

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE INSURANCE ACT

CHAPTER 392 OF THE LAWS OF ZAMBIA

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THE INSURANCE ACT

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CHAPTER 392

INSURANCE

An Act to make provision relating to the carrying on of insurance business; and to provide for matters connected therewith and incidental thereto.

[1st January, 1968]

Act No.
10 of 1968
26 of 1976
28 of 1989
2 of 1992
13 of 1994

PART I

PRELIMINARY

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

Short title

2. The provisions of this Act shall not extend or apply to-

Application

- (a) an association of individuals with no share capital established for the purpose of rendering aid to its members or their dependants, commonly called a friendly society, which does not at any time after the commencement of this Act employ a person whose principal remunerated occupation consists of inducing persons to become members of the association or of collecting from members of the association contributions or subscriptions towards the association's funds;
- (b) a person or class of persons declared by the President by order to be exempt from the provisions of this Act; or
- (c) a class of insurance business declared by the President by order to be exempt from the provisions of this Act.

3. (1) For the purpose of this Act, Lloyd's shall be deemed to be an insurer provided that-

Application in relation to Lloyd's

- (a) the provisions of subsection (2) of section *seventy* requiring certain policies issued by a registered insurer to be issued in Zambia shall not apply to policies issued by Lloyd's;
- (b) the provisions of section *eleven* relating to the principal office and principal officer of a registered insurer shall not apply to Lloyd's and
- (c) nothing in this Act or regulations made thereunder shall prevent the transaction of insurance business by any person if-
 - (i) he transacts that business as a member of Lloyd's;
 - (ii) Lloyd's is a registered insurer; and
 - (iii) the transaction of that business by a registered insurer is not prevented by or under this Act.

(2) Any contravention of or failure to comply with any provision of this Act or of regulations made thereunder by a member of Lloyd's shall be deemed to be a contravention or failure by Lloyd's.

4. In this Act, unless the context otherwise requires-

Interpretation

"bankruptcy" shall be construed in accordance with the law relating to bankruptcy and as including an assignment to or arrangement or composition with creditors made under the law relating thereto, and "bankrupt" shall be construed accordingly;

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"broker" means a person who is not an insurance agent and who acts on behalf of an insured or prospective insured, other than himself, in any type of insurance transaction with a registered insurer;

"broker's licence" means a licence granted to a registered broker;

"chairman", in relation to an association of persons, includes the individual presiding over the governing body of the association;

"child" includes an illegitimate child, stepchild or a child adopted in terms of any enactment whatsoever, whether within or outside Zambia, relating to the adoption of children;

"contingent obligation dependent on human life" means-

- (a) an obligation to pay to a particular person certain sums of money at specified intervals or a certain sum of money or to provide for a particular person certain other benefits-
 - (i) on the occurrence of the death of a particular person or the birth of a child to a particular person at any time or within a specified period;
 - (ii) in the event of a particular person continuing to live throughout a specified period or specified periods; or
- (b) an obligation assumed-
 - (i) until the occurrence of the death of a particular person; or
 - (ii) during a specified period or until the occurrence of the death of a particular person before the expiration of that period;

"dependant", in relation to any person, includes his surviving spouse and any parent, child and grandchild of his;

"deposit" means a deposit of money but includes a deposit of anything having a monetary value which by virtue of regulations made under this Act may be accepted as a deposit;

"director" includes an individual occupying the position of director or alternate director of an association of persons and a member or alternate member of a committee of management or of any other governing body of an association of persons, by whatever name he may be called;

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"external insurer" means a registered insurer whose head office is not in Zambia;

"financial year", in relation to a person, means each period at the end of which the balance of his accounts is struck, whether that period is a year or not;

"funeral policy" means a policy whereby the insurer assumes, in return for a premium or the promise of a premium, an obligation to provide, on the death of any person, benefits, not exceeding in value a total of two hundred kwacha, which consist principally of provision for the funeral of that person or the grant to another person of some other non-monetary benefit, whether or not the policy provides for-

(a) the payment at the option of the insurer or any other person, of a sum of money instead of provision of a funeral or the grant of a non-monetary benefit; or

(b) the payment of a sum of money in addition to the provision of a funeral or the grant of some non-monetary benefit;

"industrial policy" means a policy whereby the insurer assumes, in return for a premium or the promise of a premium payable from time to time, at intervals not exceeding two months, a contingent obligation dependent on human life, not exceeding in amount the sum of two hundred kwacha, if the insurer has expressly or tacitly undertaken to send a person from time to time to the owner of the policy or to his residence or place of work to collect the premiums;

"insurance agent" means a person who solicits applications for insurance, collects moneys by way of premiums or issues cover notes of insurance for and on behalf of a registered insurer but does not include an employee serving in the office of an insurer unless the emoluments of that employee are related to the volume of business handled by him;

"insurance agent's licence" means a licence granted to an insurance agent under Part IV;

"insurance business" means the business of assuming the obligations of an insurer in any class of insurance business whatsoever, whether defined in this Act or not, which is not declared to be exempt from the provisions of this Act by order made in terms of paragraph (c) of section two, and includes reinsurance business;

"insurer" means a person carrying on insurance business, otherwise than as a broker or insurance agent, who is not a person or a member of a class of persons declared to be exempt from the provisions of this Act by order made in terms of paragraph (b) of section two;

"insurer's licence" means a licence granted to a registered insurer under Part II;

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"licensed insurance agent" means an insurance agent holding a valid insurance agent's licence;

"life insurance business" means the business of assuming the obligations of an insurer under life policies, funeral policies, industrial policies or sinking fund policies;

"life insurance fund" means the fund to which the receipts of an insurer in respect of his life insurance business are carried;

"life insurer" means a registered insurer carrying on life insurance business;

"life policy" means a policy whereby the insurer assumes, in return for the payment or the promise of the payment of a sum or sums of money or the promise of a periodical payment of a certain premium, a contingent obligation dependent on human life, and includes any contract of insurance customarily regarded as a life insurance contract, but does not include a funeral policy, an industrial policy, a personal accident policy, a sinking fund policy or an insurance policy whereby the insurer assumes a contingent obligation dependent on human life in which the contingent obligation forms a subordinate part of the insurance effected by the policy;

"Lloyd's" means the association of underwriters known as Lloyd's;

"local insurer" means a registered insurer whose head office is in Zambia;

"local policy" means a policy issued in Zambia upon a proposal made to a registered insurer and includes a life policy issued outside Zambia and subsequently made payable in Zambia at the request of the owner which the owner has agreed in writing shall be treated as a local policy for the purposes of this Act, but does not include a life policy made payable, after the date of its issue, outside Zambia at the request of the owner which the owner has agreed in writing shall not be treated as a local policy for the purposes of this Act;

"minor" means a person who, by reason of his youth, is under a legal disability;

"owner", in relation to a policy, means the person who is entitled to enforce any provision in the policy providing for benefits;

"personal accident policy" means a policy whereby the insurer assumes, in return for the payment or the promise of payment of a sum or sums of money and otherwise than incidentally to an insurance effected by means of some other class of policy, an obligation to pay a certain sum or certain sums of money to, or provide any other benefit for, a particular person in the event of an accident or illness causing the death or injury or disability of a particular person;

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"policy" means a valid insurance contract whatever the form in which the rights and obligations of the parties to the contract are expressed or created, and includes a sinking fund policy, but does not include an insurance contract in which-

- (a) a person or member of a class of persons declared to be exempt from the provisions of this Act by order made under paragraph (b) of section *two* assumes the obligation of the insurer; or
- (b) a person assumes the obligations of an insurer in a class of insurance business declared to be exempt from the provisions of this Act by order made under paragraph (c) of section *two*;

"principal office" means the principal office of an insurer or broker provided for in section *eleven* or *twenty-four*;

"principal officer" means the principal officer of an insurer or broker provided for in section *eleven* or *twenty-four*;

"registered broker" means a broker registered under Part III;

"registered insurer" means an insurer registered under Part II;

"Registrar" means the Registrar of Insurance provided for in section *sixty*;

"sinking fund policy" means a contract whereby one party to the contract assumes the obligation to pay, after the expiration of a certain period or during a specified period, a certain sum or certain sums of money to a particular person in return for the payment or the promise of a payment from time to time of a certain sum of money by the other party to the contract;

"trustee", in relation to an estate in bankruptcy, includes an assignee or, as the case may be, a trustee in a deed of arrangement or the person having the conduct of an order of composition.

PART II

PROVISIONS RELATING TO INSURERS

5. A person shall be qualified to be a registered insurer if the Registrar is satisfied-
- Qualifications for registration
- (a) that all insurance business carried on by him within or outside Zambia is carried on in accordance with sound insurance principles;
 - (b) that the class of insurance business to be carried on in Zambia is likely to be carried on by him in accordance with sound insurance principles;
 - (c) that his management and operations are likely adequately to protect the interests of the general public;
 - (d) that he has a margin of solvency sufficient in terms of regulations made under this Act for the purposes both of the class of insurance business in respect of which registration is sought or obtained and all other classes of insurance business carried on by him within and outside Zambia;
 - (e) that a person who is a corporate body with share capital is lawfully formed in accordance with the laws of the country in which his head office is situate and has a paid-up share capital of not less than one hundred thousand kwacha; and
 - (f) that the name of the person is not likely to be mistaken for the name of any other insurer who is or has been a registered insurer.

6. (1) The Registrar shall register as an insurer in the class of business to which the application relates any person who-
- Registration of insurers
- (a) applies to him in the prescribed manner;
 - (b) is qualified to be a registered insurer under section *five*; and
 - (c) pays such fee as may be prescribed for registration as an insurer.

(2) Where an applicant for registration is not qualified to be a registered insurer under section *five*, the Registrar shall reject the application and notify the applicant of the rejection and of the appropriate provision or provisions of section *five* by virtue of which the applicant is not qualified for registration.

(3) In rejecting an application for registration, the Registrar may notify the applicant of the conditions which, if complied with by the applicant, would enable him to satisfy the provision or provisions of section *five* by virtue of which he is not qualified for registration.

(4) The Registrar shall cause notice of every registration of an insurer to be published in the *Gazette*.

7. (1) Subject to the provisions of this section, no person shall transact any class of insurance business in Zambia as an insurer unless he is a registered insurer holding a valid licence to transact that class of insurance business.
- Registered insurers to be licensed

(2) Where an insurer's licence to transact a class of insurance business has been suspended or cancelled, the provisions of subsection (1) shall not apply to business relating to policies in that class of insurance which were issued by him before that suspension or cancellation.

(3) Subject to the provisions of sections *eight* and *nine*, the Registrar shall, on payment of the appropriate prescribed annual fee, grant a licence to a registered insurer to transact insurance business of the class or classes to which his registration relates.

(4) Unless suspended or cancelled under this Part, a licence shall be valid until the expiration of the calendar year in respect of which it is issued.

8. (1) The Registrar may, as the case may be, refuse to renew or suspend any insurer's licence if-

Refusal, suspension and cancellation of insurers' licences

- (a) the insurer ceases to be qualified under section *five* to be a registered insurer;
- (b) the Registrar considers that the insurer has contravened or failed to comply with any provision of this Act or regulations made thereunder or of any insurance law of another country applying to the insurer; or
- (c) a judgment in any court against the insurer remains unsatisfied for twenty-one days from the date of the judgment or, in the event of any appeal, from the date of the judgment on appeal.

(2) The Registrar shall forthwith notify the insurer of the refusal or suspension under subsection (1) of any insurer's licence and shall state his grounds for such refusal or suspension.

(3) Any licence suspended under this section which remains suspended after sixty days from the date the insurer is notified of the suspension shall without further notice be cancelled.

9. (1) An insurer may on being notified of a suspension of his insurer's licence make written representations to the Registrar showing cause why the suspension should be revoked and, if before the expiration of sixty days from that notification the Registrar considers that the grounds for the suspension are not applicable or have ceased to be applicable to the insurer, the Registrar shall revoke his suspension of the licence.

Representation against refusal, suspension or cancellation of an insurer's licence

(2) A registered insurer who is aggrieved by a refusal or cancellation under section *eight* of an insurer's licence of any class or classes may-

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(a) in the case of a refusal to renew a licence, within ninety days of being notified of that refusal; and

(b) in the case of the cancellation of a licence, within thirty days thereof; lodge with the Registrar a request for review.

(3) A request for review lodged under subsection (2) shall be in writing, shall specify in detail the grounds upon which the request is based, and shall be forwarded by the Registrar with his comments to the Minister.

(4) The Minister shall, within thirty days of receipt of a request therefor, review the decision of the Registrar complained of and may-

(a) affirm that decision;

(b) indicate the conditions to be fulfilled by the insurer before an insurer's licence may be granted; or

(c) direct the Registrar to grant an insurer's licence of one or more classes; and the Minister shall cause the insurer to be notified of his decision.

(5) Where a licence is granted by the Registrar pursuant to a direction of the Minister under subsection (4), the appropriate prescribed fee shall be payable by the insurer save where the licence is in respect of a part of a year to which a licence previously held by the insurer but cancelled under section *eight* related.

10. (1) The Registrar shall cancel the registration in any class of insurance business of an insurer who-

Cancellation of registration of insurers

(a) has held no insurer's licence in that class during the period of six months immediately preceding: provided that the registration of an insurer who has requested a review under section *nine* shall not be cancelled save with the approval of the Minister;

(b) the Registrar is satisfied has ceased to transact insurance business of that class in Zambia; or

(c) himself or by way of any person having control of his affairs so requests.

(2) The Registrar shall cause notice of every cancellation of the registration of an insurer to be published in the *Gazette*.

11. (1) A registered insurer shall, for the sole purpose of transacting insurance business, maintain a principal office in Zambia and shall notify the Registrar of the address thereof and, if it is proposed to change that address, shall notify the Registrar of the new address of the principal office not less than three weeks in advance of the change.

Principal office and principal officer of registered insurers

(2) The registered insurer shall be represented in Zambia by a principal officer who shall be appointed in writing by the head office of the registered insurer after the Registrar has signified that in his opinion the person in question possesses the prescribed minimum qualifications and is not disqualified by any regulations under this Act from such appointment.

(3) The principal officer shall have a power of attorney sufficient to satisfy the Registrar that that officer is authorised to act for the registered insurer in all matters to secure the compliance of the insurer with the provisions of this Act and regulations made thereunder and a copy of such power of attorney shall be lodged with the Registrar immediately after every appointment of a principal officer.

12. (1) A registered insurer shall each year submit to the Registrar in accordance with regulations made under this Act such information as may be prescribed relating to the insurance business transacted by him during the twelve months immediately preceding the date prescribed for the submission of that information.

Returns by and records of registered insurers

(2) If in the opinion of the Registrar any information submitted by a registered insurer does not comply with the requirements of subsection (1), the Registrar may notify the insurer accordingly and, until the expiration of thirty days from that notification, the insurer shall be deemed not to have failed to comply with those requirements.

(3) A registered insurer shall keep at his principal office in Zambia such original records and documents relating to his insurance business in Zambia as may be necessary to enable his principal officer to prepare the information to be submitted under subsection (1), and such records and documents shall be kept in such manner as to facilitate verification by the Registrar and shall be so kept for not less than five years from the date on which the transactions to which they relate occurred.

(4) A local insurer shall keep at his head office in the manner and for the period prescribed such additional records and documents as may be prescribed.

