



# Third Parties (Rights against Insurers) Act 2010

## 2010 CHAPTER 10

### *Application of Act*

#### 15 Reinsurance

This Act does not apply to a case where the liability referred to in section 1(1) is itself a liability incurred by an insurer under a contract of insurance.

##### **Commencement Information**

**11** [S. 15](#) in force at 1.8.2016 by [S.I. 2016/550, art. 2](#)

#### 16 Voluntarily-incurred liabilities

It is irrelevant for the purposes of section 1 whether or not the liability of the insured is or was incurred voluntarily.

##### **Commencement Information**

**12** [S. 16](#) in force at 1.8.2016 by [S.I. 2016/550, art. 2](#)

#### 17 Avoidance

- (1) A contract of insurance to which this section applies is of no effect in so far as it purports, whether directly or indirectly, to avoid or terminate the contract or alter the rights of the parties under it in the event of the insured—
- (a) becoming a relevant person, or
  - (b) dying insolvent (within the meaning given by section 5(2)).

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

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- (2) A contract of insurance is one to which this section applies if the insured's rights under it are capable of being transferred under section 1.

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**Commencement Information**

**I3** S. 17 in force at 1.8.2016 by [S.I. 2016/550](#), [art. 2](#)

## **18 Cases with a foreign element**

Except as expressly provided, the application of this Act does not depend on whether there is a connection with a part of the United Kingdom; and in particular it does not depend on—

- (a) whether or not the liability (or the alleged liability) of the insured to the third party was incurred in, or under the law of, England and Wales, Scotland or Northern Ireland;
- (b) the place of residence or domicile of any of the parties;
- (c) whether or not the contract of insurance (or a part of it) is governed by the law of England and Wales, Scotland or Northern Ireland;
- (d) the place where sums due under the contract of insurance are payable.

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**Commencement Information**

**I4** S. 18 in force at 1.8.2016 by [S.I. 2016/550](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the *Third Parties (Rights against Insurers) Act 2010*, Cross Heading: *Application of Act*.