

ANNO SEPTIMO

VICTORIÆ REGINÆ.

****

CAP. XXI.

An Act to reduce the Stamp Duties on Policies of Sea Insurance and on certain other Instruments, and to repeal the Duties on certain Bonds, and the Law requiring Public Notaries in *Ireland* to deliver Accounts of Bills and Notes noted by them. [6th *June* 1844.]

WHEREAS under and by virtue of an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies, and Successions to Personal Estate upon Intestacies, now payable in* Great Britain; *and for granting other Duties in lieu thereof,* certain Stamp Duties specified and contained in a Schedule to the said Act annexed were granted and made payable in *Great Britain* for and in respect of (amongst other things) Policies or other Instruments of Insurance, Agreements, and Letters or Powers of Attorney: And whereas by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to reduce the Stamp Duties on Advertisements and on certain Sea Insurances, to repeal the Stamp Duties* 55G. 3. c. 184. 3 & 4 W. 4. c. 23.

Duties on Pamphlets and on Receipts for Sums under Five Pounds, and to exempt Insurances on Farming Stock from Stamp Duties, the Duties granted by the said first-recited Act on certain Policies or other Instruments of Sea Insurance were repealed, and in lieu thereof other Stamp Duties were granted and made payable in *Great Britain* and *Ireland* respectively for and in respect of the same Policies or Instruments: And whereas under and by virtue of an Act passed in the Fifth and Sixth Years of Her present Majesty's Reign, intituled *An Act to assimilate the Stamp Duties in* Great Britain *and* Ireland, *and to make Regulations for collecting and managing the same until the Tenth Day of* October *One thousand eight hundred and forty-five*, the Stamp Duties granted and then payable in *England* under or by virtue of the said first-recited Act were extended to and made payable in *Ireland* in lieu of certain Stamp Duties repealed by the last-recited Act: And whereas it is expedient to reduce the Stamp Duties now payable in *Great Britain* and *Ireland* respectively on Policies or other Instruments of Sea Insurance, and on certain Agreements, and also on certain Letters or Powers of Attorney or other Instruments for appointing Proxies: Be it therefore enacted by the Queen'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, That from and after the passing of this Act the Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of the said several recited Acts or any of them, on the Policies or other Instruments of Sea Insurance, and on the Agreements, and also on the Letters or Powers of Attorney or other Instruments for appointing Proxies respectively mentioned and described in the Schedule hereunto annexed, and whereon other Duties are by this Act granted and imposed, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except so much and such Part and Parts of the said Duties respectively as shall have accrued or been incurred before or upon the passing of this Act, and shall then or at any Time afterwards be or become due or payable, and remain in arrear and unpaid, all which said Duties so remaining in arrear and unpaid as aforesaid shall be recoverable by the same Ways and Means and with such and the same Penalties as if this Act had not been passed.

5 & 6 Vict. c. 82.

Stamp Duties on Policies of Sea Insurance, and on certain Agreements, and also on certain Instruments for appointing Proxies, repealed, except as to Arrears.

New Duties granted in lieu of Duties repealed.

II. And be it enacted, That from and after the passing of this Act, in lieu and instead of the said several Duties by this Act repealed there shall be granted, raised, levied, collected, and paid in *Great Britain* and *Ireland* respectively, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Articles, Maters, and Things mentioned and described in the Schedule to this Act annexed, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said last-mentioned Schedule; and that the said last-mentioned Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Articles, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act.

III. And

Powers and Provisions of former Acts to be applied to the Duties granted by this Act.

III. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being; and that all the Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, Pains, and Penalties, contained in or imposed by the several former Acts of Parliament relating to any prior Duties of the same Kind or Description in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Articles, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted with reference to the said Duties by this Act granted.

Penalty for evading the Duties on Insurances.

IV. And be it enacted, That if any Person shall become an Assurer upon any Insurance in respect whereof any Duty is by this Act made payable, or shall subscribe or underwrite, or otherwise sign or make or enter into any Contract, Agreement, or Memorandum of any such Insurance, or shall receive or contract for any Premium or Consideration for any such Insurance, or shall receive or charge or take credit in account for any such Premium or Consideration as aforesaid, or any Sum of Money as or for any such Premium or Consideration as aforesaid, or shall wilfully or knowingly take upon himself any Risk, or render himself liable to pay, or shall pay, or allow or agree to pay, or allow in account or otherwise, any Sum of Money upon any Loss, Peril, or Contingency relative to any such Insurance, unless such Insurance shall be written on Vellum, Parchment, or Paper duly stamped, or if any Person shall be concerned in any fraudulent Contrivance or Device, or shall be guilty of any wilful Act, Neglect, or Omission, with Intent to evade the Duties payable under this Act on Policies of Insurance, or whereby any such Duties shall be evaded, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds: Provided always, that nothing herein contained shall extend to subject any Member, Officer, or Servant of the London Assurance or Royal Exchange Assurance Corporations respectively to any of the Penalties by this Act imposed, for or by reason of his making any Agreement to insure by any Label, Slip, or Memorandum in Writing upon unstamped Paper; provided that in every such Case the Day on which such Agreement shall be made shall be truly expressed in Words at Length on such Label, Slip, or Memorandum, and a Policy of Insurance according to such Agreement shall be made out in due Form on Vellum, Parchment, or Paper duly stamped, and which shall be duly executed within Three Office Days from the Time of making such Agreement as aforesaid.