13. (1) An external insurer shall each year furnish evidence showing to the satisfaction of the Registrar that his accounts have been subject to an annual audit by an independent auditor.

Audit of accounts of insurers

(2) The accounts of a local insurer shall be audited annually by an independent auditor approved by the Registrar and the auditor shall either-

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- (a) certify that-
 - (i) the accounts have been properly prepared in accordance with the records of the insurer;
 - (ii) the records of the insurer contain information adequate for the purpose of his audit; and
 - (iii) the balance sheet and profit and loss account of the insurer give a true and fair view of the insurer's financial position and his profit or loss respectively; or
- (b) notify the Registrar that he is unable to complete the certificate provided for in paragraph (a) giving his reasons.

14. No registered insurer shall publish a statement or issue a document on which there appears a statement-

Publication of authorised capital, etc., of registered insurers

- (a) of his authorised capital, unless the statement also sets forth the amount of his subscribed capital and of his paid-up capital; or
- (b) of his subscribed capital, unless the statement also sets forth the amount of his paid-up capital.

15. (1) No registered insurer shall-

Amalgamations and transfers of insurance business

- (a) amalgamate with one or more insurers; or
- (b) transfer any insurance business to or take transfer of any insurance business from another insurer;

unless the amalgamation or, as the case may be, the transfer is sanctioned by the Minister in accordance with the provisions of this section.

(2) If it is intended to amalgamate two or more insurers or to transfer any insurance business of one insurer to another insurer, the insurers concerned may apply to the Minister to sanction the proposed amalgamation or, as the case may be, transfer.

(3) Before an application to the Minister is made in terms of subsection (2)-

- (a) notice of the intention to make the application shall be published in the *Gazette*; and

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- (b) a statement of the nature of the amalgamation or, as the case may be, transfer, together with-
 - (i) an abstract containing the material facts embodied in the agreement under which the amalgamation or transfer is proposed to be effected; and
 - (ii) where applicable, copies of the actuarial reports upon which the agreement referred to in sub-paragraph (i) is founded, including a report by an actuary approved by the Registrar;

shall be posted to the registered or last known address of every policy owner in Zambia of each insurer and to the Registrar; and

- (c) the agreement under which the amalgamation or, as the case may be, transfer is proposed to be effected shall be open for inspection by owners of policies and shareholders at the offices of the insurers in Zambia for a period of twenty-one days after the publication of the notice in the *Gazette*.

(4) The Minister, after considering the application and such representations as may be made by owners of policies and shareholders of the insurers concerned and by other persons whom he considers are entitled to be heard, may sanction the proposed amalgamation or transfer if he is satisfied that no sufficient objection thereto has been established.

(5) The Minister shall not sanction an amalgamation or, as the case may be, transfer if it appears to him that the owners of policies aggregating one-fifth or more of the total amount insured by any of the insurers concerned, dissent from the amalgamation or transfer.

(6) If an amalgamation or transfer has taken place in accordance with the provisions of this section, no owner of a policy shall be regarded as having abandoned any claim which he would have had against the original insurer or to have accepted in place thereof the liability of another insurer, unless he or his agent has signed a written document abandoning that claim and accepting in place thereof the liability of that other insurer.

(7) Nothing in this section provided shall be deemed to apply to an arrangement under which a registered insurer places business with another insurer by way of reinsurance.

16. Within three months of the date of the completion of an amalgamation or transfer sanctioned under section *fifteen*, the combined insurer or, as the case may be, the purchasing insurer shall deposit with the Registrar-

Statement in case of amalgamation or transfer of business

- (a) certified copies of statements of the assets and liabilities of the insurers concerned in the amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer; and
- (b) a certified copy of the agreement or deed under which the amalgamation or transfer was effected; and
- (c) certified copies of the actuarial or other reports upon which the agreement or deed was founded; and
- (d) a declaration under the hand of the chairman and the principal officer of each insurer that-
 - (i) to the best of their knowledge and belief, all payments made or to be made to any person whatsoever on account of the amalgamation or transfer are therein fully set forth and no other payments, except those set forth, have been made or are to be made, either in money, policies, bonds, valuable securities or other property, by or with the knowledge of the parties to the amalgamation or transfer; and
 - (ii) due notice of the proposed amalgamation or transfer was given to the shareholders, if any, and the owners of policies with each insurer concerned in compliance with the provisions of section *fifteen*.

17. (1) A life insurer who carries on, in addition to his life insurance business, any other business, whether insurance business or otherwise, shall keep a separate account of all receipts in respect of his life insurance business.

Life insurers carrying on business other than life insurance business

(2) The receipts in respect of the business of a life insurer referred to in subsection (1) which are receipts in respect of his life insurance business shall be carried to and form part of the life insurance fund.

(3) The life insurance fund of a life insurer referred to in subsection (1) shall be as absolutely the security of the owners of the life, funeral, industrial and sinking fund policies issued by the life insurer as though it belonged to a life insurer carrying on no other business than life insurance business. Payments from the life insurance fund of a life insurer referred to in subsection (1) shall not be made in pursuance of the contracts of the life insurer which would not be made if the business of the life insurer were only that of life insurance, and the life insurance fund shall not be applied directly or indirectly to any purposes other than those of life insurance.

(4) Nothing in this section contained shall preclude a life insurer referred to in subsection (1) from investing the life insurance fund in the same investments as any other fund.

18. (1) A life insurer shall, once in every three years, cause an investigation to be made into his financial position by an actuary approved by the Registrar.

Periodical investigations to be made into financial position of life insurers

(2) An investigation into the financial position of a life insurer made in terms of subsection (1) shall include-

- (a) a valuation of the liabilities in respect of the whole of his life insurance business; and
- (b) a valuation of the liabilities in respect of his life insurance business in Zambia.

(3) A life insurer whose financial position is investigated in terms of this section, shall prepare and furnish to the Registrar in the appropriate forms prescribed, within six months of the date to which his accounts are made up for the purposes of the investigation, an abstract of the report of the actuary approved by the Registrar by whom the investigation was made, and a statement of his insurance business at that date.

(4) An external insurer who carries on life insurance business, whether or not he carries on life insurance business in Zambia, shall, whenever he furnishes to the appropriate authority in the country in which his head office is situate, an abstract, statement, return or other document reflecting the results of an actuarial investigation of the liabilities of the whole of his life insurance business, furnish a copy of the abstract, statement, return or other document to the Registrar.

(5) Notwithstanding the provisions of subsections (1) to (3), the Registrar may, subject to the provisions of subsection (6), require a life insurer who he suspects is not conducting his life insurance business in accordance with sound insurance principles to prepare and furnish, within six months commencing on the date the Registrar calls upon him in writing to do so, valuations of the liabilities referred to in paragraphs (a) and (b) of subsection (2) and an abstract and statement referred to in subsection (3).

(6) The Registrar shall not require a life insurer to prepare and furnish the documents referred to in subsection (5) more than once in any year.

19. No life insurer shall enter into a contract of reinsurance against any liability in respect of his life insurance business in Zambia otherwise than with a life insurer or reinsurer.

Reinsurance contracts of life insurers

PART III

PROVISIONS RELATING TO BROKERS

20. (1) Subject to the provisions of this Act and regulations made thereunder, the Registrar shall register as a broker any person who- Registration of brokers

- (a) applies to him in the prescribed manner
- (b) is qualified under regulations made under this Act to be a registered broker; and
- (c) pays such a fee as may be prescribed for registration as a broker.

(2) Where an applicant for registration is not qualified under regulations made under this Act to be a registered broker, the Registrar shall reject the application and notify the applicant of the rejection and of the appropriate provision or provisions of such regulations by virtue of which the applicant is not qualified for registration.

(3) In rejecting an application for registration, the Registrar may notify the applicant of the conditions which, if complied with by the broker, would enable him to satisfy the provision or provisions of the regulations by virtue of which he is not qualified for registration.

(4) The Registrar shall cause notice of every registration of a broker to be published in the *Gazette*.

21. (1) No person shall act in Zambia as a broker unless he is a registered broker holding a valid broker's licence. Registered brokers to be licensed

(2) Subject to the provisions of section *twenty-two*, the Registrar shall on payment of the prescribed annual fee grant a broker's licence to a registered broker.

(3) Unless suspended or cancelled under this Part, a broker's licence shall be valid until the expiration of the calendar year in respect of which it is granted.

22. (1) The Registrar may, as the case may be, refuse to renew or suspend any broker's licence if- Refusal, suspension and cancellation of brokers' licences

- (a) the broker ceases to be qualified under regulations made under this Act to be a registered broker; or

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- (b) the Registrar considers that the broker has contravened or failed to comply with any provisions of this Act or regulations made thereunder or of any insurance law of another country applying to the broker.

(2) The Registrar shall forthwith notify the broker of a refusal or suspension under subsection (1) of any broker's licence and shall state his grounds for such refusal or suspension.

(3) The broker may on receiving notification under subsection (2) make written representations to the Registrar showing cause why the suspension should be revoked or, as the case may be, the licence should be renewed and, if before the expiration of thirty days from that notification the Registrar considers that the grounds for his action are not applicable or have ceased to be applicable to the broker, the Registrar shall revoke his suspension of or renew the licence as the case may be.

(4) Any licence suspended under this section which remains suspended after sixty days from the date the broker is notified of the suspension shall without further notice be cancelled.

23. (1) The Registrar shall cancel the registration of a broker-

Cancellation of
broker's registration

- (a) whose broker's licence has been cancelled under this Part;
- (b) who has held no broker's licence during the period of sixty days immediately preceding;
- (c) who the Registrar is satisfied has ceased to act as a broker in Zambia; or
- (d) who himself or by way of any person having control of his affairs so requests.

(2) The Registrar shall cause notice of every cancellation of the registration of a broker to be published in the *Gazette*.

24. (1) A registered broker shall for the sole purpose of transacting business as a broker maintain a principal office in Zambia and shall notify the Registrar of the address thereof and, if it is proposed to change that address, shall notify the Registrar of the new address not less than three weeks in advance of the change.

Principal office and
principal officer of a
registered broker

(2) A registered broker shall be represented in Zambia by a principal officer who shall be appointed in writing by the head office of the registered broker after the Registrar has signified that in his opinion the person in question has the prescribed minimum qualifications and is not disqualified by any regulations made under this Act from such appointment.

25. (1) A registered broker shall each year submit to the Registrar in accordance with regulations made under this Act such information as may be prescribed relating to his business during the twelve months immediately preceding the date prescribed for the submission of that information.

Returns by and records of registered brokers

(2) If in the opinion of the Registrar any information submitted by a registered broker does not comply with the requirements of subsection (1), the Registrar may notify the broker accordingly and, until the expiration of thirty days from that notification, the broker shall be deemed not to have failed to comply with those requirements.

(3) A registered broker shall keep at his principal office in Zambia such original records and documents relating to his business in Zambia as may be necessary to enable his principal officer to prepare the information to be submitted under subsection (1), and such records and documents shall be kept in such manner as to facilitate verification by the Registrar and shall be so kept for not less than three years from the date on which the transactions to which they relate occurred.

26. (1) A registered broker whose head office is outside Zambia shall each year furnish evidence showing to the satisfaction of the Registrar that his accounts have been subject to an annual audit by an independent auditor.

Audit of the accounts of a registered broker

(2) The accounts of a registered broker whose head office is within Zambia shall be audited annually by an independent auditor approved by the Registrar and the auditor shall either-

- (a) certify that-
 - (i) the accounts have been properly prepared in accordance with the records of the broker;
 - (ii) the records of the broker contain information adequate for the purpose of his audit;
 - (iii) the balance sheet and profit and loss account of the broker give a true and fair view of the broker's financial position and his profit or loss respectively; or
- (b) notify the Registrar that he is unable to complete the certificate provided for in paragraph (a) giving his reasons.

(As amended by Acts No. 26 of 1976 and No. 21 of 1992)

PART IV

PROVISIONS RELATING TO INSURANCE AGENTS

27. (1) No person shall act in Zambia as an insurance agent save under a valid licence granted under this Part.

Insurance agents to be licensed

(2) Subject to the provisions of this Act and regulations made thereunder, the Registrar shall grant an insurance agent's licence to any person who-

- (a) applies to him in the prescribed manner;
- (b) is qualified under regulations made under this Act to be a licensed insurance agent; and
- (c) pays such fee as may be prescribed for an insurance agent's licence.

(3) Unless suspended or cancelled under this Part, an insurance agent's licence shall be valid until the expiration of the calendar year in respect of which it is granted.

(4) An insurance agent's licence shall allow the holder to act as an insurance agent for the registered insurer named in the licence:

Provided that nothing in this subsection shall prevent an insurance agent from being granted more than one insurance agent's licence in order to act for more than one registered insurer.

28. (1) The Registrar may, as the case may be, refuse to renew or suspend any insurance agent's licence if-

Refusal, suspension and cancellation of insurance agents' licences

- (a) the insurance agent ceases to be qualified under regulations made under this Act to be a licensed insurance agent;
- (b) the Registrar considers that the insurance agent has contravened or failed to comply with any provision of this Act or regulations made thereunder; or
- (c) the Registrar considers that the insurance agent has in his dealings with any member of the public acted otherwise than in accordance with sound insurance practice.

(2) The Registrar shall forthwith notify an insurance agent of the refusal to renew or suspension of his insurance agent's licence and shall state his grounds for such refusal or suspension.

(3) An insurance agent may on receiving notification under subsection (2) make written representations to the Registrar showing cause why the suspension should be revoked or, as the case may be, the licence should be renewed and, if before the expiration of thirty days from that notification the Registrar considers that the grounds for his action are not applicable or have ceased to be applicable to the insurance agent, the Registrar shall revoke his suspension of or renew the licence, as the case may be.

(4) Any licence suspended under this section which remains suspended after sixty days from the date the insurance agent is notified of the suspension shall without further notice be cancelled.

PART V

SPECIAL PROVISIONS GOVERNING LIFE AND OTHER INSURANCE

29. If the proceeds on realisation of an asset, which was acquired with moneys paid by the insurer under a life policy and with other moneys, exceed in amount the moneys paid under the policy which were used for the purpose of acquiring the asset, a reference in this Part to the proceeds on realisation of the asset shall be construed as a reference to the amount of the moneys paid under the policy which were used for the purpose of acquiring the asset, and a reference to the value of any such asset shall be construed accordingly.

Value of certain assets

30. (1) A minor who has attained the age of eighteen years may, without the consent of his guardian, effect a life policy upon his own life and pay any premium due under the policy with any money at his disposal.

Minor may insure his life

(2) Subject to the provisions of subsection (3), a minor who has effected a life policy upon his own life as in subsection (1) is provided shall be as competent in all respects to be the owner of such policy and to have and to exercise all the powers and privileges of such owner in relation to the policy as if he were of full age.

(3) A minor who has effected a life policy upon his own life shall not, without the consent of his guardian, pledge, cede or surrender the policy while he remains a minor.

(4) If any money becomes payable to a minor who has attained the age of eighteen years under a life policy effected by him on his own life, the insurer liable under the policy shall pay that money to the minor, who may, without the consent of his guardian, deal therewith as he thinks fit.

