



Dormant Assets Act 2022

2022 CHAPTER 5

PART 1

THE DORMANT ASSETS SCHEME

Long-term insurance assets

2 Transfer of eligible insurance proceeds to reclaim fund

- (1) This section applies where—
 - (a) an insurance institution transfers to an authorised reclaim fund dormant eligible insurance proceeds owing to a person, and
 - (b) the reclaim fund consents to the transfer.
- (2) On the transfer of the eligible insurance proceeds—
 - (a) a person to whom the proceeds are payable immediately before the transfer ceases to have any right against any insurance institution to payment of the proceeds, but
 - (b) that person acquires against the reclaim fund whatever right to payment of the proceeds the person would have had against the institution if the transfer had not happened.
- (3) In this Act “insurance institution”, in relation to any eligible insurance proceeds, means (subject to subsection (4)) a person who—
 - (a) under Part 4A of FSMA 2000 has permission to perform a regulated activity for the purposes of FSMA 2000 by virtue of article 10(2) of the RAO 2001 (carrying out a contract of insurance as principal),
 - (b) owes the proceeds in the course of, or in connection with, that regulated activity, and
 - (c) has its head office or an establishment in the United Kingdom.
- (4) “Insurance institution” does not include—
 - (a) a mutual insurer, or

Changes to legislation: There are currently no known outstanding effects for the Dormant Assets Act 2022, Section 2. (See end of Document for details)

- (b) a person who is specified, or is within a class of persons specified, by an order under section 38 of FSMA 2000 (exemption orders).

Modifications etc. (not altering text)

- C1** S. 2 applied (6.6.2022) by 2008 c. 9, s. 39(2)(a) (as substituted by Finance Act 2022 (c. 3), Sch. 6 paras. 2, 6; S.I. 2022/569, reg. 2)
- C2** S. 2 applied (6.6.2022) by 1992 c. 12, s. 26A(2)(a) (as substituted by Finance Act 2022 (c. 3), Sch. 6 paras. 1, 6; S.I. 2022/569, reg. 2)

Commencement Information

- I1** S. 2 not in force at Royal Assent, see s. 34(3)
- I2** S. 2 in force at 6.6.2022 by S.I. 2022/582, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Dormant Assets Act 2022, Section 2.