

CHAPTER 330

INSURANCE CORPORATION

Acts

Nos. 2 of 1961,
25 of 1962,
11 of 1963,
18 of 1965,
6 of 1966,
22 of 1979.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF AN INSURANCE CORPORATION FOR CARRYING ON THE BUSINESS OF LIFE INSURANCE AND CARRYING ON IN ADDITION INSURANCE BUSINESS OF EVERY DESCRIPTION; TO TERMINATE THE TRANSACTION OF NEW BUSINESS BY OTHER INSURERS CARRYING ON LIFE INSURANCE BUSINESS; TO PROVIDE THAT SUCH INSURERS SHALL MAINTAIN IN SRI LANKA SUFFICIENT ASSETS TO DISCHARGE THEIR OBLIGATIONS UNDER POLICIES OF INSURANCE NOT PAID OR MATURED; TO PROVIDE FOR CERTAIN MATTERS IN RELATION TO INSURERS CARRYING ON THE BUSINESS OF INSURANCE OTHER THAN LIFE INSURANCE; TO PROVIDE FOR THE TRANSFER TO THE CORPORATION OF THE INSURANCE BUSINESS CARRIED ON BY THE CO-OPERATIVE WHOLESALE ESTABLISHMENT; AND TO MAKE PROVISIONS FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

[Sections 2, 7, 8, 17, 18, 30, 31 and 34 — 10th January, 1961]

[Other provisions of the Act — 1st January, 1962]

Short title.

1. This Act may be cited as the Insurance Corporation Act.

(4) Every member of the Corporation shall, subject to the provisions of subsections (5) and (6), hold office for a period of five years from the date of his appointment.

PART I

ESTABLISHMENT OF THE INSURANCE CORPORATION OF CEYLON

(5) A member of the Corporation may resign from the Corporation by letter addressed to the Minister.

Establishment of the Insurance Corporation of Ceylon.

2. (1) There shall be established a Corporation which shall be called the Insurance Corporation of Ceylon (hereinafter referred to as the "Corporation"). The Corporation shall consist of five members appointed by the Minister, one of whom shall be designated Chairman of the Corporation.

(6) Any member of the Corporation may be removed from office by the Minister if such member is absent from meetings of the Corporation for a period exceeding three months for any cause which does not appear to the Minister to be reasonable, or if the Minister considers that it is expedient to remove such person from office.

(2) A person shall be disqualified for being appointed or being a member of the Corporation if he is a Member of Parliament.

(7) Where any member of the Corporation resigns or is removed from office or dies, the Minister may appoint another person to be a member in place of the member who resigns or is removed from office or dies, and the person so appointed shall hold office during the unexpired period of the term of office of the member last mentioned.

(3) A member of the Corporation who is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation shall disclose the nature of his interests at a meeting of the Corporation and such disclosure shall be recorded in the minutes of the Corporation and the member shall not take part in any deliberation or decision of the Corporation with respect to that contract.

(8) Where any member of the Corporation becomes, by reason of illness or other infirmity or absence from Sri Lanka, temporarily unable to perform the duties of his office, the Minister may appoint another person to act in the place of such member.

(9) All or any of the members of the Corporation may be paid such remuneration from the Fund of the Corporation as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

(10) No act or proceeding of the Corporation shall be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment of a member thereof.

(11) The quorum for any meeting of the Corporation shall be three members of the Corporation, and, subject as aforesaid, the Corporation may regulate its own procedure.

Corporation to be a body corporate.

3. The Corporation shall, by the name given to it by section 2, be a body corporate and shall have perpetual succession and a common seal and may sue and be sued in such name.

Seal of the Corporation.

4. (1) The seal of the Corporation shall be in the custody of such person as the Corporation may from time to time determine.

(2) The seal of the Corporation may be altered in such manner as may be determined by the Corporation.

(3) The seal of the Corporation shall not be affixed to any document except by the authority of the Corporation and in the presence of two members of the Corporation who shall sign the document in token of their presence.

Functions of the Corporation.