31. (1) Notwithstanding anything to the contrary contained in any law or in the common law, but subject to the provisions of this Part-

Life policies effected
by married persons

- (a) a married woman may, in all respects as if she were a single woman of full age and capacity-
 - (i) effect and own a life policy;
 - (ii) hold and, by way of gift or otherwise, acquire from or dispose of to any person, including her husband, any interest in a life policy;
 - (iii) hold any moneys paid by the insurer in respect of any interest held by her in a life policy or any assets acquired by her with those moneys;
 - (iv) hold any moneys or assets acquired by her in respect of the disposal of any interest held by her in a life policy or any assets acquired by her with those moneys; and
 - (v) dispose of to any person, including her husband, by way of gift or otherwise, any moneys or assets referred to in sub-paragraphs (iii) and (iv); and

- (b) a married man may, in all respects as if he were a single man of full age and capacity, by way of gift acquire from or dispose of to his wife-
 - (i) any interest in a life policy;
 - (ii) any moneys paid by the insurer in respect of any interest in a life policy or any assets acquired with those moneys; and
 - (iii) any moneys or assets acquired in respect of the disposal of any interest in a life policy or any assets acquired with those moneys.

(2) The provisions of paragraph (a) of subsection (1) shall apply in relation to-

- (a) a life policy effected by a married woman before her marriage;

- (b) any interest in a life policy acquired by a married woman before her marriage;

- (c) any moneys due or paid to a married woman before her marriage in respect of a life policy referred to in paragraph (a) or any interest in a life policy referred to in paragraph (b) or acquired by her before her marriage in respect of the disposal of any interest in a life policy; or

- (d) any assets acquired by a married woman before her marriage with moneys referred to in paragraph (c);

as if the policy, interest, moneys or assets was or were effected or paid to or acquired by her or became due during her marriage.

32. (1) If a life policy effected by a person, whether married or not, on his or her own life which has insured for three years from the date of the payment of the first premium or longer-

Life policy on own life:
protection afforded
during life

(a) is attached in execution of a judgment or order of any court at the instance of a creditor of that person; or

(b) becomes part of that person's estate in bankruptcy;

during the lifetime of that person, the proceeds on realisation of the policy shall, to the extent specified in subsection (2), be protected against that person's creditors and against any claim in connection with the attachment or bankruptcy.

(2) The protection afforded by the provisions of subsection (1) in respect of a life policy referred to in that subsection-

(a) shall extend to so much of the proceeds on realisation of the policy as does not exceed an amount of four thousand kwacha; and

(b) shall, subject to the provisions of paragraph (a), extend, if the policy is pledged, to so much of the proceeds on realisation of the policy as exceeds the amount of the liability, the payment of which the pledge secures, but no further.

(3) If moneys due or paid by the insurer under a life policy referred to in subsection (1) or assets acquired with those moneys or with those moneys and other moneys-

(a) are attached in execution of a judgment or order of any court at the instance of a creditor of a person by whom the policy was effected; or

(b) become part of the estate in bankruptcy of the person by whom the policy was effected;

during the period of five years from the date the moneys due or paid under the policy first became due, the moneys due or paid under the policy or the proceeds on realisation of the assets shall, to the extent specified in subsection (4), be protected against that person's creditors and against any claim in connection with the attachment or bankruptcy.

(4) The protection afforded by the provisions of subsection (3) in respect of moneys or assets of a person referred to in that subsection-

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- (a) shall extend to those moneys or the proceeds on realisation of those assets in so far as those moneys and proceeds, together with-
 - (i) all other moneys due or paid to that person under life policies referred to in subsection (1);
 - (ii) the value of all other existing assets of that person acquired with moneys paid under life policies referred to in subsection (1) or with such moneys and other moneys; and
 - (iii) the realisable value of all life policies referred to in subsection (1) of which that person is the owner;

do not exceed four thousand kwacha;

- (b) shall, subject to the provisions of paragraph (a), extend, in the case of an asset which is pledged or mortgaged, to so much of the proceeds on realisation of the asset as exceeds the amount of the liability, the payment of which the pledge or mortgage secures, but no further; and
- (c) shall not extend to any moneys due or paid under a life policy referred to in subsection (1) on surrender of the policy or to any assets acquired with those moneys or with those moneys and other moneys.

(5) For the purposes of this section-

- (a) a life policy which an insurer issues in exchange for or in consideration of the surrender of another life policy under which the insurer was previously liable shall be regarded as having been effected on the date on which the surrendered policy was issued if the insurer received no payment other than the value of the surrendered policy as a consideration for the new policy;
- (b) a life policy which an insurer issues in terms of subsection (3) of section *thirty-eight* shall be regarded as having been effected on the date on which the old life policy for which it was substituted was issued.

33. If, on the death of the owner of a life policy, money or assets in respect of which protection is afforded by the provisions of section *thirty-two*, a dependant has a claim under such policy or to such money or assets, and the policy, money or assets-

Protection for life beneficiaries on death of policy owner

- (a) are attached in execution of a judgment or order of any court at the instance of a creditor of the deceased owner; or
- (b) become part of the deceased owner's estate in bankruptcy;

the dependant shall, in respect of his claim, enjoy the protection afforded by section *thirty-two*.

34. (1) If-

Protection afforded in respect of life policy insuring to spouse or children

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- (a) before or during marriage a man effects or cedes for the benefit of his wife or his wife and children, including children to be born to him and his wife, or any of them:
- (b) before or during marriage a woman effects or cedes for the benefit of her husband or her husband and children, including children to be born to her and her husband, or any of them; or
- (c) a person effects or cedes for the benefit of his or her children, including children to be born to him or her;

a life policy on his or her life or on the life of his or her spouse, the policy or moneys due to be paid thereunder by the insurer or any asset acquired with those moneys shall not, subject to the provisions of this section and, in the case of a policy which is ceded, to the terms of the cession-

- (i) be liable to be attached in execution of a judgment or order of any court at the instance of a creditor of the person by whom the policy was effected or ceded; or
- (ii) form part of the estate in bankruptcy of the person by whom the policy was effected or ceded.

(2) A benefit conferred or purported to be conferred upon a spouse or child under a life policy referred to in subsection (1) by virtue of the cession of a life policy referred to in that subsection shall, notwithstanding any agreement to the contrary between the insurer and the person by whom the policy was effected, but subject, in the case of a policy which is ceded, to the terms of the cession, be enforceable against the insurer liable under the policy at the suit of the spouse or child or the legal representative of the spouse or child, notwithstanding that the spouse or child has not accepted the benefit and is not a party to the contract of insurance.

(3) A life policy shall not be treated for the purpose of this section as having been effected for the benefit of the spouse and, additionally or alternatively, the children, including unborn children, or any of them, of the person by whom the policy was effected unless, at the time of its issue, the policy expressly so provides.

35. (1) If, before or during marriage, a man effects or cedes for the benefit of his wife a life policy on his or her life and the policy-

Protection afforded in respect of life policy inuring to wife

- (a) is attached in execution of a judgment or order of any court at the instance of her creditors; or
- (b) becomes part of her estate in bankruptcy;

the proceeds on realisation of the policy shall, to the extent specified in subsection (2) of section *thirty-two*, be protected against her creditors and against any claim in connection with the attachment or bankruptcy.

(2) The provisions of subsections (3) to (5) of section *thirty-two* and of subsections (2) and (3) of section *thirty-four* shall, *mutatis mutandis*, apply to a life policy referred to in subsection (1) or moneys due or paid thereunder by the insurer or any assets acquired with those moneys or with those moneys and other moneys.

36. (1) A provision in a life policy issued on or after the 27th November, 1959-

Certain provisions in life insurance policies to be of no force or effect

- (a) in which a person is named as a beneficiary; or
- (b) which confers on a person, other than the person effecting the policy or his estate, a benefit provided for in the policy;

shall not, subject to the provisions of subsection (2), be of force or effect.

(2) The provisions of subsection (1) shall not apply to-

- (a) a life policy effected for the benefit of a spouse and, additionally or alternatively, children, including unborn children, to which the provisions of section *thirty-four* relate;
- (b) a life policy effected for the benefit of a wife to which the provisions of section *thirty-five* relate which was issued before the 27th November, 1959; or
- (c) the cession of a benefit provided for in a life policy.

37. If-

Selection for realisation of life policies in respect of which protection is afforded

- (a) two or more life policies or assets in respect of which protection is afforded by the provisions of section *thirty-two*, *thirty-three* or *thirty-five*, being the property of one person, are attached in execution of a judgment or order of any court at the instance of a creditor; or
- (b) the owner of two or more life policies or assets in respect of which protection is afforded by the provisions of section *thirty-two*, *thirty-three* or *thirty-five* is adjudged or otherwise declared bankrupt;

and a part only of the aggregate realisable value of the policies or assets is protected, the judgment creditor or, as the case may be, the trustees of the estate in bankruptcy shall determine which policy or policies or other asset or other assets shall be realised, wholly or partly, in order to make available to him so much of the aggregate realisable value as is not protected.

38. (1) A judgment creditor of the owner of a life policy or the trustee of his estate in bankruptcy who is entitled to a part of the realisable value of the policy may, if he is in possession of the policy, deliver it to the insurer who is liable under the policy for the purposes of the payment to him of the sum to which he is entitled.

Partial realisation and
partial conversion of
life policies

(2) If a judgment creditor or trustee referred to in subsection (1) is not in possession of the life policy to which the provisions of that subsection relate, the owner or any other person in possession of the policy shall, at the request of the judgment creditor or trustee, deliver it to the insurer who is liable under the policy for the purposes of the payment to the judgment creditor or trustee of the sum to which he is entitled.

(3) On receipt of a life policy delivered to him in terms of subsection (1) or (2), the insurer shall-

- (a) at the request of the judgment creditor or trustee referred to in subsection (1), pay to him a sum equal to the part of the realisable value of the policy to which he is entitled; and
- (b) at the request of the owner of the policy, issue to him a new policy of the same class, but for a sum insured equal to the difference between-
 - (i) the full sum insured under the old policy, including any bonus which may have accrued in connection therewith; and
 - (ii) an amount which bears the same ratio to the full sum insured under the old policy, including any bonus, as the amount paid by the insurer to the judgment creditor or trustee referred to in subsection (1) bears to the full realisable value of the old policy.

(4) If an insurer has made the payment and issued a new life policy as in subsection (3) provided, the old life policy shall lapse.

39. If a person who-

- (a) has effected or ceded a life policy for the benefit of his spouse, and, additionally or alternatively, children, including unborn children, or any of them; or
- (b) holds a life policy in trust for any other person and is obliged to pay the premiums on the policy;

Provisions in case where life policy ceded or trust policy cannot be kept up

is or has been unable to pay the premiums, that person may, with the consent of each person who has an interest in the policy or, if any such person is a minor, with the consent of his guardian or the Registrar of the High Court, agree with the insurer liable under the policy-

- (i) to exchange the policy for a paid-up life policy of a value equal to that of the original policy according to the insurer's current tariff, payable at the time and in the manner stipulated in the original policy to the person or persons entitled to the sum insured by the original policy; or
- (ii) to borrow from the insurer upon security of the policy such sums as may be necessary to keep the policy in force or to revive it; or
- (iii) to apply any bonus which may have accrued in connection with the policy to a temporary or permanent reduction of premiums or to the payment of any premiums which have fallen due.

40. (1) Nothing in this Part contained shall be construed as derogating from the power of a competent court to set aside, under the law relating to bankruptcy, any cession of a life policy made with intent to benefit someone at the expense of a creditor.

Life policies ceded or premiums paid with intent to benefit someone at the expense of a creditor

(2) If a premium upon a life policy was paid with intent to benefit a person at the expense of a creditor of the person making the payment, a competent court may order the owner of the policy to pay a sum equal to the aggregate of all premiums so paid, with interest at the rate of six per centum per annum, on the amount of each premium so paid from the date of its payment to the person to whose detriment the premium was or the premiums were paid or, if the person has been adjudged or otherwise declared bankrupt, to the trustee of his estate in bankruptcy.

(3) An order for the payment of a sum of money made in terms of subsection (2) shall have the effect of pledging the life policy referred to in that subsection to the person entitled to the payment as security for the payment and, until the payment is made, that person shall be entitled to possess the policy.

41. If-

Proof of age

- (a) a claim is made for a benefit under a life policy which has inured for a period of three years from the date of the payment of the first premium; and
- (b) the age or date of birth of the insured has not been admitted by the insurer liable under the policy; and
- (c) the person claiming the benefit shows that, owing to circumstances beyond the control and through no default either of himself or of the person by whom the policy was effected, there was, at no time after the date of the payment of the first premium under the policy, either in existence or available any documentary evidence affording reasonable proof of the age or date of birth of the insured;

any written statement made in the proposal or application for the policy as to the age or date of birth of the insured shall be accepted for the purposes of the claim as the correct age or date of birth of the insured, unless the contrary is proved by records of a medical examination of the insured, made at the instance of the insurer, within the period of three years referred to in paragraph (a) or in any other manner.

42. (1) If after the issue of a life policy it is proved that the policy is based upon an incorrect statement of the age of the person whose life is insured, the sum insured and other benefits under the policy shall, subject to the provisions of subsection (2), be the same as those which the premiums payable under the policy would have secured had the policy been based upon a correct statement of the person's age.

Age incorrectly stated

(2) If the Registrar is satisfied that the actuarial nature of life policies of any particular kind is such as to render the application of the provisions of subsection (1) inequitable, he may direct an insurer to apply, in relation to policies of that kind such other method of making adjustments in respect of incorrect statements of age as may appear to the Registrar to be equitable.

43. (1) No life policy in which it is provided that the policy shall be void in the event of the insured, whether sane or insane, dying by his own act within a stipulated period shall be void for that reason if the insured dies by his own act after the expiration of that period.

Death of insured by his own act

(2) A life policy in which no provision such as is referred to in subsection (1) is contained shall not be void by reason of the insured, whether sane or insane, dying by his own act at any time after the issue of the policy.

44. (1) If a local life policy is lost or destroyed and the loss or destruction is proved and advertised in the manner prescribed, the insurer liable under the policy shall, at the request of the owner of the policy and on payment by that owner to the insurer of the prescribed fee, issue to the owner-

Lost or destroyed life policies

- (a) a correct and certified copy of the policy upon which shall be inscribed any endorsement made by the insurer on the original policy after its issue; and

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- (b) a correct and certified copy of any record in the possession of the insurer of any dealings with the policy after its issue.

(2) A certified copy of a life policy issued in terms of subsection (1) shall for all purposes-

- (a) take the place of the policy lost or destroyed; and
- (b) be the sole evidence of the contract made by the policy.

45. (1) If a registered insurer by notice in writing-

Life policy may include disability benefits

- (a) informs the Registrar that he has issued on or before the commencement of this Act, or that he intends to issue, local life policies which provide benefits-
 - (i) on the total or partial permanent disablement of the person whose life such a policy insures; or
 - (ii) on the death of the person whose life such a policy insures as a result of an accident or a particular disease; and
- (b) requests the Registrar that the policies referred to in paragraph (a) shall be treated for the purposes of this Act as life policies only;

any such policy issued by the insurer on or before the commencement of this Act or after notification to the Registrar as in paragraph (a) is provided shall, subject to the provisions of subsection (2), be treated, for the purposes of this Act, as a life policy only.

