1970. No. 225 **[C]**

INDUSTRIAL ASSURANCE

REGULATIONS, DATED 18th AUGUST 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 6 OF THE DECIMAL CURRENCY ACT 1969.

The Ministry of Commerce, in exercise of the powers conferred upon it by section 6(6) of the Decimal Currency Act 1969(**a**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Industrial Assurance (Decimal Currency) Regulations (Northern Ireland) 1970.

Interpretation

2.—(1) In these Regulations—

"industrial assurance company", "industrial assurance business" and "collecting society" have the meanings assigned by section 1(1A) of the Industrial Assurance Act (Northern Ireland) 1924(**b**);

"industrial assurance contract" means a contract of assurance made by an industrial assurance company in the course of its industrial assurance business in Northern Ireland or a contract made by a collecting society with a member of the society in the course of its industrial assurance business in Northern Ireland, whether contained in the rules of the society or not;

"collecting society contract" means a contract, other than an industrial assurance contract, made by a collecting society with a member of the society in the course of its business in Northern Ireland, whether contained in the rules of the society or not;

"the new currency" and "the old currency" have the meanings assigned by section 16(1) of the Decimal Currency Act 1969;

"the prescribed scheme" means the scheme prescribed in Schedule 4;

"approved scheme" means a special scheme approved by the Industrial Assurance Commissioner in the circumstances provided for in Regulation 7;

"actuary" means an actuary having the qualifications prescribed by virtue of section 72(1) of the Insurance Companies Act (Northern Ireland) 1968(**c**).

(2) The Interpretation Act (Northern Ireland) 1954(**d**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Application

3.—(1) Subject to Regulation 4, this Regulation applies to payments payable under any industrial assurance or collecting society contract made before 15th February 1971 that fall due on or after that date.

(**a**) 1969. c. 19.
(**b**) 14 & 15 Geo. 5. c. 21 (N.I.).
(**c**) 1968. c. 6 (N.I.).
(**d**) 1954. c. 33.

(2) The amount payable in respect of any payment to which this Regulation applies and which is payable by an industrial assurance company or collecting society shall be the amount in the new currency provided for in Schedule 1.

(3) The amount payable in respect of any payment to which this Regulation applies and which is payable to an industrial assurance company or collecting society shall be—

(*a*) if the payment is payable under a collecting society contract as one of a series of payments payable at intervals greater than two weeks, the amount in the new currency provided for in Schedule 1,

(*b*) if the payment is payable under an industrial assurance contract as one of a series of payments payable at intervals greater than two weeks, the amount in the new currency provided for in Schedule 2,

(*c*) if the payment is payable under an industrial assurance or collecting society contract as one of a series of payments payable weekly or fortnightly, the amount in the new currency provided for in Schedule 3.

4. Regulation 3 shall not apply to any payment payable under an industrial assurance or collecting society contract—

(*a*) which is contained in or is by its terms subject to the rules of a collecting society and those rules provide for the amount in the new currency payable in respect of the payment, or

(*b*) to which the prescribed scheme or an approved scheme applies.

Schemes

5.—(1) An industrial assurance company or a collecting society may by resolution of its board of directors or, as the case may be, of its committee of management, passed before 15th February 1971 adopt—

(*a*) the prescribed scheme, or

(*b*) an approved scheme, or

(*c*) both the prescribed scheme and an approved scheme

for the purpose of securing that under any industrial assurance or collecting society contract made before 15th February 1971 to which the prescribed scheme or an approved scheme applies no amount other than a new halfpenny or multiple thereof will be payable in respect of any payment that falls due on or after that date.

(2) Where an industrial assurance company or collecting society has so adopted any such scheme, the amount payable to or by the company or society in respect of a payment payable under any contract to which the scheme applies that falls due as aforesaid shall be the amount in the new currency provided for in the scheme.

(3) Written notice of a resolution adopting the prescribed or an approved scheme shall within fourteen days of the passing thereof be sent by the industrial assurance company or collecting society to the Industrial Assurance Commissioner.

6.—(1) Where payments payable to an industrial assurance company or collecting society which has adopted the prescribed scheme are increased by virtue of paragraph 3 of the scheme, the company or society shall on being requested so to do by the person by whom the increased payments are payable notify him in writing of the corresponding increase in the benefit payable by virtue of paragraph 8 of the scheme.

