

New South Wales.



ANNO OCTAVO

GEORGII V REGIS.

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Act No. 23, 1917.

An Act to amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy. [Assented to, 7th November, 1917.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** This Act may be cited as the "Life, Fire, and Marine Insurance (Amendment) Act, 1917." Short title.

**2.**



*Life, Fire, and Marine Insurance (Amendment).*

Amendment  
of s. 4.

**2.** Section four of the Life, Fire, and Marine Insurance Act, 1902, is amended by the addition at the end of that section of the following words and paragraph :—

“ and shall not on the death of such person be assets for the payment of his debts, unless in his will or in any codicil thereto he declares an intention to make such property and interest assets for the payment of his debts by words expressly referring to the policy or policy moneys, or expressly referring to this Act and excluding the protection afforded thereby.

“ Where such a policy has been effected by an uncertificated bankrupt the policy and the moneys payable thereunder or in respect thereof shall to the extent mentioned in section five hereof be the absolute property of the bankrupt, or of the persons claiming under or through him, and shall not be deemed to be property of the bankrupt divisible among his creditors within the meaning of the Bankruptcy Act, 1898.”

Protection on  
policies  
effected by  
persons who  
have died on  
war service.

**3.** (1) A policy for life insurance or endowment protected under section four of the Life, Fire, and Marine Insurance Act, 1902, if effected by or on behalf of any person who has died or who dies, either before or after the commencement of this Act, while engaged on war service, or, if death occurs as a result of illness caused by, or injuries received during such service, within two years after ceasing to be so engaged, shall be deemed to have been and shall be protected under the said section to the extent of two thousand pounds, whatever may be the time during which such policy has endured.

(2) For the purposes of this section the words “engaged on war service” shall mean—

(a) engaged on active service in connection with the present war as a member of any of the military or naval forces of the Crown or of any of His Majesty's allies ; or

(b) engaged on active service abroad as a member of the Medical Corps Nursing Service of the military or naval forces of the Crown or any of His Majesty's allies ; or

(c)

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*Life, Fire, and Marine Insurance (Amendment).*

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- (c) engaged on active service abroad in connection with the Army Medical Service or of any of His Majesty's allies; or
- (d) engaged on service in any work abroad, in connection with the present war, of the British or Australian Red Cross Society, or the Saint John's Ambulance Association, or of any religious or patriotic organisation; or
- (e) being in connection with the present war a prisoner of war in the enemy's country, or being interned in the country of a neutral Power; or
- (f) engaged abroad in making munitions, or in any other service in connection with the war.

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By Authority :

WILLIAM APPLIGATE GULLICK, Government Printer, Sydney, 1917.

[4d.]



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I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. L. S. COOPER,  
Clerk of the Parliaments.

Legislative Council Chamber,  
Sydney, 27th October, 1917.

## New South Wales.



ANNO OCTAVO

# GEORGII V REGIS.

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## Act No. 23, 1917.

An Act to amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy. [Assented to, 7th November, 1917.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** This Act may be cited as the "Life, Fire, and Short title. Marine Insurance (Amendment) Act, 1917." **2.**



*Life, Fire, and Marine Insurance (Amendment).*

Amendment  
of s. 4.

**2.** Section four of the Life, Fire, and Marine Insurance Act, 1902, is amended by the addition at the end of that section of the following words and paragraph:—

“and shall not on the death of such person be assets for the payment of his debts, unless in his will or in any codicil thereto he declares an intention to make such property and interest assets for the payment of his debts by words expressly referring to the policy or policy moneys, or expressly referring to this Act and excluding the protection afforded thereby.

“Where such a policy has been effected by an uncertificated bankrupt the policy and the moneys payable thereunder or in respect thereof shall to the extent mentioned in section five hereof be the absolute property of the bankrupt, or of the persons claiming under or through him, and shall not be deemed to be property of the bankrupt divisible among his creditors within the meaning of the Bankruptcy Act, 1898.”

Protection on  
policies  
effected by  
persons who  
have died on  
war service.

**3.** (1) A policy for life insurance or endowment protected under section four of the Life, Fire, and Marine Insurance Act, 1902, if effected by or on behalf of any person who has died or who dies, either before or after the commencement of this Act, while engaged on war service, or, if death occurs as a result of illness caused by, or injuries received during such service, within two years after ceasing to be so engaged, shall be deemed to have been and shall be protected under the said section to the extent of two thousand pounds, whatever may be the time during which such policy has endured.