5. The Corporation shall carry on insurance business of every description in Sri Lanka or outside Sri Lanka, including—

(1) the business of insuring—

(a) any property of the State or of any corporation the entirety of whose capital is provided by the Government, or any property held in trust by any public officer in his official capacity, against the loss of, or any damage to, such property caused by fire, accident, theft, flood or any malicious act or any other cause, or

(b) the Head of any Government Department or any such corporation as aforesaid, —

(i) against any loss caused to such Head in his official capacity or to such corporation by the default or fraud of any employee of the State in such Department or any employee of such corporation or any person transacting any business or performing any work for such Head in his official capacity or for such corporation; or

(ii) in respect of any liability which may be incurred by the State or such corporation in consequence of the death of, or any bodily injury to, any employee of the State in such Department or any employee of the corporation, or any other person, or in consequence of the loss of, or any damage to, any property in the custody of any employee of the State in such Department in his official capacity or in the custody of such corporation; or

(c) the Secretary to the Treasury, or the Head of any Government Department, on behalf of the Government against any loss which may be incurred by the Government as a result of the failure of any public officer employed in that Department to repay the whole or any part of any sum of money lent to him by the Government; or

(d) the Secretary to the Treasury, or the Director-General of Education, on behalf of the Government against any loss which may be incurred by the Government as a result of the failure of any teacher in any Assisted school to repay the whole or any part of any sum of money lent to him by the Government; or

- (e) any employee of any such corporation as aforesaid in respect of third-party risks in conformity with the requirements of Part VI of the Motor Traffic Act; or
 - (f) the Head of any Department in respect of any risks arising out of any work undertaken by a contractor in pursuance of a contract entered into between the Head of the Department and such contractor; and
- (2) such other business of insurance as may be authorized by a resolution of Parliament.

Powers of the Corporation,

6. The Corporation may exercise all or any of the following powers :—

- (a) to acquire, hold and dispose of any movable or immovable property;
- (b) to reinsure with any insurer any liability arising out of any policy of insurance issued by the Corporation;
- (c) to accept reinsurance of any liability arising out of any policy of insurance issued by any other insurer carrying on insurance business of any kind that is carried on by the Corporation;
- (d) to transact such other business as may seem to the Corporation to be capable of being conveniently carried on in connexion with the insurance business carried on by the Corporation and to be conducive, directly or indirectly, to render profitable the latter business;
- (e) to invest the moneys of the Corporation in such manner as may be determined by the Corporation with the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance and to take all such steps as may be necessary or expedient for the protection or realization of any investment including the management of any property offered as security for an investment;

- (f) to advance or lend money to holders of policies of insurance on the security of such policies;
- (g) to transfer the whole or any part of the business of life insurance carried on outside Sri Lanka to any other person if in the interests of the Corporation it is expedient so to do;
- (h) to borrow money for the purposes of the Corporation in such manner and upon such security as the Corporation may, with the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance, determine ;
- (i) to delegate, subject to the general or special direction of the Corporation, to any member or officer of the Corporation any such function of the Corporation as the Corporation may consider necessary so to delegate for the efficient transaction of business;
- (j) to establish and maintain a provident fund for persons employed by the Corporation and to make contributions to such fund;
- (k) to enter into and perform all such contracts as may be necessary for the exercise of the general functions and powers of the Corporation; and
- (l) to do all other things, which in the opinion of the Corporation are necessary, to facilitate the proper carrying on of its business.

7. (1) The Corporation shall, subject to the provisions of subsection (3), have the power to appoint such officers and servants as may be necessary for the purposes of the Corporation and to exercise disciplinary control over and dismiss any officer or servant of the Corporation:

Appointment of officers, servants and agents of the Corporation.

Provided that the Corporation shall not, without the approval of the Minister, dismiss any such officer or servant of the Corporation as is appointed to the staff of the Corporation in accordance with the provisions of subsection (5).

(2) The officers and servants of the Corporation shall be remunerated at such rates as the Corporation may determine.

(3) In the appointment of officers and servants, preference shall be given by the Corporation to persons who have been employed under insurers and who have lost their employment by reason of retrenchment effected by the insurers in consequence of their not being able to transact any business of insurance.

[§50,11 of 1963.]

