

*These notes refer to the Insurance Act 2015 (c.4)
which received Royal Assent on 12 February 2015*

INSURANCE ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Good Faith and Contracting Out

Section 15: Contracting out: consumer insurance contracts

117. This section applies to all consumer insurance contracts.
118. [Section 15\(1\)](#) prevents insurers from contracting out of the provisions of the Act to the detriment of the consumer. A term in a consumer insurance contract (or variation) or in another contract is void to the extent that it would put the consumer in a worse position than provided for in the Act.
119. [Section 15\(3\)](#) states that section 15 does not apply to contracts to settle claims. A settlement of a claim will therefore continue to provide certainty for the parties. It would not be possible for a consumer to go behind a settlement by alleging that it was less favourable than the statutory provisions in the Act.