



LLOYD'S ACTS.



LLOYD'S ACT, 1911.



PUBLISHED BY THE CORPORATION OF LLOYD'S,
LIME STREET, LONDON EC3.

NOTE.

The words appearing in the following Lloyd's Act in italics and the marginal notes printed in italics do not form part of the original text or marginal headings of the Act.

Where a Section of the Act has been repealed, it is not produced in the text, but a marginal note indicates the date of repeal.

The Lloyd's Act, 1888, the Lloyd's Signal Stations Act, 1888, and the Lloyd's Act, 1925 have been wholly repealed.

LLOYD'S ACT, 1911

ARRANGEMENT OF SECTIONS.

Section.

- Preamble.
 - 1. Short and collective titles.
 - 2. Definition.
 - 3. Extension of objects.
 - 4. Objects of Society.
 - 5. Amendment of Act of 1871.
 - 6. Transfer to Society by Trustees of capital stock.
 - 7. Purposes for which capital stock &c. to be held by Society.
 - 8. Society may act as Trustee for certain purposes.
 - 9. Powers to the Society with reference to guarantees.
 - 10. Power to apply capital stock &c. to meet deficiency of guarantors &c.
(repealed)
 - 11. Provision respecting protection of interests of Members in shipping &c.
(repealed)
 - 12. Power to Committee to temporarily suspend Members. (repealed)
 - 13. Amendment of Section 24 of Act of 1871. (repealed)
 - 14. Notices to Members.
 - 15. Costs of Act.
 - Schedule. (repealed)
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CHAPTER LXII.

An Act to Extend the Objects of and confer Further Powers on Lloyd's and to Amend Lloyd's Act 1871. A.D. 1911

[18th August, 1911.]

WHEREAS by Lloyd's Act 1871 (in this Act referred to as "the Act of 1871") certain persons were united into a Society or Corporation for the purposes of that Act and were incorporated by the name of Lloyd's (which incorporated body was in the Act of 1871 and is in this Act referred to as "the Society") and various powers were conferred on the Society by the said Act:

And whereas by the Act of 1871 the objects of the Society were declared inter alia to be the carrying on of the business of marine insurance by Members of the Society and the protection of the interests of Members of the Society and the collection publication and diffusion of intelligence and information:

And whereas further powers were conferred on the Society and further provisions made with reference to the Society by Lloyd's Act 1888 and Lloyd's Signal Stations Act 1888:

And whereas the Members of the Society have in the past carried on at Lloyd's insurance business other than marine insurance and it is expedient that the objects of the Society should be extended to the carrying on of the business of insurance other than marine insurance by Members of the Society and that further powers should be conferred on the Society and the Committee of Lloyd's as hereinafter in this Act provided:

And whereas by the Act of 1871 it was directed that the capital stock of the Society should be transferred to and kept in the names of four Members of the Society as Trustees for the Members of the Society and such capital stock now stands in the names of certain Members of the Society (hereinafter in this Act called "the Trustees of the capital stock") as Trustees for the Society and its Members as in the said Act mentioned and it is expedient that the capital stock should be transferred to and held by the Society:

A.D. 1911

And whereas in pursuance of the Assurance Companies Act 1909 or the regulations or requirements for the time being of the Society or the Committee or otherwise Members of the Society furnish security in the form of either a deposit with a trust deed or a guarantee or guarantees or partly in the one form and partly in the other which security is available solely for the purpose of meeting their liabilities in respect of policies underwritten by them or on their account at Lloyd's and the Society have in the past acted as Trustee of certain of such trust deeds and guarantees either solely or jointly with others and doubts have arisen as to the power of the Society to so act and it is expedient that the action of the Society in acting as such Trustee in the past should be confirmed and that the Society should be authorised to act as Trustee of any trust deed or guarantee furnished by any Member of the Society as aforesaid:

And whereas it is expedient that the Society should be authorised itself to act as guarantor either solely or jointly with any other guarantor or guarantors as hereinafter in this Act provided and that the Society should in certain cases be authorised to make good any deficiency arising by reason of the default of any guarantor or the insufficiency of any security furnished by Members of the Society as aforesaid:

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may be Enacted AND BE IT ENACTED by the King's Most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short and
collective titles.

1. This Act may be cited as Lloyd's Act 1911 and the Act of 1871 Lloyd's Signal Stations Act 1888 and this Act may be cited and are hereinafter in this Act referred to as Lloyd's Acts 1871 to 1911.