(4) The Corporation may appoint any person, who has been employed in the capacity of agent or canvasser under any insurer carrying on the business of life insurance, as an agent of the Corporation for the purpose of procuring new life insurance business and for servicing such business. Every person so appointed by the Corporation shall be entitled only to commission at such rates as the Corporation may determine.

(5) At the request of the Corporation any officer in the public service may, with the consent of that officer and of the Secretary to the Ministry charged with the subject of Public Administration, be temporarily appointed to the staff of the Corporation for such period as may be determined by the Corporation with like consent, or be permanently employed in such staff.

(6) Where any officer in the public service is temporarily appointed to the staff of the Corporation, subsection (2) of section 26 of the Government-Sponsored Corporations Act shall *mutatis mutandis* apply to and in relation to him.

(7) Where any officer in the public service is permanently appointed to the staff of the Corporation, subsection (3) of section 26 of the Government-Sponsored Corporations Act shall *mutatis mutandis* apply to and in relation to him.

8. In the exercise of its powers and the performance of its duties under this Act, the Corporation shall be subject to and act in accordance with such general or special directions as the Minister may issue from time to time.

Minister's directions to the Corporation.

9. With effect from the appointed date, all the assets, liabilities and contracts of the Co-operative Insurance Department shall be transferred to the Corporation and upon such transfer—

Transfer to the Corporation of the assets, liabilities and contracts of the Co-operative Insurance Department.

- (a) such assets shall vest in and be deemed to be the assets of the Corporation;
- (b) such liabilities shall be deemed to be the liabilities of the Corporation; and
- (c) such contracts shall be deemed to be the contracts of the Corporation and all subsisting rights and obligations of the Co-operative Insurance Department under such contracts shall be deemed to be the rights and obligations of the Corporation.

PART II

PROVISION RELATING TO INSURANCE BUSINESS CARRIED ON BY INSURERS OTHER THAN THE CORPORATION

10. (1) Notwithstanding anything to the contrary in any other written law no person other than the Corporation or a subsidiary corporation or an independent corporation shall be authorized to transact new business of any class of insurance whatsoever and to issue policies of insurance, or renew any policy of general insurance in Sri Lanka.

Corporation or a subsidiary corporation or an independent corporation to be insurers authorized to transact insurance business. [§ 42, 22 of 1979.]

(2) Every policy of insurance issued or every policy of general insurance renewed on or after the first day of January 1964, by any insurer other than the Corporation or a subsidiary corporation or an independent corporation, shall be deemed to be invalid and accordingly shall be of no force or effect in law:

Provided, however, that the Minister may, by Order published in the Gazette, exempt any enterprise with which the Greater Colombo Economic Commission has entered into an agreement under section 17 of the Greater Colombo Economic Commission Law from all or any of the provisions of this Act.

PART III

PROVISIONS RELATING TO FINANCES AND ACCOUNTS OF THE CORPORATION

(3) In this section "enterprise" has the same meaning as in the Greater Colombo Economic Commission Law.

Insurers carrying on life insurance business may transfer to the Corporation such business if the Corporation is satisfied after an investigation of the financial condition of the insurer's business that the assets of the business are more than, or equal to, the liabilities.

*14. (1) Where any insurer who is carrying on life insurance business is of the opinion that, by reason of his inability to transact any new business of life insurance on or after the appointed date, it is beneficial to him to transfer such business to the Corporation, he may make an application in writing in that behalf to the Corporation.

(2) Upon an application being made by any insurer under subsection (1), the Corporation shall cause an investigation into the financial condition of such insurer's life insurance business, including a valuation of the assets and liabilities appertaining to such business, to be made by an actuary. The expenses of such investigation shall be defrayed by such insurer.

The actuary shall, on completion of the investigation, submit his report to the Corporation and such report shall contain a detailed statement of the assets and liabilities appertaining to the life insurance business of the insurer together with a statement whether the assets are more than, equal to, or less than, the liabilities.

(3) If the report of the actuary reveals that the assets appertaining to the life insurance business of the insurer are more than, or equal to, the liabilities, then, the Corporation may direct the insurer by notice in writing to transfer all the assets referred to in the statement of the actuary and the policies of life insurance under which liabilities have not been discharged on the date of such notice to the Corporation. Upon such transfer the Corporation shall notify in writing the holder of each such policy that the rights and obligations of the insurer under such policy have been transferred by the insurer to the Corporation and such rights and obligations shall be exercised and discharged by the Corporation as if such policy had been issued by the Corporation.

