

## EDITORIAL

As I write the Editorial of this much delayed edition of the Bulletin - and I must preface my comments with apologies for this delay, due firstly to the printing backlog caused by the three day week and secondly to the combined burden of office work and family problems - we are in the run up period to the second general election this year: an election which probably has been inevitable since March, but which even now seems scarcely necessary. Clearly the country cannot continue to have short period parliaments and frequent general elections, so even if this October's parliament is little different in shape from the one just dissolved government and opposition will have to live with it for some while. If so, hopefully, some consensus of the middle may emerge so that many of the issues on which we are interested as insurance lawyers can be determined objectively in the best interests of the country and those sections of the community most affected. If not ... but perhaps with readers of widely differing political views it is better to stop there and to promise comment in the next Bulletin on the new government's proposals as disclosed in the Queen's Speech.

Last Spring a small gathering of BILA members heard Mr Paul Dean MP discuss the then departed Conservative government's pension legislation, which was still then due to come into force in April 1975. In the light of subsequent events there is little point in submitting any detailed record of this lively meeting - within a few days pensions were once again in the melting pot and if all of us - lawyers, employers, insurers and prospective pensioners - were not back to square one, certainly we were back in the bottom half of the board. Though Labour's new pension proposals have been produced quickly, and have received a guarded welcome from the life companies, the fact remains that time is running out: successive governments must stop playing political snakes and ladders with pensions and ensure first that prospective pensioners have certainty, however inadequate, so that they can plan for retirement with their own resources if need be - and second that employers and insurers can make positive plans in the sure knowledge that these can and will be implemented. Having said this the life offices can take comfort from the fact that both main parties consider that the private sector has a large and positive part to play.

The still unresolved plight of Nation Life's policyholders must give us all cause for concern - and surely must bring nearer the time when the company market will have to set up one or more guarantee funds for the protection of the public. Preferably this should be done voluntarily and with all deliberate speed lest too much Government restriction be placed upon the freedom of the various sections of the market generally and upon individual offices as to investment portfolios, underwriting terms, marketing policies and so on.

In the coming months, in the insurance world just as in the country at large the debate will continue over the relative merits and benefits of lightly controlled, free enterprise as contrasted with those likely to stem from greater state involvement.

On the insurance front, inextricably related to this debate is the argument over Britain's continued membership of the EEC. Despite the uncertain attitude of our fellow Europeans to the re-negotiation discussions that must soon commence, and the ever more uncertain attitude of the Wilson administration (if re-elected) to the outcome of those discussions, the odds on Britain's continued membership must be high.

Certainly one aspect of insurance harmonisation that will be discussed in the coming months is the problem of Premium Tax, already collected in the majority of community countries. While the utter hostility of British insurers to the introduction of such a tax perhaps need not be restated within the market, stern resistance will be required if the British policyholder is not to be subjected to a tax on his self providence at at least a 7% rate.

BILA has been active on the Continent. A joint seminar was held with Dutch insurance lawyers at The Hague on 8-9 March, and Pat Saxton's report on the papers and discussions is included in this edition: on the social side our Dutch hosts catered well for the inner man and with their excellent command of English made the BILA contingent highly welcome.

At the end of April the fourth World Conference of the International Insurance Law Association (A.I.D.A) was held at Lausanne. Among the 350 delegates was a strong BILA contingent. Discussion appears to have been diverse, not to say, diffuse, and though clearly a good time was had by all, the wide ranging nature of the delegates' deliberations has deterred the publication of a formal report. Perhaps when the fifth A.I.D.A. conference is held discussion will be more concentrated and concise.

As reported in the last edition of the Bulletin the then Home Secretary had set up a working party to review the Criminal Injuries Compensation Scheme in the light of its operation since 1964: when this working party issued a consultative document your Committee set up its own working party. Not surprisingly considerable differences of view quickly became apparent, but nevertheless it was found possible to reach a consensus and to prepare the memorandum that is included elsewhere in this Bulletin.