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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 6th April 2013 those provisions of the Consumer Insurance (Disclosure and Representations) Act 2012 (“the Act”) which are not already in force by virtue of section 12 of the Act. For consumers the Act replaces the duty to volunteer information material to the insurer’s decision, as set out in the Marine Insurance Act 1906, with a duty on consumers to take reasonable care not to make a misrepresentation during pre-contractual negotiations. It also provides for the consequences of a misrepresentation. Further, it provides specific rules in relation to misrepresentations in group insurance and insurance taken out by a consumer on the life of an individual who is not party to the contract, and sets out a framework for determining the status of agents through whom consumer contracts are effected.