



THE
NEW ZEALAND GAZETTE.

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WELLINGTON, MONDAY, AUGUST 14, 1871.

G. F. BOWEN, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this eighteenth day of July, 1871.

Present:

THE HONORABLE THE PREMIER, PRESIDING, AND
MEMBERS OF THE EXECUTIVE COUNCIL.

WHEREAS by "The Government Annuities Act, 1869," and "The New Zealand Government Insurance and Annuities Act, 1870," the Governor in Council is empowered from time to time to make any regulations for carrying the said Acts into effect, and any such regulations from time to time to alter, amend, and revoke: And whereas by an Order in Council made under the provisions of the said Acts, bearing date the twenty-second day of October, one thousand eight hundred and seventy, and published in the *New Zealand Gazette* of the seventh day of November, one thousand eight hundred and seventy, after reciting as is therein particularly recited, the regulations therein mentioned and set forth were made and ordained: And whereas it is expedient to revoke certain of the said regulations, and to make fresh regulations in lieu thereof, and also to amend one of the said regulations in manner hereinafter set forth: And whereas it is also expedient that the forms of contract and other forms annexed to the said regulations should no longer be used, and that other provision should be made in that behalf:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, in exercise and pursuance of the power and authority vested in me by the said Acts, and by and with the advice and consent of the Executive Council of the said Colony, do hereby declare that numbers ten, eleven, twenty-two, twenty-three, twenty-four, twenty-five, twenty-seven, twenty-eight, twenty-nine, forty-five, forty-six, fifty-one, and fifty-four, of the hereinbefore mentioned regulations shall be and the same are hereby revoked: but such revocation shall not be deemed to alter or affect any contract, acts, matter, or thing which shall be or have been duly made in accordance with and subject to such revoked regulations; and in lieu of such regulations

so revoked as aforesaid, I do, with such advice and consent as aforesaid, make the regulations set forth in the Schedule hereto, and direct that the same shall bear the numbers set against the same respectively, and form part of the said regulations of the twenty-second day of October, one thousand eight hundred and seventy; and with the like advice and consent as aforesaid I do hereby declare that the regulation numbered thirty-three in the said regulations of the twenty-second day of October, one thousand eight hundred and seventy, shall be, and the same is hereby, amended by striking out the word "five" therein, and inserting the word "three" in the place thereof; and with the like advice and consent as aforesaid I direct that the numbers of the said last mentioned regulations shall, where necessary, be altered so as to read in consecutive order with the regulations hereby made; and with the like advice and consent as aforesaid I do hereby declare that the forms of contract and other forms annexed or appended to the said regulations of the twenty-second day of November, one thousand eight hundred and seventy, shall, from and after the date hereof, be disused, and that in lieu thereof the Commissioner for the time being acting under the said Acts may adopt and use such forms of contract and other forms as he may think fit, subject however to the provisions of the said Acts, and to any regulations that now are or hereafter may be in force thereunder.

THE SCHEDULE ABOVE REFERRED TO.

Conditions affecting all Contracts in respect of Assurances for Lives under the said Acts.

19. Policies shall become void if the statements of the proposer, as set forth in the proposal, or of the person or persons examined by the Medical Examiner, as set forth in the medical examination, or any of such statements respectively, be untrue, or if any other paper or statement furnished by the proposer, or at his instance, on the faith of which the policy may have been issued, shall at any time be found to contain any wilfully untrue statement; or if there shall at any time be or have been any fraudulent concealment from the Commissioner of any important particular.

Policies shall become void if payment of the annual or other premium be not made within twenty-one days from the date stipulated in the policy; but such policies may be revived at any period not exceeding six calendar months after their expiration, on satisfactory proof being given of the unimpaired health of the person whose life is assured, and on payment of the premiums then in arrear, together with a fine not exceeding one-half per centum on the sum assured.

The sum assured under the policy will be paid in case of the death of the person whose life is assured during the days of grace (twenty-one days) notwithstanding the non-payment of the premium; but the amount so remaining unpaid shall be deducted from the sum assured at settlement.

Policies shall become void if the person whose life is assured shall go on the high seas in a vessel not whole decked, or seaworthy, or less than fifty tons register, or shall proceed to any part of the globe within thirty-one degrees south of the equator or within thirty-three degrees north of the equator (except in passing or re-passing direct by sea only, in time of peace, between any part of the Australasian Colonies and any part of Europe), or shall during actual warfare go beyond the limits of the Australasian Colonies: Provided that there shall be no forfeiture on account of residence, if the person whose life is assured shall reside in any part of the Australasian Colonies, distant not less than twenty-five degrees south of the equator, or in any place expressly sanctioned by the Commissioner. The term Australasian Colonies, where used in this condition, shall include Tasmania and New Zealand.

Policies shall become void if the person whose life is assured shall be actually employed in any military or naval service whatever, except such as may for the time being be in the employment of the Government of the Colony, or shall engage in any seafaring

occupation, unless special permission shall in any of the said cases have been granted by the Commissioner, which permission may be obtained on payment of such extra premium as the Commissioner may deem adequate to the risk incurred.

If the person whose life is assured shall go beyond the limits allowed, or become a seafaring person, or engage in any military or naval service other than aforesaid, before notice thereof shall have been given to the Commissioner, the policy shall not become void if the person or one of the persons beneficially interested therein shall give notice to the Commissioner of such fact as soon as it comes to his knowledge, and shall pay the additional premium that would have been required if such fact had been made known to the Commissioner at the time it had occurred.

Policies shall become void if the person whose life is assured shall die by his own hand, or by duelling, or by the hands of justice; but the Commissioner shall be bound in these cases to pay such sum as would have been paid as the surrender value on the day previous to the decease of the life assured. Neither policies which have been *bonâ fide* assigned to third parties for valuable consideration and of which assignments notice shall have been given to the Commissioner not less than one month previous to death, nor policies effected by one person on the life of another, shall be subject to such forfeiture.

Executive Council Chamber,
Wellington, 14th August, 1871.

HIS Excellency the Governor has been pleased to accept the resignation this day by

The Honorable FRANCIS DILLON BELL
of his Seat in the Executive Council of New Zealand.

FORSTER GORING.