



# Consumer Insurance (Disclosure and Representations) Act 2012

## 2012 CHAPTER 6

### *Qualifying misrepresentations*

#### **4 Qualifying misrepresentations: definition and remedies**

- (1) An insurer has a remedy against a consumer for a misrepresentation made by the consumer before a consumer insurance contract was entered into or varied only if—
  - (a) the consumer made the misrepresentation in breach of the duty set out in section 2(2), and
  - (b) the insurer shows that without the misrepresentation, that insurer would not have entered into the contract (or agreed to the variation) at all, or would have done so only on different terms.
- (2) A misrepresentation for which the insurer has a remedy against the consumer is referred to in this Act as a “qualifying misrepresentation”.
- (3) The only such remedies available are set out in Schedule 1.

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#### **Commencement Information**

**II** [S. 4](#) in force at 6.4.2013 by [S.I. 2013/450](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Consumer Insurance (Disclosure and Representations) Act 2012, Section 4.