



# Unfair Contract Terms Act 1977

## 1977 CHAPTER 50

### PART I

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

#### *Other provisions about contracts*

### **8 Misrepresentation**

(1) In the Misrepresentation Act 1967, the following is substituted for section 3—

“Avoidance of provision excluding liability for misrepresentation.

**3** If a contract contains a term which would exclude or restrict—

- (a) any liability to which a party to a contract may be subject by reason of any misrepresentation made by him before the contract was made; or
- (b) any remedy available to another party to the contract by reason of such a misrepresentation,

that term shall be of no effect except in so far as it satisfies the requirement of reasonableness as stated in section 11(1) of the Unfair Contract Terms Act 1977; and it is for those claiming that the term satisfies that requirement to show that it does.”

(2) The same section is substituted for section 3 of the Misrepresentation Act (Northern Ireland) 1967.