CHAPTER 57.

An Act to make provision for authorising the Board of Trade, in the event of war and in other circumstances, to undertake the insurance of ships and other goods; for the payment by the Board of Trade, in time of war, of compensation in respect of goods lost or damaged in transit; for requiring persons to insure goods against certain risks in time of war; and for purposes connected with the matters aforesaid.

[4th August 1939.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

INSURANCE OF SHIPS AND CARGOES.

Agreements for re-insurance by Board of Trade of

1.—(1) The Board of Trade, if they are of opinion that it is expedient so to do for the purpose of securing that ships are not laid up and that commerce is not interrupted by reason of lack of insurance facilities, may,

PART I. —*cont.*

certain risks in respect of ships and cargoes.

with the approval of the Treasury, enter into agreements with any persons—

(*a*) for the re-insurance by the Board of any King's enemy risks against which a British ship is for the time being insured; and

(*b*) for the re-insurance by the Board of any King's enemy risks against which the cargo carried in a ship or aircraft is for the time being insured.

In relation to any period during which His Majesty is at war, the preceding provisions of this subsection shall have effect as if for any reference therein to King's enemy risks there were substituted a reference to war risks.

(2) A copy of every agreement made in pursuance of this section shall, as soon as may be after the agreement is made, be laid before each House of Parliament; and if either House, within the period of fourteen days beginning with the day on which a copy of such an agreement is laid before it, resolves that the agreement be annulled, the agreement shall thereupon become void except in so far as it confers rights or imposes obligations in respect of things previously done or omitted to be done, without prejudice, however, to the making of a new agreement.

In reckoning for the purposes of this subsection any such period of fourteen days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

(3) Any reference in this section to a British ship shall be construed as including a reference to any machinery, tackle, or furniture of a British ship, and to any goods on board of a British ship, not being cargo carried therein; and in this section the expressions "King's enemy risks" and "war risks" mean, in relation to any agreement, King's enemy risks and war risks respectively as defined for the purposes of that agreement.

(4) This section shall be deemed to have come into operation on the twentieth day of February nineteen hundred and thirty-nine.

Insurance by Board of Trade of ships and cargoes.

2.—(1) The Board of Trade may, with the approval of the Treasury, carry on business for all or any of the following purposes, that is to say:—

(*a*) the insurance of British ships by the Board against war risks or King's enemy risks, at any

PART I. —*cont.*

time when it appears to the Board that reasonable and adequate facilities for the insurance of British ships against such risks are not available;

(*b*) the insurance by the Board, during the continuance of any war in which His Majesty may be engaged, of British ships and of foreign ships not being ships used in the service of a Power at war with His Majesty;

(*c*) the insurance by the Board of cargoes carried in ships or aircraft against war risks or King's enemy risks, at any time when it appears to the Board that reasonable and adequate facilities for the insurance of such cargoes against such risks are not available;

(*d*) the insurance by the Board, during the continuance of any such war, of cargoes carried in ships or aircraft not being ships or aircraft used in the service of a Power at war with His Majesty; and

(*e*) the insurance by the Board, during the continuance of any such war,—

(i) of goods consigned for carriage by sea or by air from a place outside any one of the countries to which this paragraph applies to a place in that country, while the goods are in transit between the ship or aircraft and their destination; and

(ii) of goods consigned for carriage by sea or by air from a place in any one of the countries to which this paragraph applies to a place outside that country, while the goods are in transit between the premises from which they are consigned and the ship or aircraft.

The countries to which paragraph (*e*) of this subsection applies are the United Kingdom, the Isle of Man and any of the Channel Islands.

(2) Any reference in paragraphs (*a*) and (*b*) of subsection (1) of this section to British ships or foreign ships shall be construed as including a reference to any machinery, tackle or furniture of such ships, and to any goods on board of such ships, not being cargo carried therein; and in paragraph (*e*) of that subsection the expression "the ship or aircraft", in relation to goods

PART I. —*cont.*

consigned for carriage by sea or by air to or from a country to which that paragraph applies, does not include any vessel into which the goods are discharged at any port or place in that country for the purpose of being landed at that port or place, or from which the goods are discharged for the purpose of being carried by sea or by air from that country, as the case may be.

