

in the amount of premiums charged, or in the dividends payable on the policy, nor shall any agent of any such company assume to make any contract of insurance, or agreement as to such contract, whether in respect of the premium to be paid or otherwise, other than as plainly expressed in the policy issued; nor shall any such company or any officer, agent, solicitor or representative thereof pay, allow or give, or offer to pay, allow or give, directly or indirectly, as inducement to insure, any rebate of premium payable on the policy, or any special favour or advantage in the dividends or other benefits to accrue thereon, or any advantage by way of local or advisory directorship where actual service is not bona fide performed, or any paid employment or contract for services of any kind, or any * * * inducement whatever *intended to be in the nature of a rebate of premium; *nor shall any person knowingly receive as such inducement any such rebate of premium or other such special favour, advantage, benefit, consideration or inducement; nor shall any such company or any officer, agent solicitor or representative thereof give, sell or purchase as such inducement, or in connection with such insurance, any stocks, bonds, or other securities of any insurance company or other corporation, association or partnership.

2. Each company shall deposit and keep deposited with the Superintendent a copy of its established rates for all plans of insurance, such rates in the ordinary branch, as distinguished from the industrial branch, being based upon an insurance of one thousand dollars, and shall be applicable to insurance for that amount and pro rata for greater amounts.

Exception in cases prior to Act.

3. This section shall not apply to re-insurance contracts nor to acts done in pursuance of agreements made relative to policies issued prior to the passing of this Act.

Penalty for rebating, etc.

88. Each and every person violating the provisions of the last preceding section shall for a first offence be liable to a penalty of double the amount of the annual premium on the application or policy in respect of which such violation took place, but in no case shall such penalty be less than one hundred dollars, and for a second or subsequent offence such person shall be liable to a penalty of double the amount of such annual premium, but in no case less than two hundred and fifty dollars.

Penalty for permitting rebates, etc.

2. Every director or manager or other officer of any life insurance company within the legislative jurisdiction of the Parliament of Canada or licensed under The Insurance Act to carry on the business of life insurance who violates or knowingly consents to or permits the violation of the provisions of the next preceding section by any agent, officer, employee or servant of the company shall be liable to a penalty of five hundred dollars.

Rebates, etc., and disposal of penalty.

3. The penalties provided for in this section shall be recoverable in any Court of competent civil jurisdiction at the suit of any person suing as well for His Majesty as for himself. One-half of any such penalty shall, when recovered, be applied towards payment of the expenses of the *Department* and the other half to the person suing.

Offenders not to be indemnified out of funds of company.

4. No such director, manager, agent, officer, employee or other servant shall be indemnified either in whole or in part either in respect of the penalty or of any costs out of the funds of the company.