

I assent.

W. L. HEAPE,

Officer Administering
the Government.

28th June, 1949.

ORDINANCE No. 12 OF 1949.

A.D. 1949. AN Ordinance to amend the Hand-in-Hand Fire Insurance Company Ordinance, 1938, with respect to the capital of the Company.

[29th June, 1949]

Be it enacted by the Governor of British Guiana with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Hand-in-Hand Fire Insurance Company (Amendment) Ordinance, 1949, and shall be construed with the Hand-in-Hand Fire Insurance Company Ordinance, 1938, hereinafter referred to as the Principal Ordinance.

No. 9 of
1938.

2. Section two of the Principal Ordinance is hereby amended by the insertion therein of the following definitions—

Amend-
ment of
section 2
of the
Principal
Ordinance.

“premium capital” means the premiums received on policies whilst they are undistributed and at the credit of the several premium accounts of the Company;

“total risks” means the total amount insured by the Company on its policies less the amount re-insured by the Company.”

3. Section twenty-two of the Principal Ordinance is hereby repealed and the following substituted therefor—

Repeal and
re-enact-
ment of
section 22
of the
Principal
Ordinance.

“22. The capital of the Company shall consist of the premium capital, the scrip capital and the reserve funds of the Company and such capital shall, subject as hereinafter provided, be maintained at a sum not less than eight *per centum* of the total risks.”

4. Section twenty-three of the Principal Ordinance is hereby repealed and the following substituted therefor—

Repeal and
re-enact-
ment of
section 23
of the
Principal
Ordinance.

“23. (1) If at any time the capital of the Company falls below the prescribed minimum as the result of losses or an increase in the number of new policies issued or any other cause, such capital shall be replaced or restored in such manner and within such period as the Board may by resolution decide.

(2) Without prejudice to the general power given to the Board in the preceding subsection, the Board may —

- (a) issue scrip to members in lieu of cash profits on such terms and conditions as the Board may think fit; or
- (b) issue new scrip; or
- (c) re-insure any part of the risks insured by the Company; or
- (d) increase the reserve of the Company or create new reserves.

(3) Notwithstanding the obligation to maintain the capital of the Company at the prescribed minimum, cash profits may be distributed when the capital is below the minimum, if —

- (a) the capital is not more than twenty-five *per centum* below the minimum; and
- (b) the Board is of the opinion that such distribution is in the interests of the Company.”

5. Nothing in this Ordinance shall affect, or be deemed to affect, the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other person or persons except such as are mentioned in this Ordinance and those claiming by, from, through or under them.

Saving
the rights
of His
Majesty
and others.