Transitional provision for compensation in respect of goods in transit after discharge or before shipment.

3.—(1) Where any person proves with respect to any goods—

(*a*) that the goods have been lost or damaged in consequence of King's enemy risks; and

(*b*) that the goods, having been consigned for carriage by sea or by air from a place outside any one of the countries to which this paragraph applies to a place in that country,—

(i) were discharged in that country from the ship or aircraft before the expiration of the period of seven days beginning with such day as the Board of Trade may declare to be the day as from which they will carry on business for the purpose mentioned in paragraph (*e*) of subsection (1) of the last preceding section, and

(ii) were so lost or damaged as aforesaid within the appropriate period, while in transit between the ship or aircraft and their destination,

or, having been consigned for carriage by sea or by air from a place in any one of the countries to which this paragraph applies to a place outside that country before the expiration of the said period of seven days, were so lost or damaged as aforesaid while in transit between the premises from which they were consigned and the ship or aircraft; and

(*c*) that he and his agents exercised all due diligence for securing that no delay occurred while the goods were in such transit as aforesaid; and

(*d*) that at the time when the loss or damage occurred the property in the goods was vested in him;

the Board of Trade shall pay to him, by way of compensation for that loss or damage, an amount equal to the value

PART I. —*cont.*

of the goods ascertained in accordance with such rules as may be made by the Board of Trade, or, as the case may be, the amount by which the value of the goods so ascertained was diminished by reason of the damage.

(2) Where, at the time when the loss or damage for which compensation in respect of any goods has become payable under this section occurred, the goods were subject to any mortgage, charge or other similar obligation, the amount of the compensation shall be deemed to be comprised in that mortgage, charge or other obligation.

(3) The countries to which paragraph (*b*) of subsection (1) of this section applies are the United Kingdom, the Isle of Man and any of the Channel Islands.

(4) In this section—

(*a*) the expression "the ship or aircraft", in relation to goods consigned for carriage by sea or by air to or from a country to which paragraph (*b*) of subsection (1) of this section applies, does not include any vessel into which the goods are discharged at any port or place in that country for the purpose of being landed at that port or place, or from which the goods are discharged for the purpose of being carried by sea or by air from that country, as the case may be; and

(*b*) the expression "the appropriate period" means—

(i) in a case where the destination of the goods is within the port or place at which they were discharged from the ship or aircraft, the period of fifteen days beginning with the day on which they were so discharged; or

(ii) in a case where the destination of the goods is outside the said port or place, the period of thirty days beginning with the day on which they were so discharged.

Liabilities of re-insurer in the event of insurer's insolvency.

4. Where any sum becomes payable to any person (hereafter in this section referred to as "the insurer") in respect of any loss or damage arising from a risk against which the insurer has, either originally or by way of

PART I. —*cont.*

re-insurance, insured another person (hereafter in this section referred to as " the assured ") and either—

(*a*) the sum has become payable by the Board of Trade by virtue of an agreement made under section one of this Act, or

(*b*) the sum has become payable under a contract of insurance by some person other than the Board (hereafter in this section referred to as " the intermediate insurer ") and the risk has been re-insured under such an agreement as aforesaid,

then if, before payment of that sum is made by the Board of Trade or the intermediate insurer, the insurer becomes bankrupt or, in a case where the insurer is a company, the company commences to be wound up, or a receiver is appointed on behalf of the holders of any debentures of the company secured by a floating charge or possession is taken by or on behalf of the holders of such debentures of any property comprised in or subject to the charge, that sum shall cease to be payable to the insurer and the amount thereof shall be paid to the assured by the Board or the intermediate insurer, as the case may be, and the right of the assured to receive payment in respect of the loss or damage from the insurer shall, to the extent to which the risk has been re-insured by the Board, be extinguished.

Exemption of certain bodies from s. 357 of Companies Act, 1929. 19 & 20 Geo. 5. c. 23.

