1976 No. 156

INSURANCE

Insurance Companies (Changes of Director, Controller or Manager) Regulations (Northern Ireland) 1976

Made . . . . . 19*th May* 1976

Coming into operation . . . . 9*th July* 1976

The Department(a) of Commerce, in exercise of the powers conferred upon it by Articles 63(1)(*a*), 64(1)(*a*), 65(1) and 93 of the Insurance Companies (Northern Ireland) Order 1976(b) (hereinafter referred to as "the Order") 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 (Changes of Director, Controller or Manager) Regulations (Northern Ireland) 1976 and shall come into operation on 9th July 1976.

Application

2. These regulations apply to every insurance company to which Part III of the Order applies and are made for the purposes of Articles 63, 64 and 65 of the Order.

Particulars of proposed managing director or chief executive

3. A notice served on the Department of Commerce pursuant to Article 63(1)(*a*) of the Order shall, in relation to the managing director or chief executive proposed to be appointed by the insurance company, contain the particulars prescribed in Form A in the Schedule.

Particulars of person proposing to become controller

4. A notice served on the Department of Commerce pursuant to Article 64(1)(*a*) of the Order shall contain—

(*a*) where the person proposing to become a controller is an individual (not being a person in respect of whom particulars have been supplied under regulation 3), the particulars prescribed in Form B in the Schedule;

(*b*) where the person proposing to become a controller is a body corporate, the particulars prescribed in Form C in the Schedule.

Notification by person becoming or ceasing to be controller

5. A person who, pursuant to Article 65(1) of the Order, notifies an insurance company of the fact that he has become or has ceased to be a controller of that company shall at the same time notify the company in writing of the matters prescribed in Form D in the Schedule.

(a) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)
(b) S.I. 1976/59 (N.I. 3)

Notification by person becoming director

6. A person who becomes a director of an insurance company shall, within the period of seven days as specified in Article 65(1) of the Order, notify that company in writing of the matters prescribed in Form B in the Schedule.

Notification by person becoming manager

7.—(1) A person who becomes a manager of an insurance company shall, within a period of seven days as specified in Article 65(1) of the Order, notify that company in writing—

(*a*) where that person is an individual, of the matters prescribed in Form B in the Schedule;

(*b*) where that person is a body corporate, of the matters prescribed in Form C in the Schedule.

(2) Each partner of a partnership which becomes a manager of an insurance company shall, within a period of seven days as specified in Article 65(1) of the Order, notify that company in writing—

(*a*) where the partner is an individual, of the matters prescribed in Form B in the Schedule;

(*b*) where the partner is a body corporate, of the matters prescribed in Form C in the Schedule.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 19th May 1976.

(L.S.) *Ernest Simpson*
Assistant Secretary

SCHEDULE

FORM A

Particulars of proposed Managing Director or Chief Executive

The *..... proposes to appoint †..... as Managing Director/Chief Executive‡ who has supplied the following particulars:—

1. Surname Christian name(s)

   ....

   Any previous name(s) by which he has been known

   .....

2. Private address

3. Date of birth

   Place of birth (including borough, town or city)

4. Nationality, including a statement as to whether it was acquired by birth or naturalisation.

5. Qualifications and experience, including those relating to insurance and allied matters.

6. Present occupation or employment and occupations and employment during the last ten years, including the name of the employer, the nature of the business, the position held and the relevant dates.

7. Has he at any time been convicted of any offence (other than an offence committed when he was of or under the age of 17 years UNLESS the same was committed within the last ten years) by any court, whether civil or military, in the United Kingdom or elsewhere? If so, give full particulars of the court by which he was convicted, the offence and the penalty imposed and the date of the conviction.

8. Has he been publicly criticised, censured or disciplined in the last ten years by any professional body to which he belongs or has belonged? If so, give full particulars.

9. Has he been adjudicated bankrupt in the last ten years? If so, give full particulars.

10. Has any company with which he was associated as a director or controller in the last ten years been compulsorily wound up or made any compromise or arrangement with its creditors or ceased trading in circumstances where its creditors did not receive or have not yet received full settlement of their claims, either whilst he was associated with it or within one year after he ceased to be associated with it? If so, give full particulars.

11. Of what companies is he now a director and of what companies has he been a director during the last ten years?

§12. In carrying out his duties will he be acting on the directions or instructions of any other person? If so, give full particulars.

I, †..... certify that this notice is served with my knowledge and consent and that I have supplied the above information and to the best of my knowledge and belief the information is true and complete.

Date ..... Signed .....

I certify that †..... has supplied the above information and signed the above certificate in my presence.

Date ..... Signed .....

(Director/Secretary‡)

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* Insert name of Insurance Company.
† Insert name of person proposed to be appointed.
‡ Delete as necessary.
§ To be answered only in the case of a proposed Managing Director.