

## **EXPLANATORY NOTES**

### **THIRD PARTIES (RIGHTS AGAINST INSURERS) ACT 2010**

#### **INTRODUCTION**

#### **BACKGROUND**

##### **Review of Current Position**

#### **SUMMARY OF REFORMS**

##### **Rights of Action for the Third Party**

##### **Insurer's Defences**

##### **Scope**

#### **TERRITORIAL EXTENT AND APPLICATION**

#### **COMMENTARY ON SECTIONS**

Section 1: Rights against insurer of insolvent person

Section 2: Establishing liability in England and Wales and Northern Ireland

Section 3: Establishing liability in Scotland

Section 4: Individuals

Section 5: Individuals who die insolvent

Section 6: Corporate bodies

Section 7: Scottish trusts

Section 8: Limit on rights transferred

Section 9: Conditions affecting transferred rights

Section 10: Insurer's right of set off

Section 11: Information and disclosure for third parties and Schedule 1

Schedule 1: Information and disclosure for third parties

Paragraph 1: Notices requesting information

Paragraph 2: Provision of information where notice given under paragraph 1

*These notes refer to the Third Parties (Rights against Insurers) Act 2010 (c.10)*

Paragraph 3: Notices requiring disclosure: defunct bodies

Paragraph 4: Disclosure and inspection where notice given under paragraph 3

Paragraph 5: Avoidance

Paragraph 6: Other rights to information

Paragraph 7: Interpretation

Section 12: Limitation and prescription

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Section 17: Avoidance

Section 18: Cases with a foreign element

Section 19: Power to amend Act

Section 20: Amendments, transitionals, repeals, and Schedules 2, 3 and 4

Section 21: Short title, commencement and extent

## **COMMENCEMENT**

## **HANSARD REFERENCES**