1977 No. 214

INSURANCE

Insurance Companies (Accounts and Forms) (Amendment) Regulations (Northern Ireland) 1977

Made . . . . . *25th July* 1977

Coming into operation . . . *3rd October* 1977

The Department(a) of Commerce, in exercise of the powers conferred upon it by Articles 17, 20, 21, 55 and 93 of the Insurance Companies (Northern Ireland) Order 1976(b) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Insurance Companies (Accounts and Forms) (Amendment) Regulations (Northern Ireland) 1977 and shall come into operation on 3rd October 1977.

Interpretation

2. In these regulations—

"the Order" means the Insurance Companies (Northern Ireland) Order 1976;

"the principal regulations" means the Insurance Companies (Accounts and Forms) Regulations (Northern Ireland) 1969(c);

"the Valuation Regulations 1977" means the Insurance Companies (Valuation of Assets) Regulations (Northern Ireland) 1977(d).

Application

3. These regulations apply to the accounts of every insurance company to which the principal regulations apply, being accounts prepared in respect of any financial year of the company ending on or after 31st December 1977.

Amendment of regulation 4 of the principal regulations

4. Paragraph (1) of regulation 4 of the principal regulations is amended by inserting therein:

(*a*) after the definition of "the Act of 1960", the following definition— " "the Order" means the Insurance Companies (Northern Ireland) Order 1976;";

(*b*) after the definition of "unit trust scheme", the following definition— " "the Valuation Regulations 1977" means the Insurance Companies (Valuation of Assets) Regulations (Northern Ireland) 1977;".

(a) Formerly Ministry; *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)
(b) S.I. 1976/59 (N.I. 3) [brought into operation by S.R. 1976 No. 56 (C. 2)]
(c) S.R. & O. (N.I.) 1969 No. 242 (p. 1071)
(d) S.R. 1977 No. 72

Amendment of regulation 7 of the principal regulations

5. Regulation 7 of the principal regulations is amended—

(*a*) in paragraph (1), by substituting for the words "The accounts" the words "Subject to paragraph (3), the accounts", and by deleting the proviso thereto;

(*b*) in paragraph (2)(*i*), by inserting immediately after "December 1969," the words "and in the case of any balance sheet heading (or heading in a statement or report annexed) relating to assets other than the heading in the balance sheet which shows the total assets,";

(*c*) by inserting at the end thereof the following paragraphs—

"(3) The value of every asset of the company shall be determined in accordance with the Valuation Regulations 1977 and, save as otherwise provided in these regulations—

(*a*) there shall be left out of account for the purposes of these regulations—

(i) any asset to which the Valuation Regulations 1977 do not apply by virtue of regulation 3(2) thereof, and

(ii) any asset which is required to be left out of account for the purposes for which the Valuation Regulations 1977 apply; and

(*b*) subject to paragraph (4), the value of any asset which is required to be taken into account only to a specified extent under the Valuation Regulations 1977 shall be taken into account for the purposes of these regulations only to the extent so specified;

and any reference in these regulations to the value or the amount of any asset of a company shall, unless the context otherwise requires, be construed as a reference to the value or (as the case may be) the amount of the asset as determined in accordance with this paragraph:

Provided that nothing in this paragraph shall apply in relation to the value or amount of any asset to be shown for the purposes of, or in any form in, Schedules 2 to 5.

(4) Where the company carries on long-term business but does not carry on general business and has assets which are not long-term business assets within the meaning of the Valuation Regulations 1977, sub-paragraph (3)(*b*) shall not apply to those assets for the purposes of the application of these Regulations to the company.".

Amendment of regulation 8 of the principal regulations

6. Regulation 8 of the principal regulations is amended—

(*a*) by substituting for the words which appear after "a certificate signed" and before the words "and such certificate shall state—", the words "by the persons specified in Article 22(3)(*a*) of the Order,";

(*b*) in paragraph (*a*)—

(i) by inserting after the words "company's assets" the words "(including any asset referred to in regulation 7(3)(*a*)(i))"; and

(ii) by substituting for all the words which appear after the words "balance sheet" the words "and that such value has been determined in accordance with the Valuation Regulations 1977 or otherwise determined in the case of assets to which those regulations do not apply by virtue of regulation 3(2) thereof;";

(*c*) in paragraph (*b*), by substituting for the words "market values" and "market value" wherever they appear therein, the words "values, as determined in accordance with the Valuation Regulations 1977 or otherwise determined in the case of assets to which those regulations do not apply by virtue of regulation 3(2) thereof,";

(*d*) in paragraph (*c*)(iii), by inserting after the words "company's assets" the words "(including any asset referred to in regulation 7(3)(*a*)(i))".

Amendment of regulation 11 *of the principal regulations*

7. Regulation 11 of the principal regulations is amended by substituting for all the words which appear after the words "signing the certificate" the words "the provisions of Article 27 (and, where applicable, of any regulations made thereunder) and of Article 28 of the Order, have been complied with."

Amendment of Schedule 1 *to the principal regulations*

8. Schedule 1 to the principal regulations is amended by renumbering paragraph 1 as paragraph 1(1) thereof and by inserting at the end thereof the following sub-paragraph—

"(2) Notwithstanding the provisions of regulation 4, the words and expressions used in this Schedule shall, unless the context otherwise requires, have the meanings assigned to them in the Valuation Regulations 1977."

9. Part I of Schedule 1 to the principal regulations is amended—

(*a*) by substituting for paragraph 3 the following paragraph—

"3. Where the amount of any liabilities shown in the balance sheet or in any statement or report annexed thereto includes an amount of indebtedness of the company (whether on account of a loan or otherwise) to any dependent, in showing the amount of those liabilities such part of that amount as represents indebtedness to dependents shall be separately distinguished.";

(*b*) by deleting paragraph 5;

(*c*) by substituting for sub-paragraph (1) of paragraph 10 the following sub-paragraph—

"(1) There shall be shown in tabular form in a statement or report annexed to the balance sheet the value of each of the following assets—

(*a*) land;

(*b*) fixed interest securities issued by, or guaranteed by, any government or public authority;

(*c*) other fixed interest securities (including debenture options) except those in dependents (which must be included under paragraphs (*f*) and/or (*g*)) in the following categories—

(i) quoted,

(ii) unquoted debentures,

(iii) other unquoted;

(*d*) equity shares (including share options) except those in dependents (which must be included under paragraphs (*f*) and/or (*g*)) in the following categories—

(i) quoted,

(ii) unquoted;