(2) A policy referred to in paragraph (a) of subsection (1) shall not be treated for the purposes of this Act as a life policy only if the value of the benefits referred to in sub-paragraphs (i) and (ii) of that paragraph which it provides exceeds an amount equal to a waiver of claims to a premium under the policy in respect of the period of disability, together with-

- (a) a monthly benefit, payable during the period of the disability of the person whose life the policy insures, but not extending beyond the date of termination of the risk of the life insurance proper effected by the policy, amounting to one and one-quarter per centum of the sum payable under the policy on the death of the person;
- (b) a lump sum equal to the sum payable under the policy on the death of the person whose life the policy insures; or
- (c) in the case of a deferred annuity policy, a monthly benefit, payable during the period of the disability of the person whose life the policy insures, but not extending beyond the date as from which the annuity will become payable, amounting to one-twelfth of the annuity.

(3) A local life policy providing benefits such as are described in paragraph (a) of subsection (1) which cannot, by reason of the provisions of subsection (2), be treated for the purposes of this Act as a life policy only shall, for the purposes of this Act, be treated as both a life policy and a personal accident policy.

46. (1) No insurer shall make or permit to be made any discrimination in respect of the rate of premiums charged or the rate of bonuses granted between life policies which are of the same kind and under which the persons whose lives are insured have an equal expectation of life.

Discrimination
between life policies,
etc., prohibited

(2) Nothing in subsection (1) shall apply to life policies which-

- (a) are reinsurance contracts;
- (b) are for large sums at preferential rates in accordance with the current tariff of the insurer concerned;
- (c) insure at preferential rates the lives of employees of one employer or a combination of employers or members of the families of such employees or the lives of a group of persons carrying on the same occupation; or
- (d) are of a class prescribed.

(3) No insurer and no director, servant or agent of an insurer shall pay, allow or give or offer to pay, allow or give, directly or indirectly-

- (a) a rebate of the premium payable on a life policy;
- (b) an advantage in the nature of a rebate of the premium payable on a life policy; or
- (c) preferential treatment in connection with a bonus or other benefit under a life policy;

as an inducement to insure.

(4) No person shall knowingly receive as such any rebate or premium, advantage or preferential treatment referred to in subsection (3) as an inducement to insure.

(5) No director, servant or agent of an insurer shall accept any proposal or application for a life policy in respect of which-

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- (a) a promissory note, bill of exchange or other negotiable instrument, not being a cheque payable on the date of issue; or
- (b) an acknowledgment of debt, not being a stop order;

in favour of the insurer or any person whatsoever has been given for the first year's premium or any part thereof.

47. The provisions of sections *thirty* to *forty-three* inclusive and section *forty-five* shall, *mutatis mutandis*, apply to industrial policies.

Application of certain provisions of Part V to industrial policies

48. The provisions of sections *forty-four* and *forty-six* shall, *mutatis mutandis*, apply to sinking fund policies.

Application of certain provisions of Part V to sinking fund policies

49. (1) The provisions of sections *thirty* to *forty-one* inclusive, *forty-three* and *forty-five* shall, *mutatis mutandis*, apply to funeral policies.

Application of certain provisions of Part V to funeral policies and other policies and other provisions in regard thereto

(2) If after the issue of a funeral policy it is proved that the policy is based upon an incorrect statement of the age of the person whose life is insured, the benefits under the policy shall not be affected thereby, but the premiums payable under the policy from the date on which the person became insured shall be deemed to be those which would have been required had the age been correctly stated, and the insurer liable under the policy shall-

- (a) be entitled to recover from the owner any resultant shortfall in the premiums actually paid; or, as the case may be;
- (b) refund to the owner any resultant overpayment of premiums.

(3) A funeral policy issued on or after the commencement of this Act-

- (a) shall provide that the owner shall, at his option, be entitled to a sum of money instead of each funeral or other non-monetary benefit for which provision is made in the policy; and
- (b) may provide that the insurer liable under the policy shall likewise have the option to pay the sum of money referred to in paragraph (a) instead of providing for each funeral or other non-monetary benefit for which provision is made in the policy.

(4) An option referred to in subsection (3) and the sum of money to which it relates shall be stated expressly and clearly in the funeral policy and, in every premium receipt book issued in connection therewith, in printed or typed letters no smaller than, and as legible as, the letters of the provisions of the policy.

(5) A registered insurer who issued a funeral policy before the commencement of this Act shall, if the policy is still in force, within three months of that date declare to the Registrar the value in money of each funeral or other non-monetary benefit for which provision is made in the policy, and that value shall be stated in clear type and in distinct terms in every premium receipt book issued thereafter in connection with the policy.

(6) If the Registrar is of the opinion that a sum of money stated in a funeral policy in terms of subsection (4), or that the value declared by a registered insurer in terms of subsection (5) with reference to a particular funeral policy, does not approximate to the value of the funeral or other non-monetary benefit for which provision is made in the policy, he shall declare the amount of money which is, in his opinion, equal to the value of the funeral or other benefit provided for in the policy.

(7) In a funeral policy the amount declared by the Registrar in terms of subsection (6), or if no amount is so declared, the sum of money stated in the policy in terms of subsection (4), or the value declared in terms of subsection (5), shall be deemed to be the sum insured.

50. (1) If a premium under a local life, industrial or sinking fund policy has not been paid on its due date, the insurer liable under the policy shall, notwithstanding any agreement to the contrary between the parties to the policy, maintain the policy in force for the full sum insured without payment of a further premium for a period of one month as from the due date of the first unpaid premium and if the premium is paid within the month the insurer shall renew the policy.

Days of grace, paid-up policies and non-forfeiture provisions: life, industrial and sinking fund policies

(2) If the premiums under a local life or sinking fund policy are payable at monthly intervals, or at intervals of less than one month, the provisions of subsection (1) shall have effect as if the references in that subsection to the words "one month" and "month" were references to the words "fifteen days".

(3) If a claim under a local life, industrial or sinking fund policy arises during the period of grace provided for in this section, the insurer liable under the policy shall be entitled to deduct the amount of the unpaid premium from the claim.

(4) If a premium under a local policy which is-

- (a) a life policy under which at least three years' premiums have been paid; or
- (b) an industrial policy under which at least five years' premiums have been paid; or

- (c) a sinking fund policy under which at least three years' premiums have been paid;

has not been paid within the period specified in subsection (1) or, as the case may be, subsection (2), the insurer liable under the policy shall, in accordance with rules made by him and approved by the Registrar issue, in return for and instead of the policy, a paid-up policy which shall be free from the obligation to pay any premiums thereunder.

(5) The rules referred to in subsection (4) shall specify the basis on which and the methods by which the amount of the paid-up policy is to be calculated and whether a paid-up policy such as is referred to in that subsection shall entitle the owner to any future bonuses thereon.

(6) The provisions of subsection (4) shall not apply in connection with any particular kind of life or industrial policy which an insurer has issued or proposes to issue if the Registrar is satisfied that the actuarial nature of that kind of policy prevents the insurer from accumulating, in respect of policies of that kind, sufficient funds to enable him to grant any substantial benefit of a kind described in that subsection.

(7) If on or after the commencement of this Act a local life policy under which at least three years' premiums have been paid is dealt with as in subsection (4) is provided and the owner informs the Registrar within thirty days of the date on which he is notified by the insurer liable under the policy that the policy has been so dealt with or, if he is not so notified, within six months of the date on which the policy has been so dealt with that he received no written notice from the insurer a reasonable time beforehand to the effect that the policy was due to be so dealt with, the Registrar may, unless the insurer satisfies him that the notice was duly despatched to the owner at his last known residence or place of work a reasonable time before the policy was due to be so dealt with, require the insurer to revive the policy on payment of the premium required within a period to be fixed by the Registrar. A policy shall be revived in terms of this subsection without any alterations in its conditions with effect from the date of the payment of the premium required.

51. Any life policy issued after the commencement of this Act may be cancelled by the proposer or the owner within a period of three months from the date on which the proposal form has been signed or within thirty days of the receipt of the policy by the owner, whichever is the later. In the event of such cancellation, all premium payments made by the proposer or owner shall be refunded to him but the insurer is entitled to deduct an amount of four kwacha in respect of expenses and the amount of any medical fees incurred.

Owner may cancel life policy within limited period without penalty

52. (1) If a premium under a local funeral policy has not been paid on its due date, the insurer liable under the policy shall, notwithstanding any agreement to the contrary between the parties to the policy, maintain the policy in force for the full value of the benefits-

Days of grace, paid-up policies and non-forfeiture provisions: funeral policies

- (a) if the insurer is bound by an express or tacit undertaking to send a person from time to time to the owner or to his residence or place of work to collect the premiums, for a period of one month as from the due date of the first unpaid premium; and

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- (b) if the provisions of paragraph (a) do not apply, for a period expiring on a date specified for that purpose in a written notice which the insurer has served on the owner at least fourteen days before that date.

(2) If a premium referred to in subsection (1) is paid within the relevant period specified in paragraph (a) or (b) of that subsection, the insurer liable under the policy shall renew the policy, and if a claim under the policy arises during the period, the insurer shall be entitled to require the owner to pay the amount of the premium.

(3) If a premium under a local funeral policy which is issued on or after the commencement of this Act is not paid within the period specified in subsection (1), the policy shall, subject to the provisions of this section, nevertheless remain in force for the appropriate period fixed in terms of subsection (6) for the full sum insured without payment of further premiums.

(4) If an insurer's liability under a funeral policy is contingent upon the death of two or more persons and the policy provides for a benefit on the death of a person who is under the age of twenty-one years and who is not the owner or his wife or her husband, no benefit shall be claimable under that policy on that person's death if it occurs after he or she attained the age of twenty-one years.

(5) If an insurer's liability under a funeral policy is contingent upon the death of one person only, who was under nine years of age when the policy was issued, the period specified in subsection (6) shall be computed as if the policy had been issued on the anniversary of the date of its issue when that person was between nine and ten years of age.

(6) A funeral policy referred to in subsection (3) shall remain in force for the appropriate period listed in the first column of the following table in accordance with the number of years for which premiums were paid under the policy specified opposite thereto in the second column of the table:

6 months	. .	5 years or over and less than 7 years.
9 months	. .	7 years or over and less than 9 years.
12 months	. .	9 years or over and less than 11 years.
18 months	. .	11 years or over and less than 14 years.
24 months	. .	14 years or over and less than 17 years.
36 months	. .	17 years or over and less than 21 years.

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48 months . . . 21 years or over and less than 25 years.

60 months . . . 25 years or over.

53. Nothing in section *fifty* or *fifty-two* contained shall preclude an insurer from granting to an owner of a policy of a kind referred to in section *fifty* or *fifty-two* more favourable terms than those specified for that kind of policy in section *fifty* or, as the case may be, *fifty-two*.

Grant of more favourable terms than those specified in section 50 or 52 not precluded

PART VI

OFFENCES AND PENALTIES

54. Any person who transacts insurance business of any class in Zambia and who is not the holder of a valid insurer's licence for that class shall be guilty of an offence and liable to a fine not exceeding one thousand two hundred and fifty penalty units:

Unlawfully acting as an insurer

Provided that-

- (i) if that person is not a registered insurer in the class of business transacted, he shall be liable to a fine not exceeding two thousand five hundred penalty units;
- (ii) this section shall not apply in the case of business transacted in accordance with the provisions of subsection (2) of section *seven*.

(As amended by Act No. 28 of 1989 and Act No. 13 of 1994)

55. Any person who acts in Zambia as a broker and who is not the holder of a valid broker's licence shall be guilty of an offence and liable to a fine not exceeding one thousand two hundred and fifty penalty units:

Unlawfully acting as a broker

Provided that if that person is not a registered broker he shall be liable to a fine not exceeding two thousand five hundred penalty units.

(As amended by Act No. 28 of 1989 and Act No. 13 of 1994)

56. Any person who acts in Zambia as an insurance agent and who is not the holder of a valid insurance agent's licence naming the insurer for whom he acts or purports to act shall be guilty of an offence and liable to a fine not exceeding one hundred and twenty five penalty units.

Unlawfully acting as an insurance agent

(As amended by Act No. 28 of 1989 and Act No. 13 of 1994)

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57. An insurer who accepts any insurance business in Zambia from an insurance agent who is not the holder of a valid insurance agent's licence naming such insurer therein shall be guilty of an offence and liable to a fine not exceeding two hundred and fifty penalty units.

Insurers not to accept business from unlicensed agents

(As amended by 28 of 1989 and Act No. 13 of 1994)

58. Any person who solicits insurance business in Zambia on behalf of an insurer or broker who is not registered under this Act shall, whether or not his action is authorised by that insurer or broker, be guilty of an offence and liable to a fine not exceeding one thousand two hundred and fifty penalty units.

Soliciting insurance business on behalf of an unregistered insurer or broker

(As amended by 28 of 1989 and Act No. 13 of 1994)

59. Any person who contravenes any provision of section *forty-six* shall be guilty of an offence and liable to a fine not exceeding double the amount of the annual premium normally payable on a life policy similar to the one in respect of which the offence is committed.

Malpractice in life insurance

PART VII

MISCELLANEOUS PROVISIONS

60. There shall be-

Registrar of Insurance

- (a) a Registrar of Insurance who shall be a public officer; and
- (b) such other public officers as may be necessary to assist the Registrar in the performance of his duties and functions under this Act.

61. The Registrar shall, within nine months of the 31st December each year, submit to the Minister a report relating to insurance business in Zambia during the twelve months immediately preceding that date and the Minister shall, as soon as may be, lay that report before the National Assembly.

Annual reports by Registrar

62. (1) A registered insurer or registered broker or an applicant for registration as an insurer or broker shall supply the Registrar with any documents or information relating to any matter connected with his business or transactions, whether insurance business or transactions or otherwise, which the Registrar requests him to supply.

Business information to be supplied by insurers and brokers

(2) A registered insurer shall, on the request of the Registrar, supply him with such particulars of reinsurance contracts or other arrangements entered into with another insurer or reinsurer as the Registrar may specify.

63. (1) Every document furnished to the Registrar by an insurer or broker in pursuance of any provision of this Act or regulations made thereunder relating to the supply of information to the Registrar shall-

Documents to be signed and copies supplied

- (a) in the case of documents which are not in a prescribed form, be signed-
 - (i) by the chairman and one other director of the insurer or broker or, if the insurer or broker has no chairman or director, by such other person or persons having control over the business of the insurer or broker as the Registrar may specify;
 - (ii) by the principal officer of the insurer or broker; and
 - (iii) by such other persons as are required under this Act to sign or certify the document;
- (b) in the case of a document in a prescribed form, be signed by the persons specified in the form; and
- (c) in the case of a copy of a document, be certified by the insurer or broker to be a true copy of such document.

(2) An insurer or broker who has furnished the Registrar with any document by virtue of this Act or regulations made thereunder shall, on the request of the Registrar, furnish such copies or further copies of that document as the Registrar may specify.

64. The Registrar may require any person who furnishes him in terms of this Act with any statement, certificate, document or other information whatsoever in a language other than the English language to provide a translation thereof in the English language at that person's expense.

Translation of documents into English

65. (1) Any person may, on payment to the Registrar of the appropriate prescribed fee, inspect and copy any document furnished to the Registrar in compliance with section *twelve, eighteen or twenty-five*.

Inspection of documents, etc.

(2) The Registrar shall, on payment of the prescribed fee, furnish any person with a certified copy of or abstract from any document furnished to the Registrar in compliance with section *twelve, eighteen or twenty-five*.

