



# Insurance Act 2015

## 2015 CHAPTER 4

### PART 2

#### THE DUTY OF FAIR PRESENTATION

#### **6 Knowledge: general**

- (1) For the purposes of sections 3 to 5, references to an individual's knowledge include not only actual knowledge, but also matters which the individual suspected, and of which the individual would have had knowledge but for deliberately refraining from confirming them or enquiring about them.
- (2) Nothing in this Part affects the operation of any rule of law according to which knowledge of a fraud perpetrated by an individual ("F") either on the insured or on the insurer is not to be attributed to the insured or to the insurer (respectively), where—
  - (a) if the fraud is on the insured, F is any of the individuals mentioned in section 4(2)(b) or (3), or
  - (b) if the fraud is on the insurer, F is any of the individuals mentioned in section 5(1).