Version
as at 7 March 2012

Mutual Insurance Regulations 1956

(SR 1956/69)

Mutual Insurance Regulations 1956: revoked, on 7 March 2012, pursuant to section 240(c) of the Insurance (Prudential Supervision) Act 2010 (2010 No 111).

H E Barrowclough, Administrator of the Government

Order in Council

At the Government House at Wellington this 22nd day of May 1956

Present:
His Excellency the Administrator of the Government in Council

Pursuant to the Mutual Insurance Act 1955, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Economic Development.

Schedule 1 4
Associations to which these regulations apply

Schedule 2 5
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Regulations

1

(1) These regulations may be cited as the Mutual Insurance Regulations 1956.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2

In these regulations, unless the context otherwise requires,—

Act means the Mutual Insurance Act 1955

association means one of the associations named in Schedule 1.

Except as provided in this regulation, expressions defined in the Act have the meanings so defined.

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(1) Subject to the provisions of these regulations, any association may, if authorised so to do by a resolution passed at a special meeting of its members, grant to its members insurances of all or any of the kinds specified in Schedule 2.

(2) Where such a resolution relates to some only of the said kinds of insurances, another such resolution relating to others or another of the said kinds of insurances may be passed subsequently.

(3) Any such resolution may from time to time be varied or revoked by a resolution passed at a later meeting of members of the association:

provided that a resolution purporting to extend the powers of the association shall not be valid unless it is passed at a special meeting of members.

(4) The secretary of each association shall cause a copy of every resolution of members of the association passed under this regulation, including any resolution varying or revoking a previous resolution so passed, to be filed with the Registrar and another copy to be deposited in the office of Public Trust. Every copy intended to be so filed or deposited shall be certified as correct by the secretary of the association.

(5) Any such resolution which purports to extend the powers of an association shall have no effect until copies thereof have been filed and deposited as provided in this regulation.

Regulation 3(4): amended, on 1 March 2002, by section 170(4) of the Public Trust Act 2001 (2001 No 100).

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(1) An association shall not grant policies or contracts of insurance of any of the kinds specified in Schedule 2 unless—

(a) the association has made an arrangement in pursuance of section 25 of the Act for the reinsurance of risks under policies or contracts of insurance of that kind, and the arrangement has been approved by Public Trust and is for the time being in full force; or

(b) Public Trust has agreed that there need be no such arrangement.

(2) The association shall not vary or cancel any such arrangement without the approval of Public Trust.

(3) If any insurance cover is granted in contravention of the provisions of this regulation, the policy or contract of insurance shall be binding on the association, but for the purposes of section 40 of the Act the policy or contract shall be deemed to be an insurance cover which the association is not for the time being authorised to grant.

Regulation 4(1)(a): amended, on 1 March 2002, by section 170(4) of the Public Trust Act 2001 (2001 No 100).

Regulation 4(1)(b): amended, on 1 March 2002, by section 170(4) of the Public Trust Act 2001 (2001 No 100).

Regulation 4(2): amended, on 1 March 2002, by section 170(4) of the Public Trust Act 2001 (2001 No 100).

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(1) The regulations specified in Schedule 3 are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

Schedule 1
Associations to which these regulations apply

Schedule 1: replaced, on 3 December 1958, by regulation 2 of the Mutual Insurance Regulations 1956, Amendment No 1 (SR 1958/171).

The Taranaki Farmers' Mutual Fire Insurance Association

Farmers' Mutual Insurance Association

Schedule 1: amended, on 5 August 1964, by regulation 2 of the Mutual Insurance Regulations 1956, Amendment No 2 (SR 1964/116).

Schedule 2
Additional kinds of insurance which associations may grant

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Employers' liability insurance

Personal accident insurance

House owner's and householder's comprehensive insurance

Public liability insurance

Comprehensive insurance in respect of farm tractors, farm implements, and farm machinery

Marine insurance (in respect of property while it is within New Zealand and New Zealand territorial waters)

Plate glass insurance

Storm, tempest, and flood insurance in respect of farm buildings

Insurance against loss of profits as a result of fire, lightning, or explosion

Fidelity guarantee insurance

Baggage insurance

All risks insurance in respect of chattels

Burglary and housebreaking insurance

Livestock mortality insurance

Theft insurance

Boiler and pressure vessel explosion insurance

Machinery breakdown insurance

Comprehensive and other insurance in respect of motor vehicles or loss or liability arising form the use thereof

Schedule 2: amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Schedule 2: amended, on 5 August 1964, by regulation 3 of the Mutual Insurance Regulations 1956, Amendment No 2 (SR 1964/116).

Schedule 2: amended, on 3 December 1958, by regulation 3 of the Mutual Insurance Regulations 1956, Amendment No 1 (SR 1958/171).

Schedule 3
Regulations revoked

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Regulations extending powers of associations under the Mutual Fire Insurance Amendment Act 1913, made on 25 March 1915 and published in the *Gazette* on 1 April 1915 at page 1022

The Mutual Insurance (Personal Accident) Regulations 1950 (SR 1950/176)

T J Sherrard,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 24 May 1956.

Notes

1 General

This is a consolidation of the Mutual Insurance Regulations 1956 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Insurance (Prudential Supervision) Act 2010 (2010 No 111): section 240(c)

Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13): section 100(3)

Public Trust Act 2001 (2001 No 100): section 170(4)

Mutual Insurance Regulations 1956, Amendment No 2 (SR 1964/116)

Mutual Insurance Regulations 1956, Amendment No 1 (SR 1958/171)

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