-eight days from the receipt of this letter to the Industrial Assurance Commissioner at 17, North Audley Street, London, W.1.

If you decide to appeal you should write to the Commissioner informing him briefly of the grounds on which you made your application to us, of the policy number or numbers (if any) and of the details of service performed or being performed by the serviceman in question.

Yours faithfully,

Secretary.

To:

(Name and address of the applicant.)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.

FORM B

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Part VI

*Policy No. .....**

Your application for reinstatement of the above-mentioned $\frac{\text{policy}\dagger}{\text{policies}}$ has been considered and we regret that we are unable to grant your request.

If you are not satisfied with this decision an appeal may be made by or on behalf of the owner of the $\frac{\text{policy}\dagger}{\text{policies}}$ within twenty-eight days from the receipt of this letter to the Industrial Assurance Commissioner at 17, North Audley Street, London, W.1.

If you decide to appeal you should write to the Commissioner informing him briefly of the grounds on which you made your application to us, of the policy number or numbers (if any) and of the details of service performed or being performed by the serviceman in question.

Yours faithfully,

Secretary.

To:

(Name and address of the applicant.)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.

FORM C

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Part VI

Policy No. .....*

Your application for extension of the period of protection in respect of the above-mentioned policy†/policies has been considered and we regret that we are unable to grant your request.

If you are not satisfied with this decision an appeal may be made by or on behalf of the owner of the policy†/policies within twenty-eight days from the receipt of this letter to the Industrial Assurance Commissioner at 17, North Audley Street, London, W.1.

If you decide to appeal you should write to the Commissioner informing him briefly of the grounds on which you made your application to us, of the policy number or numbers (if any) and of the details of service performed or being performed by the serviceman in question and of the period of protection originally fixed by us.

Yours faithfully,

Secretary.

To:

(Name and address of the applicant.)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.

FORM D

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Part VI

Policy No. .....*

A period of protection in respect of the above-mentioned policy†/policies was fixed†/extended by us on the .....‡ to end on the .....‡

Since we fixed this period†/granted the extension we understand that the service on the ground of which you were unable to pay premiums on the policy came to an end on the .....‡ and that the additional period for which protection is contemplated has ended†/will end on the .....‡ We are therefore terminating†/shortening the period of protection mentioned so as to end twenty-eight days after the receipt of this letter†/on the .....§ and all premiums which will fall due thereafter must be paid in accordance with the original terms of the policy.

If you are not satisfied with this decision an appeal may be made by or on behalf of the owner of the policy†/policies within twenty-eight days from the receipt of this letter to the Industrial Assurance Commissioner at 17, North Audley Street, London, W.1.

If you decide to appeal you should write to the Commissioner with a brief note of the facts. The policy†/policies and this notice should be enclosed.

Yours faithfully,

Secretary.

To:

(Name and address of the owner of the policy)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.
‡ Insert date. § Insert a date which will not be less than 28 days after receipt of letter.

FORM E

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, *Part VI*

*Policy No.....**

A period of protection in respect of the above mentioned policy†/policies was fixed†/extended by us on the.....‡ to end on the..... ‡

We are now satisfied that you are no longer unable by reason of circumstances directly or indirectly attributable to the performance of service by yourself†/.....§ to pay the premiums on the policy†/policies. We are therefore terminating the period of protection so as to end 28 days after the receipt of this letter and all premiums which fall due thereafter must be paid in accordance with the original terms of the policy†/policies.

If you are not satisfied with this decision an appeal may be made by or on behalf of the owner of the policy†/policies within twenty-eight days from the receipt of this letter to the Industrial Assurance Commissioner, at 17, North Audley Street, London, W.1.

If you decide to appeal you should write to the Commissioner with a brief note of the facts. The policy†/policies and this notice should be enclosed.

Yours faithfully,

Secretary.

To:

(Name and address of the owner of the policy)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.
‡ Insert date. § Insert name or reference to serviceman.

FORM F

DEAR SIR OR MADAM,

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, *Part VI*

*Policy No.....**

Notice is hereby given to you that the period of protection fixed†/extended by us on the .....‡ is due to end on the .....‡ and that all premiums falling due thereafter must be paid in accordance with the original terms of the policy.

Should you be unable to pay such premiums owing to circumstances directly or indirectly attributable to the performance of service by yourself or any other person you may apply in writing to us within twenty-eight days of the receipt of this letter for an extension of the period of protection.

Yours faithfully,

Secretary.

To:

(Name and address of the owner of the policy)

* Insert policy number or numbers (if any). † Delete whichever is inapplicable.
‡ Insert date.

FORM G

Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Part VI

If default in the payment of premiums on any policy mentioned in this notice is due to circumstances directly or indirectly attributable to any person (whether the policy owner or any other person) performing service in the Reserve and Auxiliary Forces of a kind described in the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, and at least one year's premiums have been paid on the policy before the performance of such service began, the policy owner, or any other person on his behalf, may apply in writing for relief from forfeiture under the above-mentioned Act within—

(i) 28 days from the serving of this notice, or,

(ii) if this notice is served before the beginning of the performance of service in the Reserve and Auxiliary Forces, 28 days from the beginning of such performance.

Any such application should be addressed to

.....*

* Company or society to insert address to which application to be sent or delivered.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

Part VI of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, *inter alia* enables the owner of an industrial assurance policy or other life or endowment policy effected with a collecting friendly society to obtain protection for his policy, subject to certain conditions, if he is unable to pay the premiums thereon as a result of service, whether performed by the owner or by another, in the Reserve and Auxiliary Forces.

These Regulations provide for the procedure in connection with the making of applications to industrial assurance companies and collecting societies for such protection, with the grant or refusal of such applications, with appeals to the Commissioner against such refusals; and for other matters required for the purpose of giving full effect to the provisions of Part VI of the Act relating to the protection of the afore-mentioned policies.

The Reserve and Auxiliary Forces (Training) (Isle of Man) Order, 1951

1951 No. 1799

Made - - - - 4th October, 1951

At the Court of Saint James, the 4th day of October, 1951

Present,

Her Majesty The Queen **Her Royal Highness The Princess Elizabeth**

Lord Chancellor
Lord President
Mr. Secretary Ede
Sir Alan Lascelles

Whereas His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the Twenty-seventh day of September, 1951, to delegate and grant unto Her Majesty The Queen, Her Royal Highness The Princess Elizabeth Duchess of Edinburgh, Lady of the Most