



# Unfair Contract Terms Act 1977

## 1977 CHAPTER 50

### PART I

#### AMENDMENT OF LAW FOR ENGLAND AND WALES AND NORTHERN IRELAND

##### *Avoidance of liability for negligence, breach of contract, etc.*

#### **2 Negligence liability.**

- (1) A person cannot by reference to any contract term or to a notice given to persons generally or to particular persons exclude or restrict his liability for death or personal injury resulting from negligence.
- (2) In the case of other loss or damage, a person cannot so exclude or restrict his liability for negligence except in so far as the term or notice satisfies the requirement of reasonableness.
- (3) Where a contract term or notice purports to exclude or restrict liability for negligence a person's agreement to or awareness of it is not of itself to be taken as indicating his voluntary acceptance of any risk.
- [<sup>F1</sup>(4) This section does not apply to—
  - (a) a term in a consumer contract, or
  - (b) a notice to the extent that it is a consumer notice,(but see the provision made about such contracts and notices in sections 62 and 65 of the Consumer Rights Act 2015).]

#### **Annotations:**

#### **Amendments (Textual)**

**F1** [S. 2\(4\)](#)

inserted (1.10.2015 for specified purposes, 1.10.2016 in so far as not already in force) by [Consumer Rights Act 2015 \(c. 15\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Unfair Contract Terms Act 1977, Section 2. (See end of Document for details)

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s. 100(5)

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**Sch. 4 para. 4**

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S.I. 2015/1630

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arts. 3(g)

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4(c)

(with

art. 6(1)

(2)

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**Modifications etc. (not altering text)**

**C1** S. 2(2) excluded (11.11.1999, but subject to s. 10(3) of the amending Act, does not apply in relation to a contract referred to in s. 10(2)) by  
1999 c. 31

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**ss. 7(2)**

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10(2)(3)

**Changes to legislation:**

There are currently no known outstanding effects for the Unfair Contract Terms Act 1977, Section 2.