

THE INSURANCE (AMENDMENT) BILL, 2009

Amendments made in the House of Representatives on Wednesday February 04, 2009

First Column Clause

Second Column Extent of Amendments

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1. Delete the definition of “annuity contract” and substitute the following:
“annuity contract” includes a contract for an annuity at the accumulation stage or the payout stage which is sold or issued to individuals only”.
2. Insert the following paragraph:
“(c) in the definition of the term “policy”, by inserting after the word “documents” the words “and includes annuity contracts”.

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In the proposed section 6A(1)(b), delete the words “, holder of any annuity contract, holder of any other class of insurance business offered by an insurance company”

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In the proposed section 65 –

- (a) in subsection (1), in the *chapeau*, delete the words “if in the opinion of the Inspector” and substitute the words “if the Inspector reasonably believes”;
- (b) delete the words “, holders of any annuity contract, holder of any other class of insurance business offered by an insurance company” and the words “, holders of any annuity contract, holder of any other class of insurance business” wherever they appear;
- (c) in paragraph (e), delete the words “or that its continuation in business is likely to involve a loss to the policyholders of the insurer ”;
- (d) insert after paragraph (e), the following paragraph:
“(f) is likely to continue in business that would result in a loss to the policyholders of the insurer”;
- (e) delete subsection (7) and substitute the following:
“(7) No direction made under subsection (6) shall be final until the period of twenty working days expires and
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(a) no representations are made to the Inspector; or
(b) upon representations being made, the Inspector is not satisfied that there are sufficient grounds for revoking the direction.”;

**First Column
Clause****Second Column
Extent of Amendments**

- (f) in subsection (8) –
 - (i) by inserting the word “final” before the word “direction” where it first appears; and
 - (ii) by deleting the words “cease the contravention or do anything that is required to be done, and on such application the Court may so order and make any other Order it thinks fit”, and substituting the words “and any other Order the Court deems fit”; and
- (g) in subsection (9), delete the words “directions under this section” and substitute the words “a final direction under subsection (7)”.

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In the proposed section 68, delete the words “holders of any annuity contract, holder of any other class of insurance business offered by an insurance company” and the words “holders of any annuity contract, holder of any other class of insurance business” wherever they appear.