* Sections 11 to 13 are repealed by Act No. 25 of 1962
 f Section 15 is repealed by Act No. 11 of 1963.
 Section 16 is repealed by Act No. 25 of 1962.

+17. (1) The initial capital of the Corporation shall be twenty million rupees. Capital of the Corporation. [§ 50, 11 of 1963.]

(2) The amount of the initial capital of the Corporation shall be paid to the Corporation out of the Consolidated Fund in such instalments as the Minister in charge of the subject of Finance may, in consultation with the Minister, determine.

(3) The capital of the Corporation may be increased from time to time by such amount as may be determined by the Corporation with the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance.

18. (1) The Corporation shall have its own Fund. The Fund of the Corporation.

(2) There shall be paid into the Fund of the Corporation—

- (a) the sum paid to the Corporation under section 17,
- (b) all sums of money transferred to the Corporation under section 9 or section 14,
- (c) all sums received by the Corporation as premiums in respect of the policies issued by the Corporation or transferred to the Corporation under this Act, and
- (d) all sums of money received by the Corporation in the exercise of its powers, functions and duties under this Act.

(3) There shall be paid out of the Fund of the Corporation—

- (a) all sums of money required for the discharge of the liabilities of the Corporation under the policies of insurance issued by the Corporation or transferred to the Corporation under this Act, and

(b) all sums of money required to defray any expenditure incurred by the Corporation in the carrying on of its business or in the exercise of its powers, functions and duties under this Act.

(3) For the purposes of this section, the expression " qualified auditor " means—

(a) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute; or

(b) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute.

Accounts of
of the
Corporation.

19. (1) The Corporation shall cause its accounts to be kept in such form and in such manner as may be prescribed.

(2) The books and the accounts of the Corporation shall be kept at the head office of the Corporation.

Accounts and
balance sheet
for each year.

20. The Corporation shall cause its books to be balanced on the thirty-first day of December in each year and shall, as soon as may be thereafter, cause to be prepared separate accounts in respect of each of the following, namely, life insurance business, fire insurance business, marine insurance business, general accident insurance business and any other class of insurance business, and a profit and loss account and a balance sheet containing a summary of the assets and liabilities of the Corporation made up to date aforesaid. The aforesaid accounts and the balance sheet shall be signed by the officer responsible for the preparation of such accounts and balance sheet.

22. (1) The Auditor-General shall examine the accounts of the Corporation and furnish a report—
The Auditor-
General's
report.
[§ 3, 3 of 1966.]

(a) stating whether he has or has not obtained all the information and explanations required by him;

(b) stating whether the accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the affairs of the Corporation; and

(c) drawing attention to any item in the accounts which in his opinion may be of interest to Parliament in any examination of the activities and accounts of the Corporation.

(2) The Auditor-General shall transmit his report to the Corporation.

[§50,11 of
1963.]

Audit of
accounts-
[§2,6 of 1966.]

21. (1) The Corporation shall have its accounts audited each year by an auditor appointed by the Auditor-General. For the purpose of assisting him in the audit of such accounts, the Auditor-General may employ the services of any qualified auditor or auditors who shall act under his direction and control.

(2) For the purpose of meeting the expenses incurred by him in auditing the accounts of the Corporation, the Auditor-General shall be paid from the Fund of the Corporation such remuneration as the Minister may determine with the concurrence of the Minister in charge of the subject of Finance. Any remuneration received from the Corporation by the Auditor-General shall, after deducting any sums paid by him to any qualified auditor employed by him for the purpose of such audit, be credited to the Consolidated Fund.

23. The Corporation shall, on receipt of the auditor's report in each year, transmit such report together with the profit and loss account and the balance sheet to which the report relates, and a statement by the Corporation of its activities during the financial year to which such report relates, and of the activities (if any) which are likely to be undertaken by the Corporation in the next financial year, to the Minister who shall cause copies thereof to be laid before Parliament before the end of the year next following the year to which such report and accounts relate.
Annual
accounts with
auditor's report
and a report of
the annual
activities of the
Corporation to
be transmitted
to the Minister.