The London Assurance and the Royal Exchange Assurance Corporations allowed to make Agreements on unstamped Slips, on certain Conditions.

V. And

Agreements chargeable with Duty under this Act may be stamped within Fourteen Days after the making thereof without Penalty.

V. And be it enacted, That if any Agreement, or Minute or Memorandum of an Agreement, chargeable with Duty under this Act, shall be ingrossed, written, or printed upon Vellum, Parchment, or Paper not duly stamped according to Law, and such Agreement, Minute, or Memorandum shall be brought to the Commissioners of Stamps and Taxes, or to any of their Officers appointed or authorized to receive the same, to be stamped, together with the Duty payable thereon, within Fourteen Days after such Agreement, Minute, or Memorandum shall have been made or entered into, it shall be lawful for the said Commissioners and they are hereby required to cause the same to be stamped without the Payment of any Penalty: Provided always, that if such Agreement, Minute, or Memorandum shall not be brought to be stamped as aforesaid within the Time herein-before prescribed and limited for that Purpose there shall be payable by way of Penalty on the stamping thereof the Sum of Ten Pounds, over and above the Duty chargeable thereon.

Penalty on stamping the same afterwards, 10*l.*

Instruments of Proxy to be available for voting at One Meeting, or at any Adjournment thereof.

VI. And be it enacted, That any Letter or Power of Attorney, or other Instrument made for the Purpose of appointing or nominating a Proxy, and chargeable with Duty under this Act, shall authorize such Proxy to vote upon any Matter at One Meeting of the Proprietors or Shareholders of or in any Company or Society, the Time of holding whereof shall be specified in such Instrument, or at any Adjournment of such Meeting; and no such Letter or Power of Attorney or other Instrument shall be further or otherwise available, any thing in such Instrument or in any Act of Parliament to the contrary notwithstanding.

Commissioners not to stamp Instruments appointing Proxies after the signing thereof.

Penalty for signing Instruments appointing Proxies, not being duly stamped, or for voting under such Instruments.

VII. And be it enacted, That it shall not be lawful for the Commissioners of Stamps and Taxes, or any of their Officers, under any Pretence whatever, to stamp or mark, after the signing thereof by any Person, any Vellum, Parchment, or Paper upon which any Letter or Power of Attorney, or other Instrument appointing or nominating a Proxy, chargeable with Duty under this Act, shall be ingrossed, written, or printed; and if any Person shall make or sign any such Letter or Power of Attorney or other Instrument as aforesaid which shall be ingrossed, written, or printed, or partly ingrossed or written and partly printed, upon Vellum, Parchment, or Paper not duly stamped according to Law, or if any Person shall vote or attempt to vote or act as a Proxy in pursuance or under the Authority or pretended Authority of any such Letter or Power of Attorney or other Instrument not duly stamped as aforesaid, every Person so offending in any or either of the Cases aforesaid shall forfeit and pay the Sum of Fifty Pounds; and every Vote made or given or other Act done in pursuance or under the Authority or pretended Authority of any such Letter or Power of Attorney or other Instrument, not duly stamped as aforesaid, shall be absolutely null and void to all Intents and Purposes.

Recital of 6 G. 4. c. 41.

VIII. And whereas by an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act to repeal the Stamp Duties payable in* Great Britain *and* Ireland *upon the Transfer of Property in Ships and Vessels, and upon Bonds and Debentures*

required

required to be given in relation to the Duties, Drawbacks, and Bounties of Customs or Excise, and to grant other Duties of Stamps on such Bonds and Debentures, the Stamp Duty of Five Shillings was granted and is now payable for and upon every Bond given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, for or in respect of any of the Duties of Customs or Excise, or for preventing Frauds or Evasions thereof, or for any other Matter or Thing relating thereto, except certain Bonds in the said Act mentioned and exempted from the said Duty: And whereas it is expedient to repeal the said Duty granted by the last-recited Act, so far as relates to Bonds given with relation to the Drawback of any of the Duties of Customs or Excise on the Exportation of Goods to Foreign Parts; be it therefore enacted, That from and after the passing of this Act the said Stamp Duty of Five Shillings granted by the said last-recited Act, so far as the same is charged or payable for or upon any Bond to be given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of Customs or Excise, or any of their Officers, upon or with relation to the receiving or obtaining, or for entitling any Person to receive or obtain, any Drawback of any Duty or Duties or Part of any Duty or Duties of Customs or Excise, for or in respect of any Goods, Wares, or Merchandize exported or shipped to be exported from *Great Britain* or *Ireland* respectively to any Parts beyond the Seas, or for or upon any Bond to be given as aforesaid upon or with relation to the obtaining of any Debenture or Certificate for entitling any Person to receive any such Drawback as aforesaid, shall cease and determine, and the same is hereby repealed.