5.—(1) Section three hundred and fifty-seven of the Companies Act, 1929 (which prohibits, subject to certain conditions, the formation of companies, associations or partnerships consisting of more than twenty persons for the purpose of carrying on any business for gain) shall not apply in relation to any body of persons for the time being approved for the purposes of this Part of this Act by the Board of Trade, being a body the objects of which are or include the carrying on of business by way of the re-insurance of risks which may be re-insured under any agreement for the purpose mentioned in paragraph (*b*) of subsection (1) of section one of this Act.

(2) This section shall be deemed to have come into operation on the twentieth day of February nineteen hundred and thirty-nine.

PART I. —*cont.*

Interpretation of Part I.

6.—(1) In the provisions of this Part of this Act other than section one of this Act—

(*a*) the expression "war risks" means such risks arising from any of the following events, that is to say, hostilities (including action taken in repelling an imagined attack), rebellion, revolution and civil war, or from civil strife consequent upon the happening of any of those events, as the Board of Trade may by order define for the purposes of this Part of this Act, having regard to the meaning assigned to that expression by any agreement under section one of this Act, and includes piracy; and

(*b*) the expression "King's enemy risks" means such risks arising from action taken by an enemy, or from action taken in combating an enemy or in repelling an imagined attack by an enemy, as the Board may by order define for the purposes of this Part of this Act, having regard to the meaning assigned to that expression by any such agreement as aforesaid.

(2) Any order under the preceding subsection may be varied or revoked by a subsequent order made by the Board of Trade.

(3) In this part of this Act the expression "goods" includes currency and any securities payable to bearer not being either bills of exchange or promissory notes.

PART II.

INSURANCE OF GOODS IN THE UNITED KINGDOM.

Scheme of insurance to operate in the event of war.

7.—(1) In the event of any war in which His Majesty may be engaged, the Board of Trade, with the approval of the Treasury, may, by a notice published in such manner as the Board think best adapted for informing persons affected, put into operation a scheme (hereinafter referred to as "the commodity insurance scheme") whereby the Board undertake, in relation to persons carrying on business in the United Kingdom as sellers of goods, the liabilities of insuring such persons against King's enemy risks in respect of goods insurable under this Part of this Act which are from time to time owned by such persons in the course of such business.

PART II. —*cont.*

(2) The commodity insurance scheme shall be such as to secure—

(*a*) that any liability of the Board of Trade as insurers under the scheme is determined by a policy of insurance issued, in the prescribed form and in respect of the prescribed period, by a person acting on behalf of the Board;

(*b*) that any premium under a policy so issued is payable at such rate, and in respect of such period, as may be prescribed; and

(*c*) that the amount of any one premium payable under a policy so issued is not less than such sum as may be prescribed.

(3) Different forms of policies and different periods may be prescribed under the last preceding subsection in relation to different descriptions of goods.

Registration of insurances which would be required in the event of war.

8.—(1) The Board of Trade shall from time to time, by notice published in such manner as they think best adapted for informing persons affected, designate the persons who are authorised by the Board to receive on their behalf applications under this section; and any person carrying on any business in the United Kingdom as a seller of goods shall, on an application in that behalf made in the prescribed form to a person designated by such a notice as aforesaid, and on payment of the fee specified in the Schedule to this Act which is appropriate to the application, be entitled to be registered as desiring to be insured under the commodity insurance scheme, in the event of its being put into operation, for such sum as may be specified in the application in respect of goods of any description so specified which may be from time to time owned by him in the course of that business, being goods which, at the date of the application, are goods insurable under this Part of this Act.