Actuarial investigation into the financial condition of the life insurance business of the Corporation to be made once at least in every five years.

24. The Corporation shall, once at least in every five years, cause an investigation to be made by an actuary or actuaries into the financial condition of the life insurance business of the Corporation including a valuation of the liabilities of the Corporation relating to its life insurance business. The Corporation shall transmit the report of the actuary or actuaries to the Minister who shall cause copies thereof to be laid before Parliament.

Acquisition Act for the Corporation shall be paid by the Corporation.

+31. (I) No person carrying on the business of insurance shall terminate the services of any member on the staff relating to the insurance business of such person without the approval in writing of the Commissioner of Labour. Provisions relating to discontinuance of the services of persons employed in insurance business.

Allocation or reservation of a certain percentage of the surplus to holders of policies of life insurance.

25. If as a result of any investigation made under section 24 there is a surplus, the Corporation shall allocate to, or reserve for, the holder of life insurance policies issued, or deemed to be issued, by the Corporation a sum not less than ninety-five *per centum* of such surplus.

(2) The services of a member on the staff of the insurance business of any person shall not be terminated after the Commissioner of Labour has given his approval to such termination except in accordance with such terms and conditions, including payment by the employer of gratuity or compensation for loss of service, as may be prescribed.

Application of the profits.

[§ 50, 11 of 1963.]

26. The net annual profits of the Corporation for each financial year in respect of its general insurance business, and the balance five *per centum* of the surplus referred to in section 25, may be applied to such purposes as may be determined by the Corporation with the approval of the Minister, and any such profits which are not so applied shall be credited to a general reserve fund maintained by the Corporation.

(3) Where any payment of gratuity or compensation is not made by an employer, the person entitled to such gratuity or compensation shall have the right to proceed by action instituted in a court of competent jurisdiction against—

- (a) if such employer is an individual, all assets of such individual, or
- (b) if such employer is a body corporate, all assets of each director of that body corporate, or
- (c) if such employer is a firm, all assets of each partner of that firm,

Receipts on behalf of the Corporation.

*28. A receipt signed by two members of the Corporation or by an officer expressly authorized by the Corporation to give receipts shall be an effectual discharge of moneys paid to the Corporation.

for the recovery of such gratuity or compensation,

PART IV

GENERAL

Acquisition of immovable property under the Land Acquisition Act for the Corporation.

29. (1) Where any immovable property is required to be acquired for the purpose of the business of the Corporation and the Minister, by Order published in the Gazette approves of the proposed acquisition, that property shall be deemed to be required for a public purpose and may accordingly be acquired compulsorily under the Land Acquisition Act and be transferred to the Corporation.

(4) In this section, " Commissioner of Labour " incudes a Deputy Commissioner of Labour or an Assistant Commissioner of Labour.

32. (1) The Minister may by regulation made under this Act provide for the application to the Corporation, with or without any modification, of any provision of the Companies Ordinance. ^ Application of company law to the Corporation.

(2) Any sum payable for the acquisition of any immovable property under the Land

(2) The provisions of the Companies Ordinance, f other than the provisions of that Ordinance which are made applicable to the

* Section 27 is repealed by Act No. 18 of 1965.
 f Section 30 is repealed by Act No. 25 of 1962.
 t Repealed and replaced by the Companies Act, No. 17 of 1982.

Corporation by regulations made under this Act, shall not apply to the Corporation.

Power of the Minister to direct an inquiry to be held into the working of the Corporation.

33. (1) The Minister may, when he considers it necessary to do so, direct any person to hold an inquiry into the work and financial position of the Corporation.

(2) Where such an inquiry as is referred to in subsection (1) is held, any member of the Corporation or of the staff of the Corporation shall, upon being requested to do so by the person holding the inquiry, furnish such information within his knowledge with regard to the affairs of the Corporation and produce such books of accounts or documents in his custody as that person may require.

Liabilities of the Corporation, including bonuses declared in the case of life insurance policies, guaranteed by the Government. [§50,11 of 1963.]
Employment of certain persons in the Corporation. [§50, 11 of 1963.]