Definition.

2. In this Act the expression "the Committee" shall mean the Committee of Lloyd's constituted under the Act of 1871.

Extension of
Objects.

3. The objects of the Society are hereby extended so as to include the carrying on of the business of insurance of every description including guarantee business by Members of the Society and the Act of 1871 shall be read and have effect accordingly.

Objects of
Society.

4. Section 10 of the Act of 1871 and Lloyd's Act 1888 are hereby repealed and in lieu thereof the following provision is hereby enacted and shall have effect accordingly:—

*Repeal of
Section 10 of
Lloyd's Act, 1871,
and of Lloyd's Act,
1888.*

The objects of the Society shall be:—

The carrying on by Members of the Society of the business of insurance of every description including guarantee business;

The advancement and protection of the interests of Members of the Society in connection with the business carried on by them as Members of the Society and in respect of shipping and cargoes and freight and other insurable property or insurable interests or otherwise;

The collection publication and diffusion of intelligence and information;

The doing of all things incidental or conducive to the fulfilment of the objects of the Society.

A.D. 1911.

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5. Sections 20 24 31 39 and 40 of the Act of 1871 shall be read and have effect as if the word "marine" had been omitted from such sections wherever the same occurs in such sections and as if the word "insurance" where the same occurs in those sections included guarantee business.

Amendment
Act of 1871.

6. Within six months after the passing of this Act the capital stock of the Society shall be transferred by the Trustees of the capital stock to the Society and such Trustees shall on the request of the Society execute and do all such acts and deeds as may be necessary to effect and carry out such transfer and on such transfer being duly made the said Trustees shall be released and discharged from their trust and cease to act as such Trustees and Sections 36 37 and 38 of the Act of 1871 shall be repealed.

Transfer to Society
by Trustees of
capital stock.

Repeal of
Sections 36, 37 and
38 of Lloyd's Act,
1871.

7. *The Society shall hold the funds and property of the Society and the income therefrom for all or any of the following purposes:—*

Purposes for
which capital
stock, &c. to be
held by Society.

(a) *for defraying the costs, charges and expenses incurred by the Society, the Council or otherwise in the execution and carrying out of Lloyd's Acts 1871 to 1982;*

As amended by
Lloyd's Act, 1982,
Section 15(1)(b).

(b) *for furthering the objects of the Society;*

(c) *for making good any default by any member of the Society under any contract of insurance underwritten at Lloyd's which in the opinion of the Council it is in the interests of the members of the Society to make good;*

(d) *for guaranteeing or securing, in such manner as the Council think fit, any debt or obligation of or binding on the Society, any of its subsidiaries or any other person;*

(e) *for such other purposes (if any) as may from time to time be prescribed by byelaw;*

and subject thereto for the benefit of the members of the Society jointly.

8.—(1) *It shall be lawful and shall be deemed always to have been lawful for the Society to act as trustee either solely or jointly with any other person of any trust deed or guarantee or other document relating to the insurance business carried on at Lloyd's by Members of or Annual Subscribers to the Society.*

As amended by
Lloyd's Act, 1951,
Section 5 (1) &
(2).

(2) *Any trustee or trustees of any such trust deed or guarantee or other document as aforesaid may transfer any trust fund subject to any such trust deed*

A.D. 1911.

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guarantee or document to the Society and assign to the Society the benefit or advantage to which he or they are entitled under any such trust deed guarantee or document and on the execution of such transfer or deed of assignment the Society shall be entitled to such trust fund and to all benefits and advantages under any such trust deed guarantee or document in the same manner and to the same extent and on the same trusts as such trustees held or were entitled to the same.

Powers to
Society with
reference to
guarantees.

*As amended by
Lloyd's Act, 1982,
Section 15(1)(c).*

9. Without prejudice to the provisions of section 7 of this Act the Society may either by itself or jointly with any other guarantor or guarantors guarantee the payment of claims and demands upon contracts of insurance underwritten at Lloyd's and the Society may for such purposes enter into contracts and may apply the funds and property of the Society and the income therefrom or any part thereof for the purpose of discharging any liabilities of the Society under any guarantees or contracts as aforesaid and the powers conferred on the Society by this section may be exercised by the Council in accordance with byelaws made under Lloyd's Act, 1982.

*Repealed by
Lloyd's Act, 1982,
Schedule 3.*

10, 11.