(2) Where a person has been registered under the preceding subsection as desiring to be insured for any sum in respect of goods of any description, then, on an application in that behalf made in the prescribed form to a person for the time being designated under the preceding subsection, and on payment of the fee specified in the Schedule to this Act which is appropriate to the application, he shall be entitled either to have his registration cancelled in respect of goods of that description

PART II. —*cont.*

or to be registered as desiring to be insured in respect of goods of that description for such greater or less sum as may be specified in the application; and upon the receipt of any application so made by a person for the cancellation of his registration in respect of goods of any description, and on payment of the fee specified in the Schedule to this Act which is appropriate to the application, he shall, without prejudice to the effect of any subsequent application which may be made by him, cease to be entitled to be registered under this section as desiring to be insured in respect of goods of that description:

Provided that a person shall not, by virtue of any application under this subsection, be entitled to be registered as desiring to be insured, in respect of goods of any description, for a sum greater than that in respect of which he is already registered under this section in relation to goods of that description, if, by virtue of the following provisions of this Act, goods of that description are not, at the date on which the application is made, goods insurable under this Part of this Act.

(3) If the commodity insurance scheme is put into operation, the preceding provisions of this section shall thereupon cease to have effect except as respects applications thereunder which have been received before such date as the Board of Trade may declare to be the date of the outbreak of war; but, in the case of any person who, immediately before that date, was a person entitled to be registered under this section as desiring to be insured for any sum in respect of goods of any description,—

(*a*) a policy, in the form prescribed for the purposes of the said scheme in relation to goods of that description, insuring him for that sum, during the appropriate prescribed period, in respect of all goods of that description from time to time owned by him in the course of any business carried on by him in the United Kingdom as a seller of goods, shall be deemed to have been issued to him on the said date on behalf of the Board of Trade; and

(*b*) the amount of the first premium which would have become payable under such a policy so issued shall be deemed to have on that date accrued due from him to the Board.

(4) Any sum due under the last preceding subsection from any person to the Board of Trade may, without

PART II. —*cont.*

prejudice to any other mode of recovery, be recovered summarily as a civil debt.

(5) The register of persons entitled to be registered under this section shall be kept in accordance with such directions as may be given by the Board of Trade.

(6) The Board of Trade may by order modify the Schedule to this Act by increasing or reducing the amount of any of the fees specified in that Schedule.

Power to make insurance compulsory in time of war.

9.—(1) At any time after the commodity insurance scheme has been put into operation, the Board of Trade may make an order (hereinafter referred to as "a compulsory insurance order") for securing that no person shall, after such date as may be specified in the order, carry on any business in the United Kingdom as a seller of goods, unless in respect of any goods insurable under this Part of this Act which are for the time being owned by him in the course of that business there is in force a policy of insurance issued in accordance with that scheme, whereby he is insured, in respect of all such goods for a sum not less than the value thereof for the time being:

Provided that an order under this section shall not restrict the carrying on of business as aforesaid by any person, if and so long as the value of all goods insurable under this Part of this Act which are for the time being owned by him in the course of that business does not exceed such amount as may be specified in the order.

(2) If any person contravenes this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds and to a further fine not exceeding fifty pounds for every day on which the contravention continues.

(3) For the purposes of a compulsory insurance order, different rates of premiums may be prescribed in relation to different descriptions of goods, and according to the place at which, and the circumstances in which, the goods insured are situated.

Restriction on carrying on certain insurance business in time of war.

10.—(1) After the date on which the commodity insurance scheme is put into operation, no person shall, except as a person authorised by the Board of Trade to issue policies in pursuance of that scheme, carry on the business of insuring persons carrying on business in the United Kingdom, as sellers of goods, against King's enemy risks in respect of goods insurable under this

Part of this Act which are from time to time owned by such persons in the course of such business as is last mentioned. PART II. —*cont.*

(2) If any person contravenes this section, he shall be liable—

(*a*) on conviction on indictment, to a fine not exceeding five hundred pounds and to a further fine not exceeding one hundred pounds for every day on which the contravention continues, or

(*b*) on summary conviction, to a fine not exceeding one hundred pounds and to a further fine not exceeding twenty pounds for every day on which the contravention continues.

Goods insurable under Part II.