(2) For the purposes of this section the words “engaged on war service” shall mean—

- (a) engaged on active service in connection with the present war as a member of any of the military or naval forces of the Crown or of any of His Majesty's allies; or
- (b) engaged on active service abroad as a member of the Medical Corps Nursing Service of the military or naval forces of the Crown or any of His Majesty's allies; or

(c)



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*Life, Fire, and Marine Insurance (Amendment).*

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- (c) engaged on active service abroad in connection with the Army Medical Service or of any of His Majesty's allies; or
- (d) engaged on service in any work abroad, in connection with the present war, of the British or Australian Red Cross Society, or the Saint John's Ambulance Association, or of any religious or patriotic organisation; or
- (e) being in connection with the present war a prisoner of war in the enemy's country, or being interned in the country of a neutral Power; or
- (f) engaged abroad in making munitions, or in any other service in connection with the war.

*In the name and on behalf of His Majesty I assent to this Act.*

W. P. CULLEN,

*Government House, Lieutenant-Governor.  
Sydney, 7th November, 1917.*







LIFE, FIRE, AND MARINE INSURANCE (AMENDMENT) BILL.

*SCHEDULE of Amendments referred to in Message of 24th October, 1917.*

Page 2, clause 2, lines 11 to 25. *Omit* "The fact that the person who has effected or who shall hereafter effect such a policy was at the time the policy was effected an uncertificated bankrupt shall not, for that reason alone, deprive him or any other person who would otherwise be entitled thereto, of the benefits of the provisions of this section," *insert* "Where such a policy has been effected by an uncertificated bankrupt the policy and the moneys payable thereunder or in respect thereof, shall to the extent mentioned in section five hereof be the absolute property of the bankrupt, or of the persons claiming under or through him, and shall not be deemed to be property of the bankrupt divisible among his creditors within the meaning of the Bankruptcy Act, 1898."

Page 2, clause 3, line 31. *After* "service" *insert* "or, if death occurs as a result of illness caused by, or injuries received during such service, within two years after ceasing to be so engaged"

Page 2, clause 3, lines 37 to 39. *Omit* "a person shall be deemed to be engaged on war service" *insert* "the words 'engaged on war service' shall mean"

Page 2, clause 3, line 40. *Omit* "if he is"

Page 2, clause 3, lines 42 and 43. *After* "Crown" *insert* "or of any of His Majesty's allies"

Page 3, clause 3, subclause (2). *After* paragraph (a) *insert* new paragraphs "(b)" and "(c)"

Page 3, clause 3, line 8. *Omit* "if he is"

Page 3, clause 3, lines 11 to 15. *Omit* "the Young Men's Christian Association, the Australian Comforts Fund, or any other body with similar objects" *insert* "or of any religious or patriotic organisation"

Page 3, clause 3, line 16. *Omit* "if" *insert* "being"; *omit* "he is"

Page 3, clause 3, lines 17 and 18. *Omit* "is" *insert* "being"

Page 3, clause 3, line 20. *Omit* "if he is"

By mail with the notes and receipt of the 12th



*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

W. L. S. COOPER,  
*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, 13th September, 1917.*

*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with Amendments.*

W. S. MOWLE,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 24 October, 1917*

## New South Wales.



ANNO OCTAVO

GEORGI V REGIS.

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Act No. , 1917.

An Act to amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Life, Fire, and Marine Insurance (Amendment) Act, 1917."

5153 C 20— 2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Life, Fire, and Marine Insurance (Amendment).*

**2.** Section four of the Life, Fire, and Marine Insurance Act, 1902, is amended by the addition at the end of that section of the following words and paragraph :—

Amendment  
of s. 4.

5 “and shall not on the death of such person be assets  
for the payment of his debts, unless in his will or in  
any codicil thereto he declares an intention to make  
such property and interest assets for the payment of  
his debts by words expressly referring to the policy  
or policy moneys, or expressly referring to this Act  
10 and excluding the protection afforded thereby.

“The fact that the person who has effected or  
who shall hereafter effect such a policy was at the  
time the policy was effected an uncertificated bank-  
rupt shall not, for that reason alone, deprive him  
15 or any other person who would otherwise be entitled  
thereto, of the benefits of the provisions of this  
section. Where such a policy has been effected by  
an uncertificated bankrupt the policy and the  
moneys payable thereunder or in respect thereof,  
20 shall to the extent mentioned in section five  
hereof, be the absolute property of the bankrupt, or  
of the persons claiming under or through him, and  
shall not be deemed to be property of the bankrupt  
divisible among his creditors within the meaning  
25 of the Bankruptcy Act, 1898.”

**3.** (1) A policy for life insurance or endowment pro-  
tected under section four of the Life, Fire, and Marine  
Insurance Act, 1902, if effected by or on behalf of any  
person who has died or who dies, either before or after  
30 the commencement of this Act, while engaged on war  
service, or, if death occurs as a result of illness caused  
by, or injuries received during such service, within two  
years after ceasing to be so engaged, shall be deemed to  
have been and shall be protected under the said section  
35 to the extent of two thousand pounds, whatever may  
be the time during which such policy has endured.

Protection on  
policies  
effected by  
persons who  
have died on  
war service.