Power to
Committee to
temporarily
suspend Members.

*Repealed by
Lloyd's Act, 1982,
Schedule 3, but
continuing in force
until the time
specified in Lloyd's
Act, 1982,
Schedule 4, Part II
Paragraph 11.*

12.—(1) If it be established to the satisfaction of the Committee at any meeting to be held by them in accordance with the Act of 1871 or the bye-laws made thereunder that any Member of the Society has been guilty of any act or default discreditable to him as an underwriter or otherwise in connection with the business of insurance including guarantee business the Committee may by a resolution of a majority of not less than five-sixths of the Members of the Committee present at any meeting duly convened for the purpose at which not less than ten Members of the Committee are present resolve that such Member shall for such period not exceeding two years as they shall determine be suspended from carrying on insurance business including guarantee business as a Member of the Society and on the passing of any such resolution and on notice in writing thereof being given to any such Member so suspended such Member shall cease to carry on as a Member of the Society any insurance business including guarantee business for such period as may be fixed by such resolution of the Committee Provided that any such Member so suspended may within seven days of receipt of notice of any such resolution give notice in writing to the Committee of his desire to appeal to a General Meeting of the Society against the resolution of the Committee under this section and if such notice of appeal be given by such Member the Committee shall summon a General Meeting of the Society to be held within forty-two days after the receipt of such notice of appeal but not before the expiration of a period of twenty-one days after the Committee shall have given notice of such General Meeting to such Member by letter delivered to him personally or addressed to him by post at Lloyd's and the resolution of the Committee shall be submitted to the Meeting

for confirmation and the Meeting shall have power to confirm the same and the decision of the Meeting shall be final and in the event of any such appeal and pending such confirmation the resolution of the Committee shall be inoperative. If within fifteen minutes after the time appointed for the Meeting one hundred Members of the Society are not present the Meeting shall be adjourned to a day and hour (not less than seven days nor more than fourteen days after the day of adjournment) to be fixed and declared by the Chairman of the Meeting and no further notice of the adjourned Meeting need be given and the adjourned Meeting shall be held on the day and at the hour so fixed and declared and if within fifteen minutes after the time appointed for the adjourned Meeting one hundred Members of the Society are not present then the resolution of the Committee shall be deemed not to have been confirmed and shall be inoperative in all respects as if it had never been passed by the Committee.

(2) No resolution of the Meeting or adjourned Meeting confirming the resolution of the Committee shall be effective unless the same shall be passed at such Meeting or adjourned Meeting or on any ballot taken in pursuance of a demand made thereat (which demand may be made by the Member himself or by six or more Members present) by a majority of not less than three-fourths of the Members present and voting at such Meeting or on such ballot and if no effective resolution shall be passed at such Meeting or adjourned Meeting or on such ballot confirming the resolution of the Committee then such resolution of the Committee shall be deemed to be revoked and shall be inoperative in all respects as if it had never been passed by the Committee.

(3) A declaration by the Chairman of any General Meeting or adjourned General Meeting held in pursuance or for the purposes of this section as to the number of Members of the Society present or as to the insufficiency of the number of those present to form a quorum or as to the passing or otherwise of a resolution at any such General Meeting shall be final and conclusive.

(4) The Committee shall publish in the rooms at Lloyd's the effect of any resolution passed by them under the provisions of this section after the date of the expiration of the time limited for appealing against such resolution and in the event of there being no such appeal and in the event of there being an appeal the Committee shall in like manner publish the confirmation or non-confirmation (as the case may be) of such resolution.

13.

*Repealed by
Lloyd's Act, 1982,
Schedule 3.*

14. All notices summoning General Meetings and other notices to Members of the Society under the provisions of Lloyd's Acts 1871 to 1911 or of any bye-laws under any of such Acts not specially directed by any such Acts or bye-laws thereunder to be otherwise given shall be given by posting the same in the rooms at Lloyd's or in such other manner as may be prescribed by the bye-laws of the Society.

Notices to
Members.

[1 & 2 GEO. V.]

Lloyd's Act, 1911.

[Ch. lxii.]

A.D. 1911.

Costs of Act.

15. The costs charges and expenses of and incidental to the preparing applying for obtaining and passing of this Act shall be borne and paid by the Society.

*Repealed by
Lloyd's Act, 1951,
Section 6(2).*

SCHEDULE