11.—(1) Subject to the provisions of this section,—

(*a*) the following goods shall, in relation to any person carrying on business in the United Kingdom as a seller of goods of any description produced by him, be deemed to be goods insurable under this Part of this Act, that is to say, all goods situated in the United Kingdom, being either—

(i) goods of that description, or

(ii) goods used as material from which goods of that description are produced or as ingredients or component parts of goods of that description; and

(*b*) the following goods shall, in relation to any person carrying on business in the United Kingdom as a seller of goods of any description not produced by him, be deemed to be goods insurable under this Part of this Act, that is to say, all goods of that description being goods situated in the United Kingdom.

(2) In relation to a person carrying on in the United Kingdom the business of selling agricultural products produced by him, all agricultural products and livestock for the time being situated in the United Kingdom shall, subject to the following provisions of this section, be deemed to be goods insurable under this Part of this Act:

Provided that the Board of Trade may by order direct that a compulsory insurance order shall not operate so as

PART II. —*cont.*

to require a person to be insured in respect of any goods which, in relation to that person, would not, apart from the provisions of this subsection, be goods insurable under this Part of this Act.

(3) Goods shall be deemed not to be goods insurable under this Part of this Act if and so long as they are insured by the Board of Trade under Part I of this Act.

(4) Without prejudice to the last preceding subsection, the Board of Trade may by order direct that goods of any description specified in the order shall be deemed not to be goods insurable under this Part of this Act; but an order made under this subsection in relation to goods of any description shall not affect—

(*a*) the operation of section eight of this Act in relation to any person who, immediately before the date on which the order takes effect, was a person entitled to be registered under that section as desiring to be insured in respect of goods of that description, or

(*b*) the institution or prosecution of any proceedings for an offence committed under this Part of this Act.

(5) Things which, in relation to a person carrying on any business as a seller of goods, are at any time goods insurable under this Part of this Act shall not cease to be goods so insurable by reason only that they are subsequently placed in or affixed to land under a contract of sale entered into by that person in the course of that business.

Legal proceedings.

12. Proceedings for an offence under this Part of this Act shall not, in England or Northern Ireland, be instituted except by or with the consent of the Board of Trade.

Employment of agents by Board of Trade.

13.—(1) The Board of Trade may employ or authorise the employment of persons to act as their agents for any of the purposes of this Part of this Act, and may pay to persons so employed such remuneration (if any) as they may with the approval of the Treasury determine; and such expenses incurred by the said persons as the Board and the Treasury may approve shall be defrayed by the Board.

34 & 35 Vict. c. xxi.

(2) The objects of the body incorporated by Lloyd's Act, 1871, by the name of Lloyd's, shall include the

carrying on of business as agents of the Board of Trade for any of the purposes of this Part of this Act. PART II. —*cont.*

14.—(1) The Board of Trade may by order prescribe anything which by this Part of this Act is required or authorised to be prescribed; and in this Part of this Act the expression "prescribed" means prescribed by order of the Board. Orders of Board of Trade.

(2) Any order under this Part of this Act may be varied or revoked by a subsequent order made in the like manner, and subject to the like conditions (if any), as the original order.

(3) Every order under this Part of this Act, being an order which prescribes a rate of premiums or the minimum amount of any one premium or modifies the Schedule to this Act, or directs that any goods shall be deemed not to be goods insurable under this Part of this Act, or being a compulsory insurance order, shall, as soon as may be after the making of the order, be laid before Parliament; and if either House of Parliament, within the period of fourteen days beginning with the day on which such an order is laid before it, resolves that the order be annulled, the order shall thereupon become void, without prejudice, however, to the validity of anything previously done thereunder or to the making of a new order.

In reckoning any such period of fourteen days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

15.—(1) In this Part of this Act— Interpretation and extent of Part II.

(*a*) the expression "King's enemy risks" means such risks arising from action taken by an enemy, or from action taken in combating an enemy or in repelling an imagined attack by an enemy, as the Board of Trade may by order define for the purposes of this Part of this Act;

(*b*) the expression "seller of goods" includes a seller of goods acting as an agent, and, in relation to any person carrying on the business

PART II. —*cont.*

of selling goods as an agent, any reference in this Part of this Act to goods produced by him or to goods not produced by him shall be construed as including a reference to goods produced, or, as the case may be, not produced, by his principal;

(*c*) the expression "agricultural products" means products of agriculture, horticulture or silviculture, and includes growing crops, plants and trees;

(*d*) the expression "livestock" includes animals of any description; and

(*e*) the expression "goods" means goods as defined by section sixty-two of the Sale of Goods Act, 1893, and includes agricultural products.

