



Mesothelioma Act 2014

2014 CHAPTER 1

Insurance disputes

PROSPECTIVE

15 Technical Committee to decide certain insurance disputes

- (1) The Secretary of State may make arrangements with a body to establish a committee called the Technical Committee which, if established in accordance with the arrangements, has the functions given by this section.
- (2) If a question arises between a potential insurance claimant and an insurer about whether an employer maintained employers' liability insurance with the insurer at a particular time, the Technical Committee has jurisdiction to decide that question.
- (3) The Technical Committee's decision is binding on the insurer and any potential insurance claimant who was given an opportunity to make representations, unless the matter is referred to arbitration under section 16.
- (4) The Technical Committee does not have jurisdiction to decide a question that has already been decided by a court.
- (5) A certificate by the Secretary of State that a specified committee has been established in accordance with arrangements under subsection (1) is conclusive evidence of that fact in relation to the period for which the certificate is in force.
- (6) Arrangements under subsection (1) may, in particular, include requirements about—
 - (a) the composition of the Technical Committee or the appointment of its members;
 - (b) the Technical Committee's procedure or how its procedure is to be determined (including requirements for its procedures to be approved by the Secretary of State);
 - (c) review by the Technical Committee of its own decisions.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Mesothelioma Act 2014, Section 15. (See end of Document for details)

- (7) The Technical Committee's procedure may, in particular, include provision imposing time limits for making an application for a decision or the taking of other steps.
- (8) In this section “potential insurance claimant” means—
- (a) a person with diffuse mesothelioma who alleges that the employer is liable for damages in respect of the disease,
 - (b) a person who alleges that the employer is liable for damages under the fatal accidents legislation in respect of the death of a person with diffuse mesothelioma, or
 - (c) an employer alleged by a person within paragraph (a) or (b) to be liable for damages in respect of the disease or death.
- (9) In subsection (8) a reference to a person includes a reference to his or her personal representatives.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Mesothelioma Act 2014, Section 15.