

Status: Point in time view as at 01/07/1998.

Changes to legislation: Insurance Companies Act 1982 (repealed), PART II is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3A

LAW APPLICABLE TO CERTAIN CONTRACTS OF INSURANCE]

Textual Amendments

F1 Schedule 3A inserted by S.I. 1990/1333, reg. 6(2)

[^{F2}PART II

LONG TERM BUSINESS]

Textual Amendments

F2 Sch. 3A Pt. II (paras. 6-10) inserted (20.5.1993) by S.I. 1993/174, reg. 5(5)

General rules as to applicable law

- 6 The law applicable to the contract is the law of the member State of the commitment. However, where the law of that member State so allows, the parties may choose the law of another country.
- 7 Where the policy holder is an individual and has his habitual residence in a member State other than that of which he is a national, the parties may choose the law of the member State of which he is a national.

mandatory rules

- 8 Nothing in this Part of this Schedule restricts the application of the rules of a part of the United Kingdom in a situation where they are mandatory, irrespective of the law otherwise applicable to the contract.

supplementary provisions

- 9 (1) Where a member State includes several territorial units, each of which has its own rules of law concerning contractual obligations, each unit shall be considered as a country for the purposes of identifying the applicable law.

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- (2) The provisions of this Part of this Schedule apply to conflicts between the laws of the different parts of the United Kingdom.
- 10 (1) Subject to the preceding provisions of this Part of this Schedule, a court in a part of the United Kingdom shall act in accordance with the provisions of the Contracts (Applicable Law) Act 1990].
- (2) In particular, reference shall be made to those provisions to ascertain for the purposes of paragraph 6 what freedom of choice the parties have under the law of a part of the United Kingdom.

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