56 & 57 Vict. c. 71.

(2) For the purposes of this Part of this Act, any goods shall—

(*a*) in a case where—

(i) the property in the goods is or was at any time vested in a person in relation to whom they are or were then goods insurable under this Part of this Act, or

(ii) such a person is or was at any time entitled, either unconditionally or conditionally, to have the property in the goods vested in him,

be taken to have been owned at that time by the person mentioned in sub-paragraph (i) or sub-paragraph (ii), as the case may be, of this paragraph; and

(*b*) in any other case, be taken to be or to have been owned at any time by any person who is or was at that time entitled to sell the goods as an agent:

Provided that a ship constructed for sale shall be deemed to be or to have been owned by the constructor thereof, and by no other person, at all times before delivery of the ship to the purchaser; and the foregoing reference to the constructor shall be construed as including a reference to his personal representative or any person carrying on business in succession to him by virtue of any assignment or transmission by operation of law.

PART III.

GENERAL AND SUPPLEMENTARY PROVISIONS.

Establishment of funds for purposes of Act.

16.—(1) There shall be established under the control of the Board of Trade—

(*a*) a fund for the purposes of Part I of this Act, to be called the "war risks (marine) insurance fund", into which shall be paid all sums received by the Board by virtue of that Part of this Act, and out of which shall be paid all sums required for the fulfilment by the Board of any of their obligations under that Part of this Act; and

(*b*) a fund for the purposes of Part II of this Act, to be called the "war risks (commodities) insurance fund", into which shall be paid all sums received by the Board by virtue of that Part of this Act, and out of which shall be paid all sums required for the fulfilment by the Board of any of their obligations under that Part of this Act or for the payment by the Board of the remuneration and expenses of agents employed for any of the purposes of that Part of this Act.

(2) If, at any time when a payment falls to be made out of either of the said funds, the sum standing to the credit of that fund is less than the sum required for the making of that payment, an amount equal to the deficiency shall be paid into that fund out of moneys provided by Parliament, but, if and so far as that amount is not paid out of such moneys, it shall be charged on and issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof (hereinafter referred to as "the Consolidated Fund").

(3) If, at any time, the amount standing to the credit of either of the said funds exceeds the sum which, in the opinion of the Board of Trade and the Treasury is likely to be required for the making of payments out of that fund, the excess shall be paid into the Exchequer; and the amount of any sum so paid into the Exchequer shall, at such times as the Treasury may direct, be issued out of the Consolidated Fund and applied in redeeming or paying off debt of such description as the Treasury think fit.

PART III. —*cont.*

(4) In relation to each of the said funds, the Board of Trade shall prepare, in such form and manner as the Treasury may direct, an account of the sums received into and paid out of that fund in each financial year, and shall, on or before the thirtieth day of November in each year, transmit the said account to the Comptroller and Auditor General, who shall examine and certify the account and lay copies thereof, together with copies of his report thereon, before both Houses of Parliament.

Provisions as to raising of money to make good deficiencies in funds.

17. For the purpose of providing for the issue of sums out of the Consolidated Fund under subsection (2) of the last preceding section or any part of such sums, or for the replacement of all or any part of sums so issued, the Treasury may from time to time raise money in any manner in which they are authorised to raise money under and for the purposes of subsection (1) of section one of the War Loan Act, 1919; and any securities created and issued to raise money under this section shall be deemed for all purposes to have been created and issued under subsection (1) of section one of that Act.

9 & 10 Geo. 5. c. 37.

Exemption of certain agreements from provisions of Stamp Act, 1891, and Marine Insurance Act, 1906.

