

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Insurance Act 2015, Paragraph 5. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 2

RIGHTS OF THIRD PARTIES AGAINST INSURERS: RELEVANT INSURED PERSONS

Transitional cases

- 5 (1) Schedule 3 (transitory, transitional and saving provision) is amended as follows.
- (2) At the beginning insert— “ Application of this Act ”.
- (3) After paragraph 1 insert—

“Relevant persons”

- 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
 - (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.

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(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).”

(4) Before paragraph 2 insert— “ Bankruptcy and Diligence etc (Scotland) Act 2007 ”.

(5) Before paragraph 3 insert— “ Application of 1930 Acts ”.

(6) Before paragraph 5 insert— “ Interpretation ”.

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