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—

"**3 Avoidance of provision excluding liability for misrepresentation.**

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.