18.—(1) No agreement to which this section applies shall be invalid by reason only that it does not comply with the requirements of the Stamp Act, 1891, with respect to contracts for or policies of sea insurance, or be inadmissible in evidence by reason only that it is not embodied in a marine policy in accordance with the Marine Insurance Act, 1906.

(2) Stamp duty shall not be chargeable in respect of any such agreement.

54 & 55 Vict. c. 39.
6 Edw. 7. c. 41.

(3) No person shall be liable to a fine under section ninety-seven of the Stamp Act, 1891, by reason of having, contrary to the said section, entered into or done or omitted to do anything in relation to, or for the purposes of, any such agreement, or be liable under the said section to any disability in relation to any such agreement.

(4) This section applies to—

(*a*) any agreement for re-insurance made, in pursuance of Part I of this Act, between the Board of Trade and any other person, and any policy of re-insurance issued by the Board in pursuance of such an agreement;

PART III. —*cont.*

(*b*) any agreement entered into by any body to which this paragraph applies, being an agreement for the re-insurance of any risk insured by another person which may be again re-insured by the Board, and any policy issued in pursuance of such an agreement, being a policy for the re-insurance only of such a risk as aforesaid; and

(*c*) every policy of insurance issued in pursuance of the commodity insurance scheme.

Paragraph (*b*) of this subsection applies to any body of persons for the time being approved for the purposes of Part I of this Act by the Board of Trade, being a body the objects of which are or include the carrying on of business by way of the re-insurance of risks which may be re-insured under any agreement for the purpose mentioned in paragraph (*b*) of subsection (1) of section one of this Act.

Expenses of Board of Trade.

19. The expenses incurred for the purposes of this Act by the Board of Trade shall, except in so far as they are required to be defrayed out of a fund established under this Act, be defrayed out of moneys provided by Parliament.

Exercise of powers of Board of Trade.

20. Anything required or authorised by or under this Act to be done by, to or before the Board of Trade, may be done by, to or before the President of the Board of Trade, any secretary, under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President.

Application to Scotland and Northern Ireland.

21.—(1) This Act shall apply to Scotland subject to the following modification, that is to say, subsection (4) of section eight shall have effect as if the word "summarily" were omitted.

(2) This Act shall apply to Northern Ireland subject to the following modification, that is to say, the expression "summary conviction" means conviction subject to, and in accordance with, the Petty Sessions (Ireland) Act, 1851, and any Act (including any Act of the Parliament of Northern Ireland) amending that Act.

14 & 15 Vict. c. 93.

Short title.

22. This Act may be cited as the War Risks Insurance Act, 1939.

Section 8.

SCHEDULE.

FEES PAYABLE ON APPLICATIONS UNDER SECTION EIGHT OF THIS ACT.

1. The fee payable on an original application shall be the fee specified in the second column of the following Table in relation to the category of sums specified in the first column of the said Table within which falls the sum stated in the application as the total sum for which the applicant desires to be insured :—

TABLE.

Category of sums.	Amount of fee. £	*s.*	*d.*
Not exceeding £10,000 - - - - - -	1	0	0
Exceeding £10,000 but not exceeding £50,000 -	2	10	0
Exceeding £50,000 but not exceeding £250,000 -	5	0	0
Exceeding £250,000 - - - - - - -	10	0	0

2. The fee payable on an application stating, as the total sum for which the applicant desires to be insured, a sum greater than the total sum in respect of which he is for the time being entitled to be registered shall be ten shillings; and, if the sum so stated in the application falls within a category specified in the first column of the preceding Table other than the category so specified within which the last-mentioned total sum falls, there shall be payable on the application an additional fee equal to the difference between the two fees specified in the second column of the said Table in relation to those two categories respectively.

3. The fee payable on an application stating, as the total sum for which the applicant desires to be insured, a sum less than the total sum in respect of which he is for the time being entitled to be registered, shall be ten shillings.

4. The fee payable on an application for cancellation of registration shall be five shillings.

Printed by EYRE AND SPOTTISWOODE LIMITED
FOR
SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

Price 4*d.* net