

No. XIII.

An Act to remedy the loss or destruction of LOST POLICIES. Life Assurance Policies. [27th November, 1895.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. In the event of a life assurance policy issued in New South Lost or destroyed
Wales or recorded in the books of any life assurance office in New policies.
South Wales being lost or destroyed, the company which is liable upon the policy may, upon such evidence as to its loss or destruction as the company may deem sufficient, issue to the person entitled thereto a special policy, and if the company fail to issue such a special policy within two months after being requested in writing so to do by such person, a judge of the Supreme Court or of the Metropolitan District Court may, after due notice to the company and upon such evidence

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evidence as to its loss or destruction as he may deem sufficient, direct the company upon such terms and within such time as he may determine to issue to the person entitled thereto a special policy.

Every special policy shall contain so far as the same can be known or ascertained the same or similar terms and conditions as were contained in the policy so lost or destroyed, and every memorandum or endorsement thereon, so far as the same may be known to the company, and shall state why such special policy is issued.

The issue of such special policy, with the reasons for such issue, shall be entered in the books of the company.

Such special policy shall be available for all purposes and uses for which the policy so lost or destroyed would have been available, and shall be equally valid therewith to all intents.

The company before issuing such special policy shall give at least one month's notice of its intention so to do in at least one newspaper circulating in the City of Sydney and one newspaper circulating in the neighbourhood in which the applicant resides, or in one newspaper circulating in the district in which the policy is considered by the company to have been lost.

The expenses of such advertisement and all other costs connected with the issue of such special policy shall be paid by the applicant therefor.

Such applicant shall not be entitled to such policy until the said expenses and costs shall have been paid.

After the issue of such special policy the company shall not be liable under the original policy if no notice of any assignment thereof has been received prior to such issue.

Short title.

2. This Act may be cited as the "Lost Policies Act of 1895."