33A. All liabilities of the Corporation arising out of policies of insurance issued by or taken over by the Corporation, including in the case of life insurance policies the bonuses declared and payable by the Corporation, shall be guaranteed by the Government of Sri Lanka.

33B. The Minister shall take steps to offer employment in the Corporation to persons who have been employed under insurers in Ceylon on July 31, 1963, and who have lost their employment due to retrenchment effected by such insurers by reason of such insurers not being able to transact any new business of general insurance on and after January 1, 1964.

Regulations.

34. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Act, and in respect of any matter required by this Act to be prescribed or in respect of any matter for which regulations are authorized by this Act to be made.

(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the Gazette, be brought

before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of disapproval but without prejudice to anything previously done thereunder.

35. Any person who—

Offences.

(a) contravenes any provisions of this Act or of any regulation made thereunder, or

(b) furnishes for the purposes of this Act any information which is, or any document the contents of which are, or any part of the contents of which is, to his knowledge untrue or incorrect,

shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable—

(a) in the case of the first offence, to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment, and

(b) in the case of the second or any subsequent offence to imprisonment of either description for a term not exceeding six months,

and shall in addition be liable to a fine not exceeding five hundred rupees for each day on which the offence is committed after conviction, and all sums recovered by way of fine shall be paid into the Fund of the Corporation and such sums may be utilized by the Corporation, with the approval of the Minister, to pay—

(a) holders of policies of life insurance, the liabilities under which have not been discharged; and

(b) employees of insurers who are carrying on the business of life insurance and who have not complied with the terms and conditions prescribed under subsection (2) of section 31,

in such manner as may be prescribed.

Liability of agent, manager or other employee.

36. Where an act or omission which constitutes an offence under this Act has in fact been committed or made by the agent, manager or other employee of the person who is liable under this Act for the offence, then the agent, manager or other employee shall be liable to be proceeded against for the offence in the same manner as if he were that person, and either together with that person, or before or after the conviction of that person, and shall be liable to the like punishment as if he were that person.

Offences by bodies of persons.

37. Where an offence under this Act is committed by a body of persons, then—

- (a) if that body of persons is a body corporate, every director and officer of that body corporate, and
- (b) if that body of persons is a firm, every partner of that firm,

shall be deemed to be guilty of that offence.

Interpretation.

***39.** In this Act, unless the context otherwise requires,—

"appointed date" means the 1st day of January, 1962;

"Corporation" means the Insurance Corporation of Ceylon established under this Act,

independent corporation" means an independent corporation established under section 3 of the Insurance (Special Provisions) Act, 1979;

insurer " means—

- (a) an individual or unincorporated body of individuals or body corporate incorporated under the law of any country other than Sri Lanka, who or which carries on insurance business and who or which—

- (i) carries on that business in Sri Lanka, or
- (ii) has his or its principal place of business or his or its domicile in Sri Lanka, or

(iii) with the object of obtaining insurance business, employs a representative or maintains a place of business in Sri Lanka;

(b) any body corporate carrying on the business of insurance and being incorporated under any law for the time being in force in Sri Lanka;

" general insurance " means any class of insurance business other than life insurance business;

" life insurance business " means the business of entering into or maintaining contracts of insurance on human lives, such contracts including contracts whereby the payment of money is assured on death or on the happening of any contingency dependent on human life, and contracts which are subject to payment of premiums for a term dependent on human life and such contracts being deemed to include—

- (a) contracts for the granting of disability and double or triple indemnity accident and sickness benefits if so specified in such contracts,
- (b) contracts for the grant of annuities dependent on human life, and
- (c) contracts relating to capital redemption business;

" prescribed " means prescribed by regulation; and

" subsidiary corporation " means a subsidiary corporation established under section 2 of the Insurance (Special Provisions) Act. [§ 43,22 of 1979-]

40. The provisions of this Act shall have effect notwithstanding anything contained in any other written law, and in any case of conflict or inconsistency between the provisions of this Act and such other law, the provisions of this Act shall prevail.

Act to prevail in case of conflict with other written law.

* Section 38 is omitted, as it is an amending provision.