(3) On the request of any person, the Registrar shall without charge furnish that person with the address of the principal office in Zambia of any registered insurer or registered broker and the name of his principal officer.

(4) Notwithstanding the provisions of subsections (1) and (2), the Registrar shall not permit any person by virtue of those subsections to have access to any information the divulgence of which, in the opinion of the Registrar-

- (a) would be harmful to the interests of the insurer or broker who supplied it;

(b) is not necessary in the interests of the general public.

66. (1) Any document purporting to be certified by the Registrar to be a document furnished to him under this Act shall in any proceedings in a court be receivable in evidence without proof of the signature of the Registrar:

Certified documents
as evidence

Provided that the court may direct that oral evidence be brought relating to that signature.

(2) Any document purporting to be certified by the Registrar to be a true copy of a document furnished to him under this Act shall in any proceedings in a court be receivable in evidence without proof of the signature of the Registrar or production of the original as though it were the original:

Provided that the court may direct that other evidence be brought relating to that signature or copy.

67. (1) For the purposes of checking and verifying any information supplied to the Registrar under this Act or regulations made thereunder, the Registrar or any public officer authorised by him in writing may examine the books, vouchers, receipts and such other documents as he may consider necessary of an insurer or broker. Save as provided in subsection (2), such examination may not be carried out more than once in any financial year.

Investigation of the
affairs of an insurer or
broker

(2) As a result of an examination carried out under subsection (1), the Minister may cause such investigation as he considers necessary to be carried out into the affairs of the insurer or broker and such investigation may include a special audit by an auditor named by the Registrar.

(3) The officers or agents of the insurer or broker shall cause the books of the insurer or broker to be available for examination or investigation under this section and shall otherwise facilitate such examination or investigation so far as it is in their power.

(4) The Minister shall cause a summary of the conclusions arrived at as a result of an investigation carried out under this section to be sent to the insurer or broker concerned.

(5) The Minister may recover from the insurer or broker concerned all expenses necessarily incurred in connection with an investigation carried out under subsection (2).

(6) The Registrar may, in the light of information acquired as a result of any examination or investigation carried out under this section, alter or amend any information submitted to him under this Act.

68. (1) The Minister may before or during an investigation into the affairs of an insurer or broker made under section *sixty-seven* require him to make such special deposit as the Minister deems sufficient to meet the liabilities of his insurance business in Zambia and he shall forthwith make such deposit.

Special deposit to cover liabilities of an insurer or broker

(2) The Registrar may require an insurer whose licence is suspended or cancelled under this Act to make such special deposit as the Registrar deems sufficient to meet the liabilities of his insurance business in Zambia and he shall forthwith make such deposit.

69. (1) The Registrar shall on request furnish an insurer or broker once each year with a certificate specifying the deposit or deposits made by him under this Act or regulations made thereunder.

Provisions concerning deposits made by insurers and brokers

(2) An insurer or broker who has made a deposit under this Act or regulations made thereunder shall be entitled to the income derived from that deposit.

(3) If the registration of an insurer or broker is cancelled under this Act, the Minister may cause any deposit made by that insurer or broker under regulations made under this Act to be used to meet his insurance liabilities and, when the Minister is satisfied that those liabilities have been discharged, any balance of such deposit remaining shall be returned to the insurer or broker, as the case may be.

(4) If at any time the Minister is satisfied as to the financial affairs of an insurer or broker who has made a deposit by virtue of section *sixty-eight*, he shall cause that deposit to be returned to the insurer or broker concerned.

70. (1) In every local policy the sum insured, the premium and every other sum of money mentioned in the policy shall be stated in Zambian currency except in the case of marine, aviation or transit insurance.

Insurance to relate to Zambia

(2) Every policy issued in respect of a proposal for insurance made to a registered insurer shall be issued in Zambia by a registered insurer and, in the case of a local policy, all premiums and payments arising under or out of such policy shall be payable in Zambia.

71. (1) The owner of a local policy shall, notwithstanding any contrary provision in the policy or in any agreement relating to the policy, be entitled to enforce his rights under the policy against the insurer named in the policy in any competent court.

Jurisdiction in relation to local policies

(2) Any question of law arising in any action under a local policy which is instituted by the owner against the insurer named in the policy shall, subject to the provisions of this Act, be determined in accordance with the law of Zambia.

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(3) Notwithstanding the provisions of subsection (1), a local policy may validly provide that the amount of any liability under the policy shall be determined by arbitration and any such arbitration shall be held in Zambia in accordance with the Arbitration Act. Cap. 40

72. A policy issued to any person before, on or after the commencement of this Act shall not be invalid merely because that person contravened or failed to comply with the provisions of any enactment in force applying to that policy. Policies not invalidated by failure to comply with the law

73. (1) Every registered insurer and registered broker shall lodge with the Registrar copies of all standard policy forms and proposal forms used by him. Insurance forms subject to approval

(2) The Registrar may, on grounds which appear to him sufficient, prohibit the use of any form lodged with him under subsection (1) unless such form is amended in accordance with his directions.

(3) No registered insurer, registered broker or insurance agent shall use any form prohibited by the Registrar under subsection (2).

74. No person shall issue a local policy containing printed provisions of any nature which are not in clear type face with letters of a size not less than eight point. Policies to be printed in clearly legible form

75. (1) No registered insurer or registered broker shall change his name without the consent of the Registrar who shall withhold such consent if he considers that such a change would be contrary to the public interest. Change of name of insurers and brokers

(2) The Registrar shall cause notice of a change in the name of any registered insurer or registered broker to be published in the *Gazette*.

76. (1) At the request of an insurer the Registrar may, subject to the provisions of subsection (2) and to such conditions and limitations as the Registrar may fix, determine that any insurance business of any particular class which the insurer carries on or intends to carry on shall be treated for the purposes of this Act as insurance business of another class. Registrar may re-classify insurance business

(2) The Registrar shall not accede to a request made under subsection (1) unless he is satisfied that his determination will not be detrimental to the interest of any person and will not defeat the objects and purposes of this Act.

- 77.** In the event of the liquidation or bankruptcy of a registered insurer-
- Preferred creditors of an insurer
- (a) the owners of life policies issued by the insurer shall have preference against all other creditors of the insurer in respect of the life insurance fund maintained by him; and
 - (b) the owners of all other policies issued by the insurer shall rank before any other creditors of the insurer in the distribution of such assets of the insurer as remain after the claims by owners of life policies against the estate have been discharged.
- 78.** The Registrar may alter any prescribed form for the purpose of adapting the form to meet the circumstances of a registered insurer or broker or an applicant for registration as an insurer or broker.
- Adaptation of prescribed forms
- 79.** No registered insurer shall, without the consent of the Minister, increase or decrease the rates of premium charged by him on motor insurance business.
- Control of motor insurance premiums
- 80.** (1) Every association of five or more registered insurers and, additionally or alternatively, registered brokers shall within thirty days-
- Associations of insurers and/or brokers
- (a) of its formation, register with the Registrar;
 - (b) of its formation, furnish the Registrar with such information and documents relating to its constitution, objects, membership and office bearers as the Registrar may request; and
 - (c) of each change in the particulars contained in the information and documents furnished in pursuance of paragraph (b), notify the Registrar of such change.
- (2) No association registered under subsection (1) shall-
- (a) include among its objects any object; or
 - (b) carry out any object in a manner;
- which is contrary to the public interest.
- (3) If in his opinion an association has contravened the provisions of subsection (2), the Minister shall notify the association accordingly giving his reasons, and the association may within ninety days of receiving such notification make written representations to the Minister who shall consider any such representations and shall either-

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- (a) if he is satisfied that the association has contravened the provisions of subsection (2), cause the Registrar to cancel the registration of the association; or
- (b) notify the association that he does not propose to cause its registration to be cancelled.

(4) No registered insurer or registered broker shall become or remain a member of an association-

- (a) which has failed to comply with the requirements of subsection (1); or
- (b) the registration of which is cancelled under subsection (3).

(5) The question whether or not an association has contravened the provisions of subsection (2) shall not be the subject of inquiry in any court.

81. (1) The Minister may, by statutory instrument, make regulations for the proper carrying out of this Act and, without prejudice to the generality of the foregoing, may in particular by regulation-

Regulations

- (a) prescribe anything which under this Act is to be or may be prescribed;
- (b) prescribe the fees to be paid on the doing by the Registrar of anything in respect of which provision is made in this Act for the payment of a fee, including different fees to be paid in different circumstances;
- (c) prescribe the forms to be used and the procedure to be followed in the doing of anything which may be done or is required to be done under this Act;
- (d) prescribe minimum qualifications for registered brokers, licensed insurance agents and the principal officers of registered insurers and registered brokers, and specify the person to whose satisfaction such qualifications shall be established;
- (e) limit the number of insurers who may be registered in any class of insurance business and the number of brokers who may be registered;
- (f) limit the number of insurance agent's licences which may be held by any insurance agent including different limits in respect of insurance agents operating in different areas;

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- (g) prescribe the margin of solvency to be held by registered insurers in different classes of insurance business and the method by which that margin of solvency is to be calculated;
- (h) divide insurance business into different classes for the purposes of this Act including different divisions for different purposes;
- (i) make provision for the protection of owners of and beneficiaries under insurance policies in the event of the liquidation or bankruptcy of an insurer;
- (j) specify-
 - (i) the minimum percentage of insurance funds accruing to a registered insurer in respect of his insurance business in Zambia which shall be invested in Zambia, including different percentages of funds accruing from different classes of insurance business; and
 - (ii) the forms of investment in which such moneys as are required under sub-paragraph (i) to be invested in Zambia may be invested;
- (k) prescribe in relation to information to be submitted to the Registrar under this Act by registered insurers and by registered brokers-
 - (i) the period within which such information shall be submitted and the date from which the period shall run; and
 - (ii) the nature of the information and the form in which it shall be submitted;

including different provisions in relation to different persons or circumstances;

- (l) provide for the manner in which Lloyd's shall be represented in Zambia if registered as an insurer under this Act.

(2) The Minister may, by statutory instrument-

- (a) make regulations requiring every registered insurer and registered broker to make a deposit and such regulations may specify the value of such deposit and when it shall be made, and may include different provisions in relation to different classes of insurance or other different circumstances; and
- (b) subject to the provisions of sections *sixty-eight* and *sixty-nine*, make regulations in relation to deposits made pursuant to this Act or to regulations made under this subsection-
 - (i) specifying the method by which the value of the deposit shall be assessed; and
 - (ii) providing for the making, maintaining, custody, disposition and disposal of the deposits;

and such regulations may include different provisions to have effect in different circumstances.

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82. (1) This Act shall, save as otherwise expressly provided, apply in relation to insurance policies effected before the commencement of this Act as if those policies had been effected after that commencement. Transitional

(2) Notwithstanding the provisions of the Interpretation and General Provisions Act, any licence or registration issued or effected under the Insurance Act, Chapter A.L. 4 of the 1965 Edition of the Applied Laws, or the Insurance Act, Chapter 201 of the 1951 Edition of the Laws, shall cease to have effect upon the commencement of this Act. Cap. 2

SUBSIDIARY LEGISLATION

INSURANCE

CAP. 392

THE INSURANCE REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Margin of solvency
3. Application for registration as an insurer
4. Application by Lloyd's for registration; and appointment of representative in Zambia
5. Qualifications for principal officer of insurer or broker
6. Qualifications for registered broker
7. Application for registration as a broker
8. Qualifications for insurance agent
9. Prescribed forms
10. Returns by Lloyd's
11. Returns by registered insurers
12. Additional information from registered insurer
13. Signatures on returns by local insurers
14. Returns by insurers following actuarial investigation into their financial position
15. Returns by brokers in respect of business placed with Lloyd's
16. Returns by brokers in respect of business not placed with Lloyd's
17. Other returns by brokers
18. Conversion rate to be given where returns show foreign currency
19. Time for submission of reports
20. Prescribed fees
21. Loss or destruction of a policy

SCHEDULE-Prescribed forms

SECTION 81-THE INSURANCE REGULATIONS

Regulations by the Minister

Statutory Instruments
118 of 1968
190 of 1971
145 of 1989
157 of 1990
7 of 1992
4 of 1993
190 of 1993
Act No.
13 of 1994

1. These Regulations may be cited as the Insurance Regulations. Title
2. (1) For the purposes of section *five* of the Act, an insurer other than Lloyd's shall have a sufficient margin of solvency- Margin of solvency

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- (a) in respect of his life insurance business, if his liabilities, including contingent and prospective liabilities, under life policies do not exceed the sum in the life insurance fund or funds maintained by him; and
- (b) in respect of his insurance business other than life insurance business, if the total value of his assets exceeds that of his liabilities by one hundred thousand kwacha or by one-tenth of his premium income during his last preceding financial year, whichever is the greater, such assets, liabilities and premium income being calculated in accordance with sub-regulation (2).

(2) For the purposes of paragraph (b) of sub-regulation (1)-

- (a) in computing the value of liabilities all contingent and prospective liabilities shall be taken into account but not liabilities in respect of share capital nor liabilities under life policies;
- (b) in computing the value of assets no account shall be taken of any sum held in a life insurance fund maintained by the insurer; and
- (c) premium income shall be calculated as a net sum after deduction of premiums paid out during the period in question by way of reinsurance.

3. An application by any person other than Lloyd's for registration as an insurer under section six of the Act shall be accompanied-

Application for registration as an insurer

- (a) by the written law, the memorandum and articles of association or any other document by virtue of which the applicant is constituted and which regulates the conduct of his business;
- (b) by the balance sheet, profit and loss account and revenue accounts in respect of his last preceding financial year as submitted to the appropriate authority in accordance with the law relating to insurance in the country in which his head office is situate;
- (c) if the applicant is not a local insurer, by a certificate of the authority responsible for the enforcement of the law relating to insurance in the country in which his head office is situate, to the effect that the applicant has consistently complied and is complying with that law;
- (d) by a copy of each form of proposal and policy which the applicant proposes to use in Zambia;
- (e) by certificates of solvency in the appropriate form prescribed by regulation 9;
- (f) if the applicant is already transacting life insurance business anywhere, by-
 - (i) a copy of the report of an actuary, on the last investigation into his financial position in which a valuation of his liabilities was made, as submitted to the appropriate authority in accordance with the law in the country in which his head office is situate; and

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- (ii) if he has transacted such business in Zambia, a statement signed by an actuary showing the latest sum of his total net liabilities, including contingent and prospective liabilities, under policies in respect of such life insurance business transacted by him in Zambia, as calculated by the actuary, and the date as at which the calculation was made;
- (g) if the application is for registration in any class of life insurance business other than funeral insurance business, by any draft rules which the applicant proposes to make under subsections (4) and (5) of section *fifty* of the Act, together with a statement showing whether similar rules have been submitted to any authority in another country and if so submitted the date on which such similar rules were approved or disapproved; and
- (h) if the application is for registration in any class of life insurance business and the applicant is not at the time of the application transacting such business anywhere, by a certificate of an actuary approved by the Registrar to the effect that the conditions under which the proposed life insurance business is to be transacted are actuarially sound.

4. (1) Any application by Lloyd's for registration as an insurer shall be made in writing and shall set out-

Application by Lloyd's for registration; and appointment of representative in Zambia

- (a) the dates in relation to which the applicant's financial year runs;
- (b) the names of the members of the Committee of Lloyd's; and
- (c) the classes of insurance business with respect to which application for registration is made.

