

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 256.

Insurance (Miscellaneous Provision).

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), while the administration of this Chapter was not specifically vested in any Minister it seems likely that, since the administration of the *Insurance Act* was vested in the Minister for Finance, it came within the responsibility of the Minister for Finance.

The Chapter does not refer to "the Minister", "the Departmental Head" or "the Department".

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Insurance (Miscellaneous Provisions) Act.

ARRANGEMENT OF SECTIONS.

PART I.—GENERAL.

1. Application of Part I.
2. Insurance not to be made unless person insuring has interest.
3. Name of interested person to be inserted in policy.
4. How much may be recovered.

PART II.—FIRE INSURANCE.

5. Application of moneys under policy of fire insurance.



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Insurance (Miscellaneous Provisions) Act.

Being an Act relating to certain matters concerning insurance that were the subject of English legislation applying before Independence.

PART I.—GENERAL.

1. Application of Part I.

(1) This Part does not apply to insurances made before 15 September 1975 (being the date of commencement of the pre-Independence *Imperial Laws Replacement Act 1975*).

(2) This Part does not extend to insurances made on ships or goods, or to contracts of indemnity against loss by fire or loss by any other event.

2. Insurance not to be made unless person insuring has interest.

(1) A person shall not make an insurance on the life of a person or on any other event in which the person for whose use or benefit or on whose account the insurance is made has no interest, or by way of gaming or wagering.

(2) An insurance made in contravention of Subsection (1) is void.

3. Name of interested person to be inserted in policy.

An insurance on the life of any person, or on any other event, in which the person effecting the insurance has no interest shall not be made unless the name of the person interested in it, or for whose use or benefit or on whose account the policy was made, is inserted in the policy of insurance.

4. How much may be recovered.

Where there is an interest in an insured life or other event, no greater sum shall be recovered or received from the insurer than the amount or value of the interest.

PART II.—FIRE INSURANCE.

5. Application of moneys under policy of fire insurance.

(1) Subject to Subsection (2), where a building is burnt down, demolished or damaged by fire, then—

(a) on request by any person interested in the building; or

(b) if there are grounds for suspicion that the person who has insured the building has been guilty of—

(i) fraud; or

(ii) wilfully setting the building on fire,

the insurer (if any) of the building shall cause the insurance money, so far as it will go, to be expended towards the rebuilding, re-instating or repairing of the building.

(2) Subsection (1) does not apply where, within 60 days after the claim has been adjusted—

- (a) the person claiming the insurance money gives a sufficient security to the insurer that the insurance moneys will be expended towards the rebuilding, re-instating or repairing of the building; or
- (b) the insurance money is settled and disposed of to and among the contending parties to the satisfaction of the insurer.

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APPENDIX.

SOURCE OF THE INSURANCE (MISCELLANEOUS PROVISIONS) ACT.

Part A.—Previous Legislation.

Imperial Laws Replacement Act 1975 (No. 39 of 1975), Part I. and Section 6.

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	1, 5
2	2
3	3
4	4
5	6

¹ Unless otherwise indicated, references are to the Act set out in Part A.