Stamp Duty on Bonds given for obtaining Drawbacks of Duties of Customs or Excise repealed.

IX. And whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act to regulate the Collection of Stamp Duties on Matters in respect of which Licences may be granted by the Commissioners of Stamps in* Ireland, every Public Notary in *Ireland* is required, under a Penalty in the said Act contained, once in every Two Months to deliver or cause to be delivered at the Stamp Office in *Dublin* a faithful Account in Writing, verified as in the said Act is mentioned, of Bills of Exchange and Promissory Notes which shall have been noted by him for Non-acceptance or Nonpayment, and at the same Time to pay the Stamp Duty which would then by Law be payable for or in respect of every such Bill or Note, if protested in due Form of Law: And whereas it is expedient to repeal the said Enactment; be it therefore enacted, That from and after the passing of this Act so much of the said last-recited Act as requires any such Account as aforesaid to be delivered, or as imposes any Penalty for the Nondelivery thereof, or for the Nonpayment of any Duty thereon, shall be and the same is hereby repealed.

Recital of 55G. 3. c. 101. s. 30. requiring Public Notaries in Ireland to deliver Accounts of Bills and Notes noted by them, and to pay the Stamp Duties as for Protests thereof.

Enactment repealed.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be altered this Session.

The SCHEDULE to which this Act refers;

CONTAINING

THE DUTIES IMPOSED BY THIS ACT.

	£	s.	d.
For and in respect of every Policy of Assurance or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Ship or Vessel, or upon any Goods, Merchandize, or other Property on board of any Ship or Vessel, or upon the Freight of any Ship or Vessel, or upon any other Interest in or relating to any Ship or Vessel which may lawfully be insured for or upon any Voyage whatever, the following Duties, where the whole Sum insured shall not exceed One hundred Pounds, and where the whole Sum insured shall exceed One hundred Pounds, then for every One hundred Pounds, and also for any fractional Part of One hundred Pounds, whereof the same shall consist; (that is to say,)			
Where the Premium or Consideration for such Insurance actually and bonâ fide paid, given, or contracted for shall not exceed the Rate of Ten Shillings per Centum on the Sum insured -	0	0	3
And where the same shall exceed the Rate of Ten Shillings per Centum, and shall not exceed the Rate of Twenty Shillings per Centum, on the Sum insured - - -	0	0	6
And where the same shall exceed the Rate of Twenty Shillings per Centum, and shall not exceed the Rate of Thirty Shillings per Centum, on the Sum insured - - -	0	1	0
And where the same shall exceed the Rate of Thirty Shillings per Centum, and shall not exceed the Rate of Forty Shillings per Centum, on the Sum insured - - - -	0	2	0
And where the same shall exceed the Rate of Forty Shillings per Centum, and shall not exceed the Rate of Fifty Shillings per Centum, on the Sum insured - - - -	0	3	0
And where the same shall exceed the Rate of Fifty Shillings per Centum on the Sum insured - - - -	0	4	0
But if the separate Interests of Two or more distinct Persons shall be insured by one Policy or Instrument, then the said respective Duties, as the Case may require, shall be charged thereon in respect of each and every fractional Part of One hundred Pounds, as well as in respect of every full Sum of One hundred Pounds, which shall be thereby insured upon any separate and distinct Interest.			
And for and in respect of every Policy of Assurance or Insurance, or other Instrument whereby any such Insurance as aforesaid shall be made for any certain Term or Period of Time, the following Rates or Sums for every One hundred Pounds, and also for any fractional Part of One hundred Pounds, whereof the same shall consist; (that is to say,)			
Where any such Insurance shall be made for any Term or Period not exceeding Six Calendar Months - - -	0	2	6
Exceeding Six Calendar Months - - -	0	4	0

	£	s.	d.
And for and in respect of every Policy of Assurance or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance, commonly called a Mutual Insurance, shall be made, or whereby divers Persons shall insure or agree to insure one another, without any Premium or pecuniary Consideration, from any Loss, Damage, or Misfortune that may happen of or to any Ship or Vessel, or any Goods, Merchandize, or other Property on board of any Ship or Vessel, or the Freight of any Ship or Vessel, or any other Interest in or relating to any Ship or Vessel which may lawfully be insured upon any Voyage whatever, and not for any Period of Time, For every Sum of One hundred Pounds, and also for each and every fractional Part of One hundred Pounds, thereby insured to any Person or Persons - - - - -	0	2	6
And for and in respect of every Agreement, or Minute or Memorandum of an Agreement, now chargeable with the Duty of One Pound under the Head or Title of "Agreement" in the Schedule to the Act 55 Geo. 3. c. 184. annexed - - - - -	0	2	6
And for and in respect of every Letter or Power of Attorney or other Instrument made for the sole Purpose of appointing or nominating a Proxy to vote at any Meeting of the Proprietors or Shareholders of or in any Joint Stock Company or other Company or Society whose Stock or Funds are divided into Shares, and transferable - - - - - -	0	2	6

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1844.