(2) If registered as an insurer, Lloyd's shall appoint in writing an agent who shall be authorised to accept service of notices and any legal process and to act on behalf of Lloyd's in all matters to secure a compliance of Lloyd's with the provisions of the Act and regulations made thereunder.

(3) Lloyd's shall notify the Registrar of the name and address of each agent appointed in accordance with these Regulations and of any change in such particulars.

5. A person shall possess the minimum qualifications required by sections *eleven* and *twenty-four* of the Act for the principal officer of an insurer or broker if, in the opinion of the Registrar, he-

Qualifications for principal officer of insurer or broker

- (a) is and will remain a full-time remunerated director or servant of the insurer or broker concerned; and
- (b) has served for not less than five years in the employment of an insurer or broker, as the case may be.

- 6.** For the purposes of the Insurance Brokers (Cessation and Transfer of Business) Act, a person shall be qualified to be a registered broker if the Registrar is satisfied that-
- Qualifications for registered broker
- (a) all insurance business carried on by him within or outside Zambia is carried on in accordance with sound insurance principles;
 - (b) his management and operations are likely adequately to protect the interests of the general public;
 - (c) his name is not likely to be mistaken for the name of any other broker or insurer or other organisation who is or has been operating in Zambia;
 - (d) he has not been adjudged or otherwise declared insolvent or bankrupt;
 - (e) he has not made an assignment to, or an arrangement or composition with, his creditors which has not been rescinded or set aside; and
 - (f) he has not been convicted by any court of any offence involving dishonesty, fraud or misrepresentation, an appeal against the conviction not having been brought or, if brought, having been abandoned or dismissed.
- 7.** An application for registration as a broker under section *twenty* of the Act shall be accompanied-
- Application for registration as a broker
- (a) by the written law, memorandum and articles of association or any other document by virtue of which the applicant is constituted and which regulates the conduct of his business;
 - (b) by the balance sheet, profit and loss account and revenue accounts in respect of his last preceding financial year; and
 - (c) if the applicant's head office is not in Zambia, by a certificate of the authority responsible for the enforcement of the law relating to insurance in the country in which his head office is situate, to the effect that the applicant has consistently complied and is complying with that law.
- 8.** For the purposes of Part IV of the Act, a person shall be qualified to be a licensed insurance agent if the Registrar is satisfied that he-
- Qualifications for insurance agent
- (a) is ordinarily resident in Zambia;
 - (b) has attained the age of twenty-one years;
 - (c) has received not less than three months' training in insurance business of the class or classes which he is likely to transact;
 - (d) has not been adjudged or otherwise declared bankrupt;
 - (e) has not made an assignment to, or an arrangement or composition with, his creditors which has not been rescinded or set aside; and
 - (f) has not been convicted by any court of any offence involving dishonesty, fraud or misrepresentation, an appeal against the conviction not having been brought or, if brought, having been abandoned or dismissed.
- 9.** (1) The forms set out in the Schedule for which no special provision is made in these Regulations shall be used for the respective purposes of the applications, certificates, requests and licences to which such forms relate.
- Prescribed forms

(2) Every form prescribed in these Regulations for submission to the Registrar shall when so submitted be furnished in duplicate.

10. Lloyd's shall furnish the Registrar annually with certified copies of all returns and information relating to the insurance business carried on by Lloyd's members which are furnished by Lloyd's in accordance with the law of the United Kingdom to the Board of Trade in that country.

Returns by Lloyd's

11. Every registered insurer other than Lloyd's shall each year complete in respect of insurance business transacted by him during his previous financial year and shall submit to the Registrar the following forms set out in the Schedule:

Returns by registered insurers

- (a) Forms RI/15 and RI/16;
- (b) if he transacted any insurance business other than life insurance business-
 - (i) Form RI/11 in respect of each of the following non-life classes of business transacted by him:
 - A. fire;
 - B. motor;
 - C. personal accident;
 - D. burglary, housebreaking, theft and robbery;
 - E. marine, aviation and transit; and
 - F. miscellaneous;
 - (ii) Form RI/12;
 - (iii) if he transacted any motor insurance business Form RI/13; and
 - (iv) if he transacted any burglary, housebreaking, theft and robbery insurance business, Form RI/14; and
- (c) if he transacted any life insurance business, Forms RI/17 and RI/18.

12. (1) Every local insurer shall submit to the Registrar together with the completed forms described in regulation 11, a copy of any report on the affairs of the insurer submitted to the policy owners or shareholders in respect of the financial year to which the completed forms relate.

Additional information
from registered insurer

(2) Every external insurer shall furnish the Registrar with-

- (a) a copy of all returns submitted to the appropriate authority in accordance with the law relating to insurance in the country in which his head office is situate; and
- (b) a copy of any report on the affairs of the insurer submitted to the policy owners or shareholders in respect of the financial year to which such returns relate.

(3) This regulation shall not apply to Lloyd's.

13. Every form submitted to the Registrar in accordance with regulation 9, 11 or 14 by a local insurer shall, in addition to any signatures for which the form may provide, be signed by the chairman and one director of the insurer.

Signatures on returns
by local insurers

14. (1) Form RI/21 set out in the Schedule is prescribed for completion and submission to the Registrar for the purposes of section *eighteen* of the Act.

Returns by insurers
following actuarial
investigation into their
financial position

(2) Form RI/21 shall be submitted to the Registrar together with and in support of-

- (a) an abstract of an actuarial report on the financial position of the insurer concerned which shall be prepared in compliance with the instructions set out at Form RI/19 of the Schedule; and
- (b) a statement relating to the life insurance business of the insurer concerned which shall be prepared in compliance with the instructions set out at Form RI/20 of the Schedule;

and both the abstract and the statement shall be signed by the actuary approved by the Registrar under section *eighteen* of the Act.

The Laws of Zambia

15. Every registered broker who placed any business with Lloyd's during his previous financial year shall complete in relation to that business and shall submit to the Registrar the following forms set out in the Schedule:

Returns by brokers in respect of business placed with Lloyd's

- (a) Form RI/22; and
- (b) Forms RI/13 and RI/14 in relation to any motor insurance business or burglary, housebreaking, theft and robbery insurance business respectively placed with Lloyd's.

16. Every registered broker who during his previous financial year acted as a broker other than by placing insurance business with Lloyd's shall complete and submit to the Registrar Form RI/23 set out in the Schedule in relation to all his business which was not placed with Lloyd's.

Returns by brokers in respect of business not placed with Lloyd's

17. Every registered broker shall each year complete and submit to the Registrar Forms RI/24, RI/25 and RI/26 set out in the Schedule in respect of his business transacted during his previous financial year.

Other returns by brokers

18. Where in any information submitted to the Registrar under the Act or these Regulations any sum of money is shown-

Conversion rate to be given where returns show foreign currency

- (a) in a foreign currency; or
- (b) in Zambian currency having been converted from a foreign currency;

there shall be included in that information the rate of conversion between the foreign currency and Zambian currency at the date of the submission of the information or, in the case of a conversion, at the date of the conversion.

19. (1) Subject to sub-regulation (3), information to be submitted to the Registrar pursuant to regulations 11, 12 (1), 15, 16 and 17 shall be submitted within three months of the end of the financial year, to which such information relates, of the insurer or broker concerned.

Time for submission of reports

(2) Subject to sub-regulation (3), information to be submitted to the Registrar pursuant to regulations 10 and 12 (2) shall be submitted within six months of the end of the financial year, to which such information relates, of the insurer concerned.

(3) Notwithstanding the provisions of sub-regulations (1) and (2), in any case in respect of which the Registrar gives his consent in writing, the period for the submission of information-

- (a) to which sub-regulation (1) relates shall be four months; and

- (b) to which sub-regulation (2) relates shall be nine months;

from the end of the financial year of the insurer or broker in question.

The Laws of Zambia

20. The following fees are hereby prescribed for the purpose of the Act with effect from 1st Jan. 1994

Fee units	
Insurer's licence	10,000
Broker's licence	5,000
Insurance agent's licence	2,000
Inspection and permission to copy any document furnished to the Registrar in compliance with sections <i>twelve, eighteen or twenty-five</i> of the Act	200

(As amended by S.I. No. 190 of 1993, and Act No. 13 of 1994)

Prescribed fees

21. (1) The loss or destruction of a policy referred to in subsection (1) of section *forty-four* of the Act shall be-

Loss or destruction of a policy

- (a) proved on the production to the insurer of a declaration giving the circumstances of the loss or destruction, sworn by the policy-owner before a Commissioner for Oaths or like authority and on the production to the insurer of such additional proof of loss or destruction as he may reasonably call for;
- (b) advertised once in the *Gazette* and twice, at an interval of not less than three weeks, in a newspaper, or, if the insurer desires, in each of two newspapers nominated by the insurer and circulating in Zambia.

(2) The insurer shall not issue a correct and certified copy of the policy until a period of three weeks, commencing on the date on which the last advertisement referred to in paragraph (b) of sub-regulation (1) appeared, has expired.

(3) The fee payable by the owner to the insurer for the issue of a correct and certified copy of the policy shall be such sum, not exceeding 50 ngwee, as the insurer may fix, together with the costs incurred by the insurer-

Title Definition
Remittance of
premiums Ceaser of
stop order
arrangement Offences
and penalties

- (a) in proving the loss or destruction of the policy; and
- (b) in advertising the loss or destruction of the policy; and
- (c) in respect of any stamp duty payable on the copy of the policy.

(No. 190 of 1971)

The Laws of Zambia
SCHEDULE

(Regulations 9, 11, 14, 15, 16 and 17)

PRESCRIBED FORMS

	<i>Form</i>
Application by any person other than Lloyd's for registration as an insurer	RI/1
Certificates of solvency	RI/2
Application for an insurer's licence	RI/3
Insurer's licence (annual)	4
Application for registration as a broker	RI/5
Application for a broker's licence	RI/6
Broker's licence (annual)	7
Application for approval of prospective principal officer	RI/8
Application for an insurance agent's licence.	RI/9
Insurance agent's licence (annual)	10
Insurer's revenue account (specified non-life insurance)	RI/11
Summary of insurer's revenue accounts (non-life insurance).	RI/12
Supplementary statement of motor insurance business	RI/13
Supplementary statement of burglary, housebreaking, theft and robbery robbery insurance business	RI/14
Insurer's profit and loss account	RI/15
Insurer's balance sheet	RI/16
Insurer's revenue account (life insurance)	RI/17
Insurer's supplementary statement of life insurance business.	RI/18
Instructions for preparation of abstract of actuarial report on financial position of life insurer	RI/19
Instructions for preparation of statement of life insurance business of an insurer	RI/20
Summary and valuation of the liabilities of a life insurer	RI/21
Broker's revenue account: business placed at Lloyd's	RI/22
Broker's revenue account: business not placed at Lloyd's	RI/23
Summary of broker's revenue accounts (non-life insurance).	RI/24
Broker's profit and loss account	RI/25
Broker's balance sheet	RI/26

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION BY ANY PERSON OTHER THAN LLOYD'S FOR
REGISTRATION AS AN INSURER

- 1. Name of Insurer
- 2. Address of head office
- 3. Directors-give name, nationality, country of residence and other directorships held in respect of each director.
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
- 4. Name of General Manager
- 5. (a) Name, address and qualifications of actuary (if any)
.....
.....
(b) If applicant has an actuary whether or not his services are continuously retained by the applicant
- 6. (a) Name, address and qualifications of external auditor
(b) Name, address and qualifications of local auditor
- 7. Countries in which applicant carries on insurance business
.....
- 8. (a) Situation of principal office in Zambia
.....
(b) Postal address
(c) Telephone number
- 9. Period of applicant's financial year
- 10. Class(es) of insurance business with respect to which application for registration is made
- 11. List of all Branch Offices in Zambia, addresses, telephone numbers and names of officers in charge
.....
.....

We,, hereby apply for registration under the Insurance Act and declare the above particulars to be true and correct.

Date

.....
Chairman

Director

Principal Officer
(If appointed)

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

CERTIFICATES OF SOLVENCY

(Not applicable to Lloyd's)

PART I*(1)

* Delete Part II if only life insurance business is transacted by the insurer, or Part I if no life insurance business is transacted by the insurer.

I hereby certify that the liabilities including contingent and prospective liabilities under all life policies issued by as at 19..... (being the end of the insurer's last financial year) do not exceed the amount of the life insurance fund or funds as shown in the Balance Sheet.

Date Actuary

PART II*(2)

* Delete Part II if only life insurance business is transacted by the insurer, or Part I if no life insurance business is transacted by the insurer.

We hereby certify that the total value of the assets of exceeds that of the company's liabilities by K100,000 or one-tenth of the company's premium income during its last financial year, whichever is the greater, such assets, liabilities and premium income having been calculated in accordance with regulation 2(2).

..... Chairman
..... Director
..... Principal Officer (If appointed)
..... Auditor

Date

* Delete Part II if only life insurance business is transacted by the insurer, or Part I if no life insurance business is transacted by the insurer.

The Laws of Zambia

FORM RI/3

Stocked by Registrar of Insurance, Ministry of Finance

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION FOR AN INSURER'S LICENCE

Name of Registered Insurer

I hereby make application for an Insurer's Licence permitting the above-named registered insurer during the year ending 31st December, 19....., to transact insurance business of the following classes in which the insurer is registered:

.....
.....
.....

The licence fee of one thousand five hundred fee units is enclosed herewith.

Date

Principal Officer

(As amended by Act No. 13 of 1994)

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

No.

INSURER'S LICENCE (ANNUAL)

..... having
paid the fee of one hundred kwacha is hereby licensed during the year ending 31st December, 19....., to transact
insurance business of the following classes:

.....
.....

Date

.....
Registrar of Insurance

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION FOR REGISTRATION AS A BROKER

1. Name of Broker
2. Address of Head Office
3. Directors-give name, nationality, country of residence and details of other directorships held in respect of each director.
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
4. Name of General Manager
5. Name, address and qualifications of auditor in Zambia
6. Countries in which applicant carries on business as a broker
7. (a) Situation of principal office in Zambia
- (b) Postal address
- (c) Telephone number
8. List of all Branch Offices in Zambia, addresses and telephone numbers and names of officers in charge
9. Name and address of brokers at Lloyd's through whom the applicant transacts insurance business
10. Period of financial year

We hereby apply for registration under the Insurance Act and declare the above particulars to be true and correct.

.....
Chairman

.....
Director

.....
Principal Officer
(If appointed)

Date

The Laws of Zambia

FORM RI/6

Stocked by Registrar of Insurance, Ministry of Finance

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION FOR A BROKER'S LICENCE

Name of Registered Broker

I hereby make application for a Broker's Licence permitting the above-named Registered Broker to act as a broker during the year ending 31st December, 19..... . The licence fee of one thousand five hundred fee units is enclosed herewith.

Date

.....

Principal Officer

(As amended by Act No. 13 of 1994)

The Laws of Zambia

FORM 7

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

BROKER'S LICENCE (ANNUAL) No.

.....
.....
having paid the sum of one thousand five hundred fee units is hereby licensed to act as a broker during the year ending 31st December, 19..... .

