



# Insurance Act 2015

## CHAPTER 4

### INSURANCE ACT 2015

#### PART 1

##### INSURANCE CONTRACTS: MAIN DEFINITIONS

- 1 Insurance contracts: main definitions

#### PART 2

##### THE DUTY OF FAIR PRESENTATION

- 2 Application and interpretation
- 3 The duty of fair presentation
- 4 Knowledge of insured
- 5 Knowledge of insurer
- 6 Knowledge: general
- 7 Supplementary
- 8 Remedies for breach

#### PART 3

##### WARRANTIES AND OTHER TERMS

- 9 Warranties and representations
- 10 Breach of warranty
- 11 Terms not relevant to the actual loss

#### PART 4

##### FRAUDULENT CLAIMS

- 12 Remedies for fraudulent claims

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

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- 13 Remedies for fraudulent claims: group insurance

**PART 4A**

LATE PAYMENT OF CLAIMS

- 13A Implied term about payment of claims

**PART 5**

GOOD FAITH AND CONTRACTING OUT

*Good faith*

- 14 Good faith

*Contracting out*

- 15 Contracting out: consumer insurance contracts  
 16 Contracting out: non-consumer insurance contracts  
 16A Contracting out of the implied term about payment of claims: consumer and non-consumer insurance contracts  
 17 The transparency requirements  
 18 Contracting out: group insurance contracts

**PART 6**

AMENDMENT OF THE THIRD PARTIES (RIGHTS AGAINST INSURERS) ACT 2010

- 19 Power to change meaning of “relevant person” for purposes of 2010 Act  
 20 Other amendments

**PART 7**

GENERAL

- 21 Provision consequential on Part 2  
 22 Application etc of Parts 2 to 5  
 23 Extent, commencement and short title

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**SCHEDULES**

SCHEDULE 1 — Insurers' remedies for qualifying breaches

PART 1 — CONTRACTS

*General*

- 1 This Part of this Schedule applies to qualifying breaches of...

*Deliberate or reckless breaches*

- 2 If a qualifying breach was deliberate or reckless, the insurer—...

*Other breaches*

- 3 Paragraphs 4 to 6 apply if a qualifying breach was...  
 4 If, in the absence of the qualifying breach, the insurer...  
 5 If the insurer would have entered into the contract, but...

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- 6 (1) In addition, if the insurer would have entered into...  
PART 2 — VARIATIONS

*General*

- 7 This Part of this Schedule applies to qualifying breaches of...

*Deliberate or reckless breaches*

- 8 If a qualifying breach was deliberate or reckless, the insurer—...

*Other breaches*

- 9 (1) This paragraph applies if— (a) a qualifying breach was...  
10 (1) This paragraph applies if— (a) a qualifying breach was...

*Proportionate reduction*

- 11 (1) If this paragraph applies, the insurer may reduce proportionately...  
PART 3 — SUPPLEMENTARY

*Relationship with section 84 of the Marine Insurance Act 1906*

- 12 Section 84 of the Marine Insurance Act 1906 (return of...

SCHEDULE 2 — Rights of third parties against insurers: relevant insured persons

- 1 The Third Parties (Rights against Insurers) Act 2010 is amended...

*Individuals subject to debt relief orders in Northern Ireland*

- 2 (1) Section 4 (relevant persons: individuals) is amended as follows....

*Corporate bodies etc in administration*

- 3 (1) Section 6 (corporate bodies etc) is amended as follows....

*Transitional cases*

- 4 In section 1(5)(b) (definition of “relevant person”), at the end...  
5 (1) Schedule 3 (transitory, transitional and saving provision) is amended...

*Interpretation*

- 6 After section 19 insert— Interpretation (1) The references to enactments in sections 4 to 7,...

**Changes to legislation:**

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