(2) For the purposes of this section a person shall  
be deemed to be engaged on war service— the words  
“engaged on war service” shall mean—

40 (a) if he is engaged on active service in connection  
with the present war as a member of any of  
the military or naval forces of the Crown or of  
any of His Majesty's allies; or (b)







any of His Majesty's officers; or  
the Ministry of Marine, or of the Admiralty, or of  
with the consent and in a manner of any of  
(a) If he is engaged on naval service in connection  
engaged in war service; and shall mean—

(2) For the purposes of this section a person shall  
be deemed to be engaged in war service— the words  
be the time during which such policy has endured.  
35 to the extent of two thousand pounds, whatever may  
have been and shall be protected under the said section  
years after ceasing to be so engaged, shall be deemed to  
by, or injuries received during such service, within two  
service, or, if death occurs as a result of illness incurred  
30 the commencement of this Act, while engaged on war  
person who has died or who dies, either before or after  
insurance not less than the amount of any benefit or  
lected under section four of the Life, Fire, and Marine  
3. (1) A policy for life insurance or endowment pro-

of the Bankruptcy Act 1898.

divisible among his creditors within the meaning  
shall not be deemed to be property of the bankrupt  
of the persons claiming under or through him, and  
and his possessions, or claims, or rights in rem, or  
30, amounting to the value of the property, or to the  
person's estate, in the order of priority of the  
of the person who is entitled to the property.

19 of any other person who would be entitled to the  
property if the bankrupt were dead, or to the  
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(1) The property of a bankrupt shall be deemed to be



*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

W. L. S. COOPER,  
*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, 13th September, 1917.*

## New South Wales.



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Act No. , 1917.

An Act to amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** This Act may be cited as the "Life, Fire, and Marine Insurance (Amendment) Act, 1917." Short title.

**2.** Section four of the Life, Fire, and Marine Insurance Act, 1902, is amended by the addition at the end Amendment of s. 4. of that section of the following words and paragraph:—

"and shall not on the death of such person be assets for the payment of his debts, unless in his will or in



*Life, Fire, and Marine Insurance (Amendment).*

any codicil thereto he declares an intention to make such property and interest assets for the payment of his debts by words expressly referring to the policy or policy moneys, or expressly referring to this Act and excluding the protection afforded thereby.

5

“The fact that the person who has effected or who shall hereafter effect such a policy was at the time the policy was effected an uncertificated bankrupt shall not, for that reason alone, deprive him or any other person who would otherwise be entitled thereto, of the benefits of the provisions of this section.”

10

**3.** (1) A policy for life insurance or endowment protected under section four of the Life, Fire, and Marine Insurance Act, 1902, if effected by or on behalf of any person who has died or who dies, either before or after the commencement of this Act, while engaged on war service, shall be deemed to have been and shall be protected under the said section to the extent of two thousand pounds, whatever may be the time during which such policy has endured.

20

(2) For the purposes of this section a person shall be deemed to be engaged on war service—

- (a) if he is engaged on active service in connection with the present war as a member of any of the military or naval forces of the Crown ; or
- (b) if he is engaged on service in any work abroad, in connection with the present war, of the British or Australian Red Cross Society, or the Saint John's Ambulance Association, the Young Men's Christian Association, the Australian Comforts Fund, or any other body with similar objects ; or
- (c) if in connection with the present war he is a prisoner of war in the enemy's country or is interned in the country of a neutral Power ; or
- (d) if he is engaged abroad in making munitions, or in any other service in connection with the war.

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Protection on policies effected by persons who have died on war service.



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# A BILL

To amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy.

[MR. GARLAND;—17 August, 1917.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

**1.** This Act may be cited as the "Life, Fire, and Marine Insurance (Amendment) Act, 1917." Short title.

**2.** Section four of the Life, Fire, and Marine Insurance Act, 1902, is amended by the addition at the end  
10 of that section of the following paragraph:— Amendment of s. 4.

15 "The fact that the person who has effected or who shall hereafter effect such a policy was at the time the policy was effected an uncertificated bankrupt shall not, for that reason alone, deprive him or any other person who would otherwise be entitled thereto, of the benefits of the provisions of this section."



A BILL

To amend the Life, Fire, and Marine Insurance Act, 1902, and the law relating to bankruptcy.

[MR. GARRARD:—IV. (1917.)]

THE LIFE, FIRE, AND MARINE INSURANCE ACT, 1902, AND THE LAW RELATING TO BANKRUPTCY.

Enacted by His Majesty the King and His Majesty the Queen in their first Parliament after His Majesty's said Majesty's death, in the first year of His Majesty King George V.

Section 1. (1) In the Life, Fire, and Marine Insurance Act, 1902, in section 1, in the definition of "policy," the words "and any other person who would otherwise be entitled thereto, of the benefits of the provisions of this section," shall be inserted at the end.