Date

.....
Registrar of Insurance

(As amended by Act No. 13 of 1994)

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION FOR APPROVAL OF PROSPECTIVE PRINCIPAL OFFICER

(To be used by an insurer or broker for submission of details in respect of appointment or change in appointment of his principal officer.)

- 1. Name of prospective principal officer
- 2. Date of birth
- 3. Academic or professional qualifications
- 4. Current appointment held and approximate date of assuming duties
- 5. Appointment to be held on assuming duties of principal officer in Zambia
- 6. Particulars of previous insurance and/or broking experience giving employers, dates and positions held

Approval is requested by (name of insurer or broker) for the appointment of the above-named person as our Principal Officer in Zambia. A power of attorney as specified in section 11 (3) of the Act is enclosed.

.....
Chairman

.....
Director

Date
General Manager or Secretary

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

APPLICATION FOR AN INSURANCE AGENT'S LICENCE

(To be submitted in duplicate to the Registrar of Insurance, Ministry of Finance, P.O. Box RW.62, Lusaka. This form must be typewritten or completed in block capitals in ink)

1. Name of Insurer
2. Name of applicant
3. Residential address
4. Postal address
5. State if full-time or part-time agent
6. If a part-time agent state principal occupation
7. Names of other Insurers you represent (if any)
8. Have you ever been refused an Insurance Agent's Licence?
9. Has any Insurance Agent's Licence issued to you ever been suspended or cancelled? If so, when?
10. State:
 - (a) Date of birth
 - (b) Insurance experience and qualifications
 - (c) General educational standard

DECLARATION BY APPLICANT

I hereby apply for an Insurance Agent's Licence and declare that the above particulars are true and correct and that I have not-

- (a) been adjudged or otherwise declared bankrupt;
- (b) made an assignment to, or an arrangement or composition with, creditors which has not been rescinded;
- (c) been convicted by any court of any offence involving dishonesty, fraud or misrepresentation, an appeal against the conviction not having been brought or, if brought, having been abandoned or dismissed.

I undertake to notify the Registrar of Insurance of any material change in the particulars set out above or in the facts to which my declaration relates.

Date Signed

11. A licence fee of fee units is enclosed.

DECLARATION BY PRINCIPAL OFFICER OF REGISTERED INSURER TO BE REPRESENTED

I,, hereby certify that to the best of my knowledge and belief the above particulars and declaration are true and correct and that the applicant has undergone a period of training in the class or classes of insurance business he will be required to transact and that he is competent to explain the conditions of the policies issued by this Company.

Date Principal Officer

Name of Insurer

Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 9)

No.

INSURANCE AGENT'S LICENCE (ANNUAL)

Name

Address (Residential)

having paid the sum of K2 is hereby licensed to canvass for and secure proposals for insurance for
during the year ending 31st December, 19..... .

Dated at this day of
19.....

.....

Registrar of Insurance

NOTE.-A separate licence is required for each insurer represented.

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

INSURER'S REVENUE ACCOUNT (SPECIFIED NON-LIFE INSURANCE)

Revenue Account in respect of ... Insurance Business carried on by an insurer in Zambia in the financial year ended 19..

Name of Insurer

			In Zambia	Outside Zambia	Total	
			K	K	K	
Amount of the .. Insurance Fund at the end of preceding year						A. Claims paid in respect of .. Add Claims outstanding in ..
Provision for unexpired risks. . .						Less Salvages, etc., realised .. Less Reinsurance, received ..
Additional reserves (if any)						
Premiums:						B. Claims paid in current year
Direct business	(a) received	K	-	-	-	Add Claims outstanding in .. respect of last year ..
	(b) due	K				Less Salvages, etc., realised .. Less Reinsurance, received ..
<i>Deduct:</i>						
Reinsurance ceded	(a) paid	K	-	-	-	
	(b) due	K	-	-	-	
	<i>Net Total Direct Business</i>		-	-	-	C. Claims paid in current year .. or B above ..
Reinsurance accepted	(a) received	K	-	-	-	Add Claims outstanding in .. included in A or B above ..
	(b) due	K	-	-	-	Less Salvages, etc., realised .. Less Reinsurance, received ..
	<i>Total Reinsurance Accepted</i>					
Commission:						
Reinsurance ceded	(a) received	K	-	-	-	Payments under reinsurance .. Add Amount due but not paid .. accepted ..
	(b) due	K	-	-	-	
<i>Deduct:</i>						
Reinsurance accepted	(a) paid	K	-	-	-	
	(b) due	K	-	-	-	
	<i>Net total</i>					

INSURER'S REVENUE ACCOUNT (SPECIFIED NON-LIFE INSURANCE)

	In Zambia	Outside Zambia	Total
--	--------------	-------------------	-------

The Laws of Zambia

	K	K	K	
Other Income				Commission:
Rent				Paid to Brokers . .
Dividends				Due to Brokers . .
Interest				Paid to Agents (a) full-tir
Other revenue (Accounts to be specified) ..				(b) part-ti
Transferred from Profit and Loss Account				Paid to Staff ..
				Expenses of management
				Other expenses (Specify a
				excess of K200 or if in tc
				K2,000
				Transferred to Profit and Loss:
				Amount of the
				end of the year, as per balanc
				Provision for unexpired risks,
				of premium income for the :
				Additional Reserves (if any) ..
<i>Total</i>				

NOTE.-Specify countries in respect of each entry made in the "Outside Zambia" column.

Date

Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

SUMMARY OF INSURER'S REVENUE ACCOUNTS (NON-LIFE INSURANCE)

Supplementary summary of Revenue Accounts in respect of all Classes of Non-Life Business in the financial year ended ..., 19...

Name of Insurer

	In Zambia	Outside Zambia	Total	
	K	K	K	
Net total premiums received				Net total of claims .. .
Total reinsurance accepted				Total claims paid and outsta reinsurance accepted
Net total commission received				Total commission paid and r TOTAL EXPENSES OF MA
TOTAL OTHER INCOME				Salaries:
Rents				Zambian staff-
Dividends				(No. employed at date o
Interest.				Expatriate staff-
Other revenue (Accounts to be specified) ..				(No. employed at date o
				Registered Head Office Exp
				Repairs to and Maintenance
				Rents
				..
				Rates
				..
				Income tax
				Directors' fees
				Other Expenses (specify acc is in excess of K200 or if in t exceeds K2,000
<i>Total</i>				

In each instance the figure of "total" or "net total" should be the aggregate of the corresponding figures shown on the in

Date

Principal Officer

Auditor

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulations 11 and 15)

SUPPLEMENTARY STATEMENT OF MOTOR INSURANCE BUSINESS
Name of Insurer

PREMIUMS	K	
Act Third Party		Act Third Party
(a) Private use		(a) Private
(b) Business and commercial		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (
		(b) Business and commercial
		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (
Full Third Party		Full Third Party
(a) Private use		(a) Private
(b) Business and commercial		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (
		(b) Business and commercial
		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (
Comprehensive		Comprehensive
(a) Private use		(a) Private
(b) Business and commercial		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (
		(b) Business and commercial
		(1) Damage to vehicle
		(2) Damage to property
		(3) Personal injury
		(4) Other payments (

The Laws of Zambia

Total

NOTE 1.-Use net figures after deduction of salvages, reinsurances, etc., to correspond with Motor Revenue Account.

NOTE 2.-Full Third Party Fire and Theft insurance shall be included under the heading "Comprehensive".

Date
Principal Officer Auditor

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulations 11 and 15)

SUPPLEMENTARY STATEMENT OF BURGLARY, HOUSEBREAKING, THEFT AND ROBBERY

						K		
	PREMIUMS							
PRIVATE DWELLINGS	..	..	..	..	..		PRIVATE DWELLINGS	
							(a) Burglary and Hou	
							(b) Theft and Robber	
OTHER PREMISES..	..	..	..	..	..		OTHER PREMISES..	
							(a) Burglary and Hou	
							(b) Theft and Robber	
					<i>Total</i>			

Date

.....

Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

INSURER'S PROFIT AND LOSS ACCOUNT

Profit and Loss Account in respect of Insurance Business carried on by an Insurer in Z
 year ended, 19.....
 Name of Insurer

	In Zambia	Outside Zambia	Total	
	K	K	K	
Balance of last year's account.				Dividends and bonuses to
Interest and dividends not carried to other accounts				Expenses not charged to (expenses to be specified)
Rents not carried to other accounts				Loss transferred (account
Profit transferred (accounts to be specified)				Other expenditure (accou
Other revenue (accounts to be specified)				Balance as per balance s
<i>Total</i>				

NOTE.-Specify countries in respect of each entry made in the "Outside Zambia" column.

Date

.....

Principal Officer

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

INSURER'S BALANCE SHEET

Balance Sheet showing the financial position in Zambia of an Insurer at the close

year ended, 19.....

Name of Insurer

	In Zambia	Outside Zambia	Total	
--	--------------	-------------------	-------	--

The Laws of Zambia

				ASSET			
LIABILITIES				K	K	K	
Shareholders' capital paid up (if any)					Mortgages on property
Life Insurance Fund (if any)					Loans on insurance policies
Other funds (if any) to be specified					Loans on stocks and shares
							Loans on personal security
							Zambian Government Treas
							Zambian Government Devel
							ment Bonds ..
							Zambian Government stock
							Other Government Treasury
							Other Government stocks, e
							Municipal and other Local G
							Securities ..
Balance of Profit and Loss Account					Other Debentures and debe
							Preference stocks and share
Claims admitted or intimated but not paid:							Ordinary stocks and shares
Life Insurance (if any)	..						Other investments (to be sp
Other classes of insurance (to be specified)	..						House and landed property
							Motor vehicles ..
							Office furniture and equipme
							Agents' Balances ..
							*Outstanding premiums and
Other sums owing by the insurer (to be specified)	..						instalments ..
							*Outstanding interest, divide
							*Interest accrued but not pa
							Money on Deposit (at less th
							month's notice of withdraw.
							time of deposit) ..
							Money at call or at short not
							Cash on hand, in transit or c
							account
							Other assets (to be specifier
<i>Total</i>							

*These items are included in the corresponding items in the Revenue Accounts.

- NOTE-
- Specify countries in respect of each entry made in the "Outside Zambia" column.
 - A balance sheet in this form shall be rendered in respect of each separate fund for which separate investments are made, and every such balance sheet which the insurer transacts in Zambia, be in the above form.
 - This balance sheet shall state how the values of the stock exchange securities listed are arrived at, and a certificate shall be attached to the balance sheet in effect that, in their belief, the assets set forth in the balance sheet are, in the aggregate, fully of the value stated therein, less any investments. In the case of a balance sheet which is in respect of life insurance business and no other business, this certificate is to be given on the occasion only when a new balance sheet for the insurer is made in terms of section 18 of the Act.

Date

.....

Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

INSURER'S REVENUE ACCOUNT (LIFE INSURANCE)

Revenue Account in respect of Life Insurance Business carried on by an Insurer in the financial year ended

Name of Insurer

	In Zambia	Outside Zambia	Total	
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The Laws of Zambia

			K	K	K	
Amount of the Insurance Fund at the end of the preceding year						Claims under policies paid and outs
						By death
						By maturity
						By disability
Premiums						Gross
Direct business (a) received	K	-	-	-		
(b) due	K	-	-	-		
<i>Deduct</i>						<i>Deduct Reinsurance recoveries</i>
Reinsurance ceded (a) paid	K	-	-	-		
(b) due	K	-	-	-		Surrenders, including surrende
<i>Net total</i>						Annuities ..
Consideration for annuities granted-						<i>Deduct Reinsurance recoveries</i>
(a) received	K	-	-	-		
(b) due	K	-	-	-		Bonuses in cash or in reductor
<i>Deduct</i>						
Reinsurance ceded (a) paid	K	-	-	-		COMMISSION: PAIND AND OUTS
(b) due	K	-	-	-		A. Broker
<i>Net total</i>						B. Agents (i) full-time
Reinsurance accepted (a) received	K	-	-	-		(ii) part-time
(b) due	K	-	-	-		C. Staff
<i>Total Reinsurance Accepted</i>						<i>Total Commission</i>
Commission						EXPENSES OF MANAGEMENT
Reinsurance ceded (a) received	K	-	-	-		Salaries Zambian Staff
(b) due	K	-	-	-		(Number employed at date of ret
<i>Deduct</i>						Expatriate Staff
Reinsurance accepted (a) paid	K	-	-	-		(Number employed at date of ret
(b) due	K	-	-	-		Registered Head Office expenses
<i>Net total</i>						Rents.
OTHER INCOME						Rates
Rent						Income tax
Dividends						Directors' Fees
Interest						Stamp duty on insurance policies
Stamp duty on insurance policies						Other expenses (specify account
Other revenue (accounts to be specified) ..						excess of K200 or if in total th
.. .. .						K2,000)
						Amount of Life Insurance Fund at tl
						as per balance sheet
<i>Total</i>						

NOTE 1. Specify countries in respect of each entry made in the "Outside Zambia" column.

NOTE 2. A revenue account shall be rendered in respect of each part of the life insurance business for which a separate fund is maintained.

Date

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Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 11)

INSURER'S SUPPLEMENTARY STATEMENT OF LIFE INSURANCE BUSINESS

Other than business in connection with funeral, industrial and sinking
fund policies, carried on in Zambia by an insurer in the financial year
ended, 19.....

Name of Insurer

A.-STATEMENT OF REVENUE AND EXPENDITURE DURING THE YEAR ENDED
....., 19.....

	Individual	Group
REVENUE		
Premiums		
Considerations for annuities granted		
EXPENDITURE		
Claims under policies paid and outstanding:		
By death		
By maturity		
By disability		
Surrenders, including surrenders of bonus, bonuses in cash and bonuses in reduction of premiums		
Annuities		

B.-STATEMENT OF NEW LIFE INSURANCE AND NEW ANNUITIES EFFECTED DURING THE YEAR ENDED

....., 19.....

	Individual	Group
INSURANCES		
Number of policies		
Sums insured		
Annual premiums		
Single premiums		

Number of individual policies lapsed or cancelled during the year, including policies issued in preceding year, within-
3 months of issue

6 months of issue

12 months of issue

	Individual		Group	
	Immediate	Deferred	Immediate	Deferred
ANNUITIES				
Number of policies				
Amount per annum				

Number of individual policies lapsed or cancelled during the year, including policies issued in preceding year, within-
3 months of issue.....

The Laws of Zambia

6 months of issue.....

12 months of issue.....

NOTE 1.-All the above figures shall be net figures after deduction of reinsurances.

NOTE 2.-Figures for group endowment assurance schemes must be included under "Individual".

Date

.....
Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 14)

INSTRUCTIONS FOR PREPARATION OF ABSTRACT OF ACTUARIAL REPORT
ON FINANCIAL POSITION OF LIFE INSURER

NOTE.-Separate returns signed by the actuary of the insurer shall be furnished for life policies, funeral policies, industrial policies and sinking fund policies, provided, however, that life policies and sinking fund policies may be included in one return.

