

Changes to legislation: There are currently no known outstanding effects for the Third Parties (Rights against Insurers) Act 2010, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 20

TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

[^{F1}Application of this Act]

Textual Amendments

- F1** Sch. 3 para. 1 cross-heading inserted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\), s. 23\(3\)\(b\)](#), [Sch. 2 para. 5\(2\)](#)

- 1 (1) Section 1(1)(a) applies where the insured became a relevant person before, as well as when the insured becomes such a person on or after, commencement day.
- (2) Section 1(1)(b) applies where the liability was incurred before, as well as where it is incurred on or after, commencement day.

Commencement Information

- II** Sch. 3 para. 1 in force at 1.8.2016 by [S.I. 2016/550, art. 2](#)

[^{F2}Relevant persons]

Textual Amendments

- F2** Sch. 3 para. 1A and cross-heading inserted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\), s. 23\(3\)\(b\)](#), [Sch. 2 para. 5\(3\)](#)

- 1A (1) An individual, company or limited liability partnership not within sections 4 to 7 is to be treated as a relevant person for the purposes of this Act in the following cases.
- (2) The first case is where an individual—
- (a) became bankrupt before commencement day, and
 - (b) has not been discharged from that bankruptcy.
- (3) The second case is where—
- (a) an individual made a composition or arrangement with his or her creditors before commencement day, and
 - (b) the composition or arrangement remains in force.
- (4) The third case is where—
- (a) a winding-up order was made, or a resolution for a voluntary winding-up was passed, with respect to a company or limited liability partnership before commencement day, and

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- (b) the company or partnership is still wound up.
- (5) The fourth case is where a company or limited liability partnership—
 - (a) entered administration before commencement day, and
 - (b) is still in administration.
- (6) The fifth case is where—
 - (a) a receiver or manager of the business or undertaking of a company or limited liability partnership was appointed before commencement day, and
 - (b) the appointment remains in force.
- (7) In those cases, the person is a relevant person only in relation to liabilities under a contract of insurance under which the person was insured at the time of the event mentioned in sub-paragraph (2)(a), (3)(a), (4)(a), (5)(a) or (6)(a) (as appropriate).]

[^{F3} Bankruptcy and Diligence etc (Scotland) Act 2007]

Textual Amendments

- F3** Sch. 3 para 2 cross-heading inserted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\), s. 23\(3\)\(b\)](#), [Sch. 2 para. 5\(4\)](#)

- 2 Until the coming into force of section 47(1) of the Bankruptcy and Diligence etc (Scotland) Act 2007 (asp 3), the reference to that provision in paragraph 1(5) of Schedule 1 is to be read as a reference to section 486(1) of the Companies Act 1985.

Commencement Information

- I2** Sch. 3 para. 2 in force at 1.8.2016 by [S.I. 2016/550, art. 2](#)

[^{F4} Application of 1930 Acts]

Textual Amendments

- F4** Sch. 3 para. 3 cross-heading inserted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\), s. 23\(3\)\(b\)](#), [Sch. 2 para. 5\(5\)](#)

- 3 Despite its repeal by this Act, the Third Parties (Rights against Insurers) Act 1930 continues to apply in relation to—
- (a) cases where the event referred to in subsection (1) of section 1 of that Act and the incurring of the liability referred to in that subsection both happened before commencement day;
 - (b) cases where the death of the deceased person referred to in subsection (2) of that section happened before that day.

Commencement Information

- I3** Sch. 3 para. 3 in force at 1.8.2016 by [S.I. 2016/550, art. 2](#)

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- 4 Despite its repeal by this Act, the Third Parties (Rights against Insurers) Act (Northern Ireland) 1930 continues to apply in relation to—
- (a) cases where the event referred to in subsection (1) of section 1 of that Act and the incurring of the liability referred to in that subsection both happened before commencement day;
 - (b) cases where the death of the deceased person referred to in subsection (2) of that section happened before that day.

Commencement Information

I4 Sch. 3 para. 4 in force at 1.8.2016 by [S.I. 2016/550](#), **art. 2**

[^{F5}Interpretation]

Textual Amendments

F5 Sch. 3 para. 5 cross-heading inserted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\)](#), s. 23(3)(b), **Sch. 2 para. 5(6)**

- 5 In this Schedule “commencement day” means the day on which this Act comes into force.

Commencement Information

I5 Sch. 3 para. 5 in force at 1.8.2016 by [S.I. 2016/550](#), **art. 2**

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