(2) Any person by whom payments so increased are payable may, within six months of first receiving written notification from the company or society of the increase in the benefit, appeal to the Industrial Assurance Commissioner on the ground that the increase in the benefit is not fair in relation to the increased payments payable by him.

(3) If on such appeal, and after giving the appellant and the company or society an opportunity of being heard, the Industrial Assurance Commissioner is satisfied that the increase in benefit is not fair, he may direct the company or society to make such increase as he may consider appropriate in the benefit to which the appeal relates and in like benefits payable under other like contracts.

7. The Industrial Assurance Commissioner may before 15th February 1971 approve a special scheme intended to be adopted by an industrial assurance company or collecting society for the purpose mentioned in Regulation 5 if—

(*a*) in his opinion Regulation 3 or the prescribed scheme cannot be made to apply to payments under the contracts to which the special scheme applies without difficulty or inconvenience having regard to the times or method of their payment or to any other relevant matter, and

(*b*) where by virtue of the scheme any payments payable to the company or society are increased, an actuary has certified that the scheme provides where actuarially appropriate for suitable adjustments to the benefits for which those payments are payable.

8. Notwithstanding anything contained in the rules of a collecting society which has adopted the prescribed scheme or an approved scheme, the committee of management of the society may by resolution passed before 15th February 1972 make amendments to the rules of the society in connection with the adoption by the society of any such scheme.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 18th day of August 1970.

(L.S.) *W. L. Robinson,*
Assistant Secretary.

SCHEDULE 1

Amount in the New Currency of a Payment Referred to in Paragraphs (2) and (3)(a) of Regulation 3

The amount in the new currency payable in respect of a payment referred to in paragraphs (2) and (3)(*a*) of Regulation 3 shall be the amount corresponding to the amount in the old currency payable under the contract calculated as follows—

(*a*) for an amount or for so much of an amount as consists of one or more whole pounds the corresponding amount in the new currency is the same number of pounds; and

(*b*) for any whole two shillings or multiple thereof of an amount or remaining amount of less than one pound the corresponding amount in the new currency is ten new pence or that multiple thereof; and

(*c*) for an amount or remaining amount of less than two shillings shown in column 1 of the following table, the corresponding amount in the new currency is the amount (if any) in new pence shown opposite that amount in column 2 of that table and accordingly an amount or remaining amount of one penny shall be disregarded.

TABLE

Amount in old currency	*Corresponding amount in new pence*
1d	—
2d	1p
3d	1p
4d	2p
5d	2p
6d	3p
7d	3p
8d	3p
9d	4p
10d	4p
11d	5p
1s 0d	5p
1s 1d	5p
1s 2d	6p
1s 3d	6p
1s 4d	7p
1s 5d	7p
1s 6d	7p
1s 7d	8p
1s 8d	8p
1s 9d	9p
1s 10d	9p
1s 11d	10p

SCHEDULE 2

Amount in the New Currency of a Payment Referred to in Paragraph (3)(b) of Regulation 3

The amount in the new currency payable in respect of a payment referred to in paragraph (3)(*b*) of Regulation 3 shall be the amount corresponding to the amount in the old currency payable under the contract or, if that amount would apart from the Industrial Assurance and Friendly Societies (Halfpenny) Regulations (Northern Ireland) 1969(e) be or include a halfpenny, to the amount in the old currency payable under the contract apart from those Regulations, calculated as follows—

(*a*) for an amount or for so much of an amount as consists of one or more whole pounds the corresponding amount in the new currency is that number of pounds; and

(*b*) for any whole shilling or multiple thereof of an amount or remaining amount of less than one pound the corresponding amount in the new currency is five new pence or that multiple thereof; and

(*c*) for an amount or remaining amount of less than one shilling shown in column 1 of the following table, the corresponding amount in the new currency is the amount (if any) in new pence shown opposite that amount in column 2 of that table and accordingly an amount or remaining amount of one halfpenny shall be disregarded.

TABLE

Amount in old currency	*Corresponding amount of new pence*
½d	—
1d	½p
1½d	½p
2d	1p
2½d	1p
3d	1p
3½d	1½p
4d	1½p
4½d	2p
5d	2p
5½d	2½p
6d	2½p
6½d	2½p
7d	3p
7½d	3p
8d	3½p
8½d	3½p
9d	4p
9½d	4p
10d	4p
10½d	4½p
11d	4½p
11½d	5p

(e) S.R. & O. (N.I.) 1969, No. 191.