The abstract shall be prepared in numbered paragraphs containing the information required in the following form:

1. The date to which the insurer's accounts are made up for the purpose of the investigation.
2. The general principles adopted in the valuation and the method followed in the valuation of the particular classes of insurance, including a statement of the method by which the net premiums have been arrived at, and whether these principles were determined by the insurer's articles of association or by his regulations, or how otherwise, together with a statement of the manner in which policies on under-average lives are dealt with.
3. The table or tables of mortality used in the valuation. In cases where the tables employed are not published, specimen policy values shall be given at the rate of interest employed in the valuation in respect of whole-life insurance policies effected at the respective ages of 20, 30, 40 and 50, and having been respectively in force for five years, ten years and upwards at intervals of five years respectively; with similar specimen policy values in respect of endowment insurance policies, according to age at entry, original term of policy and duration.
4. The rate or rates of interest employed in the calculations.
5. The actual proportion of the annual premium income, if any, reserved as a provision for future expenses and profits, separately specified in respect of insurances with immediate profits, with deferred profits, with discounted bonuses and without profits. If no proportion of the annual premium income is reserved as a provision for future expenses and profit, how this provision is made shall be stated.
6. The liabilities of the insurer under life policies and annuities at the date referred to in paragraph 1, showing the number of policies, the amount insured, and the amount of premiums payable annually under each class of policy, both with and without participation in profits. These returns shall be furnished in Form RI/21. Separate returns shall be furnished for liabilities in Zambia and for total liabilities.
7. A statement of the principles upon which the distribution of profits, if any, among the shareholders and policy owners is made, giving the number of years' premiums required to be paid before a bonus-
 - (a) is allotted; and
 - (b) vests.The statement shall specify whether the principles upon which the distribution of profits is made were determined by the insurer's articles of association or by his regulations, or how otherwise.
8. A statement of the results of the valuation, giving the total amount of profit made by the insurer since the last valuation (including any amount carried forward from that valuation) allocated as follows:
 - (a) as interim bonuses;
 - (b) among the policy owners with immediate participation;
 - (c) among the policy owners with deferred participation;
 - (d) among the policy owners with discounted bonuses;
 - (e) among the shareholders, if any;
 - (f) to reserve funds or other accounts;
 - (g) carried forward unappropriated.

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REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 14)

INSTRUCTIONS FOR PREPARATION OF STATEMENT OF LIFE INSURANCE BUSINESS OF AN INSURER

NOTE.-Separate returns signed by the actuary of the insurer shall be furnished for life policies, funeral policies, industrial policies and sinking fund policies provided, however, that life policies and sinking fund policies may be included in one return. The expression "office yearly premium" is to be regarded as excluding any extra premium as defined in Note 1 to Form RI/21.

The statement shall be prepared in paragraphs numbered to correspond with those appearing below. Statements of reinsurances corresponding to statements in respect of insurances shall be given throughout:

1. The published tables or table of premiums for insurances for the whole term of life and for endowment insurances which are in use in Zambia at the date to which the insurer's accounts are made up for the purpose of the investigation.

2. Particulars of a kind which would enable an independent actuary to estimate the liability shall be furnished in respect of policies under which the aggregate liability of the insurer is not less than 90 per centum of the total liabilities as shown in Form RI/21, in calculating this percentage, any liabilities shown against the item "Adjustments, if any (to be separately specified)" in Form RI/21 shall be ignored. If, in accordance with the foregoing provision, an insurer elects to furnish particulars of any of the kinds of policies described in paragraphs 3 to 6 below, then such particulars must be as stipulated in those paragraphs. Separate returns shall be furnished for business in Zambia and for total business. Separate information shall be furnished for "individual" and "group deferred annuity" business in respect of liabilities in Zambia.

3. The total amount insured on lives for the whole term of life which are in existence at the date referred to in paragraph 1 of Form RI/19, distinguishing the portions insured with immediate profits, with deferred profits, with discounted bonuses and without profits, stating separately the total reversionary bonuses and specifying the particulars for each age or for each group of five ages, the basis of division as to immediate and deferred profits being stated.

4. The amount of office and net yearly premiums for each age or each group of five ages, after deducting the abatements made by the application of bonuses in respect of the respective insurances referred to in paragraph 3. A separate statement shall be given of premiums payable for a limited number of years, classified according to the number of years' payments remaining to be made or according to attained age, and in either case five-year grouping may be used if desired. If premiums payable for a limited number of years are classified according to attained age, the valuation constants are to be given for each age or group of ages together with an explanation of the method by which they have been calculated.

5. The following particulars are to be given in respect of endowment insurances, and are to be separately stated for policies with immediate profits, with deferred profits, with discounted bonuses and without profits; the sums insured, the reversionary bonuses (to be separately specified), the office yearly premiums, and the net yearly premiums, in respect of each year or group of five years in which the policies will mature for payment, or in respect of each year or group of five years of attained age. If any of these particulars are classified according to attained age, the corresponding valuation constants are to be given for each age or group of ages, together with an explanation of the method by which they have been calculated.

6. The total amount of immediate annuities on lives, distinguishing the amount for each age or group of five ages, and distinguishing male and female lives.

7. The average net rate of interest yielded by the assets, whether invested or uninvested, constituting the life insurance fund of the insurer calculated upon the mean fund of each year during the period since the last investigation. It shall be stated whether or not the mean fund upon which the average net rate of interest is calculated includes reversionary investments.

8. A table of minimum values used in Zambia, if any, allowed for the surrender of policies for the whole term of life and for endowment insurances, or a statement of the method pursued in Zambia in calculating such surrender values, with instances of the application of such method to policies of different durations and taken out at various interval ages.

THE INSURANCE REGULATIONS

(Regulation 14)

SUMMARY AND VALUATION OF THE LIABILITIES OF A LIFE INSURER AT
(See paragraph 6 of the instructions set out on Form RI/19)

Name of Insurer

	PARTICULARS OF THE F		
	Number of policies	Sums insured and bonuses	C y pre
INSURANCES:			
1. With immediate participation in profits-			
For the whole term of life
Other classes (to be specified)
Extra premiums payable
2. With deferred participation in profits-			
For the whole term of life
Other classes (to be specified)
Extra premiums payable
3. With discounted bonuses-			
For the whole term of life
Other classes (to be specified)
Extra premiums payable
<i>Total Insurances with Profits</i>			
4. Without participation in profits-			
For the whole term of life
Other classes (to be specified)
Extra premiums payable
<i>Total Insurances without Profits</i>			
TOTAL INSURANCES			
Deduct: Reinsurances (to be specified according to class in a separate statement)
Net Amount of Insurances
Adjustments, if any (to be separately specified)
ANNUITIES ON LIVES:			
Immediate-			
(i) individual
(ii) group
Other classes (to be specified)-			
(i) individual
(ii) group
TOTAL ANNUITIES:			
Deduct: Reinsurances (to be specified according to class in a separate statement)
Net Amount of Annuities
Adjustments, if any (to be separately specified)
<i>Total of the Results</i>			

The Laws of Zambia

- NOTE.-
1. The term "extra premium" means the charge for any risk not provided for in the minimum contract premium.
 2. If separate valuations of any portion of the business re required under insurance laws of countries outside Zambia, a respect of the business so valued in each country.
 3. The information for "individual" and "group" under the heading "Annuities on Lives" is required only in respect of liability
 4. Separate particulars in the above form must be given of liabilities in Zambia which have been reinsured (except on the

Date

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 15)

BROKER'S REVENUE ACCOUNT: BUSINESS PLACED AT LLOYD

	In Zambia	Outside Zambia	Total	
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The Laws of Zambia

				K	K	K	
PREMIUMS							A. Claims paid in respect of
	(a) received	K	-	-	-		Add claims outstanding
	(b) due	K	-	-	-		Less Salvages, etc., rel
<i>Deduct</i>							Reinsurance received
Reinsurance ceded	(a) paid	K	-	-	-		
	(b) due	K	-	-	-		
	<i>Net total</i>						
Reinsurance accepted	(a) received	K	-	-	-		B. Claims paid in current year
	(b) due	K .....	-	-	-		.. ..
COMMISSION							Add Claims outstanding
Direct business	(a) received	K	-	-	-		year
	(b) due	K	-	-	-		Less Salvages, etc., rel
Reinsurance ceded	(a) received	K	-	-	-		Reinsurance received
	(b) due	K	-	-	-		
<i>Deduct</i>							
Reinsurance ceded	(a) paid	K	-	-	-		C. Claims paid in current year
	(b) due	K .....	-	-	-		.. ..
	<i>Net total</i>						Add Claims outstanding
Stamp duty on insurance policies	..	..	..				or B above ..
Other income (Accounts to be specified)	..	..	..				Less Salvages, etc., rel
Money remitted by Lloyd's in respect of claims settlement:	..	..	..				Reinsurance received
	(a) received	K	-	-	-		
	(b) due	K	-	-	-		
							Amount paid and outstanding
						
							Expenses of Management
							Other expenses (Accounts
							PREMIUMS
							remitted to Lloyd's
							due to Lloyd's ..
							Transferred to Profit and Loss
Transferred from Profit and Loss Account	..	..	.	
	<i>Total</i>						

NOTE 1.-Specify countries in respect of each entry made in the "Outside Zambia" column.

NOTE 2.-Separate Revenue Accounts on this Form shall be rendered in respect of Fire; Motor; Personal Accident; Burglary, Housebreaking,

The Laws of Zambia

Miscellaneous insurance business.

Date

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Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 16)

BROKER'S REVENUE ACCOUNT: BUSINESS NOT PLACED AT LLC

				In Zambia	Outside Zambia	Total					
				K	K	K					
PREMIUMS							PREMIUMS				
Insurance							Insurance				
	(a) received	K		-	-	-	(a) remitted to insure				
	(b) due	K		-	-	-	(b) due to insurers				
	<i>Total A</i>	K		-	-	-	Reinsurance				
Less Commission	(a) paid	K		-	-	-	(a) remitted to reinsu				
	(b) due	K		-	-	-	(b) due to reinsurers				
	<i>Total B</i>	K		-	-	-	Commissions, discount				
	<i>Net Total A less B</i>	K		-	-	-	(a) insurance				
Reinsurance	(a) received	K		-	-	-	(b) reinsurance				
	(b) due	K		-	-	-	Expenses of Managem				
	<i>Total C</i>	K		-	-	-	Other expenses (spens				
Less Commission	(a) received	K					in excess of K 200 or				
	(b) due	K					2,000)				
	<i>Total D</i>	K					Transferred to Profit and Lo				
	<i>Net Total C less D</i>	K									
Other income (account to be specified)											
Transferred from Profit and Loss Account											
	<i>Total</i>										

The Laws of Zambia

NOTE 1.-Specify countries in respect of each entry made in the "Outside Zambia" column.

NOTE 2.-Separate Revenue Accounts on this Form shall be rendered in respect of Fire; Motor; Personal Accident; Burglary
Miscellaneous insurance business.

Date

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Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 17)

SUMMARY OF BROKER'S REVENUE ACCOUNTS (NON-LIFE INSURANCE)

Summary of Revenue Accounts in respect of all classes of non-life business carried on by a broker
 ended, 19.....
 Name of Broker

	In Zambia	Outside Zambia	Total	
PREMIUMS	K	K	K	
Insurance: Total received and due K				Total remitted and due to ins
Less: Total Commission received and due K				Total remitted and due to rei
Net total				
Reinsurance: Total received/due K				TOTAL EXPENSES OF MA
Less-Total Commission received/due K				Salaries: Zambian staff
Net total				(No. employed at date of ret
Total other income (accounts to be specified)				Expatriate staff.....
				(No. employed at date of ret
				Rents
				Rates
				Income tax ..
				Director's fees ..
				Repairs to and maintenance
				Other expenses (Specify a
				or if in total the :
<i>Total</i>				

NOTE.-In each instance the figure of "total" should be the aggregate of the corresponding figures shown on the individual revenue accounts.

Date

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Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 17)

BROKER'S PROFIT AND LOSS ACCOUNT

Profit and Loss Account in respect of insurance business carried on by a broker in Zam

ended, 19.....

Name of Broker

	In Zambia	Outside Zambia	Total	
	K	K	K	
Balance of last year's account				Dividends and bonuses to s
Rent				Expenses not charged to ot specified)
Dividends				Other expenditure (Account:
Interest				Loss transferred
Other income (Accounts to be specified)				Balance as per balance she
Profit transfer				
<i>Total</i>				

NOTE.-Specify countries in respect of each entry made in the "Outside Zambia" column.

Date

.....

Principal Officer

REPUBLIC OF ZAMBIA

THE INSURANCE REGULATIONS

(Regulation 17)

BROKER'S BALANCE SHEET

Balance Sheet showing the financial position of a broker in Zambia at the close of

ended, 19.....

Name of Broker

	In Zambia	Outside Zambia	Total	
	K	K	K	
Shareholder' s capital paid up	Zambia Government Developn
Balance of Profit and Loss Account	Zambia Government Treasury
Other sums owing (to be specified)	Zambia Government Stocks, e
				Other Government Treasury B
				Other Government Stocks, etc
				Other investments (to be speci
				House and landed property
				Motor vehicles
				Office furniture and equipment
				Repairs to and maintenance of
				Money on deposit (at less than
				withdrawal at time of depos
				Money at call or at short notice
				Cash on hand, in transit or in C
				Other assets (to be specified)
<i>Total</i>				

NOTE.-Specify countries in respect of each entry made in the "Outside Zambia" column.

Date

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Principal Officer

THE INSURANCE (REMITTANCE OF PREMIUMS) REGULATIONS

Regulations by the Minister

Statutory Instrument
119 of 1989
175 of 1989
Act No.
13 of 1994

- | | |
|--|----------------------------------|
| <p>1. These Regulations may be cited as the Insurance (Remittance of Premiums) Regulations.</p> | Title |
| <p>2. In these Regulations "stop order arrangement" means the payment of premiums to the insurer by an employer on behalf of employees.</p> | Definition |
| <p>3. (1) Where an employer has ten employees or more who have effected life policies, the employer shall enter into a stop order arrangement with the insurer.</p> | Remittance of premiums |
| <p>(2) An employer who enters into a stop order arrangement with the insurer shall remit the premiums on behalf of its employees to the insurer together with the form set out in the Schedule to these Regulations.</p> | |
| <p>4. (1) An employer who has entered into a stop order arrangement shall cease to remit premiums on the death or dismissal of an employee and shall inform the insurer accordingly.</p> | Ceaser of stop order arrangement |
| <p>(2) An employer who has entered into a stop order arrangement shall inform the insurer whenever any of the employees with life policies are transferred.</p> | |
| <p>5. Any employer who does not comply with any of the provisions of these Regulations shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand five hundred penalty units.</p> | Offences and penalties |

(As amended by Act No. 13 of 1994)

The Laws of Zambia
 SCHEDULE
 (Regulation 3)

STOP ORDER ARRANGEMENT FORM

Company/Ministry Name Company Code

Division Code Payment Schedule from Salary for the Month of

Page No.

Remittance to Zambia State Insurance Corporation Ltd for Life Premiums (Stop Order)

Serial No.	Man No.	Dept No.	Pay-point No.	Name of Policy Holder	Policy Number	Loan Repay-ment	Amount of Premium	Total
Total Number of Entries: *				Totals	****	****	****	****

(As amended by S.I. No. 175 of 1989)

Endnotes

1 (Popup - Popup)

* Delete Part II if only life insurance business is transacted by the insurer, or Part I if no life insurance business is transacted by the insurer.

2 (Popup - Popup)

* Delete Part II if only life insurance business is transacted by the insurer, or Part I if no life insurance business is transacted by the insurer.