



Consumer Insurance (Disclosure and Representations) Act 2012

2012 CHAPTER 6

Final provision

11 Consequential provision

- (1) Any rule of law to the same effect as the following is abolished in relation to consumer insurance contracts—
 - (a) section 18 of the Marine Insurance Act 1906 (disclosure by assured),
 - (b) section 19 of that Act (disclosure by agent effecting insurance),
 - (c) section 20 of that Act (representations pending negotiation of contract).
- (2) The Marine Insurance Act 1906 is amended as follows—
 - (a) in section 18, at the end add—

“(6) This section does not apply in relation to a contract of marine insurance if it is a consumer insurance contract within the meaning of the Consumer Insurance (Disclosure and Representations) Act 2012.”;
 - (b) in section 19, the existing text becomes subsection (1), and after that add—

“(2) This section does not apply in relation to a contract of marine insurance if it is a consumer insurance contract within the meaning of the Consumer Insurance (Disclosure and Representations) Act 2012.”;
 - (c) in section 20, at the end add—

“(8) This section does not apply in relation to a contract of marine insurance if it is a consumer insurance contract within the meaning of the Consumer Insurance (Disclosure and Representations) Act 2012.”.
- (3) In section 152 of the Road Traffic Act 1988 (exceptions to duty of insurers to satisfy judgment against persons insured against third-party risks), in subsection (2)—

Status: This is the original version (as it was originally enacted).

- (a) in paragraph (a), after “avoid it” insert “either under the Consumer Insurance (Disclosure and Representations) Act 2012 or, if that Act does not apply,”;
 - (b) in paragraph (b), after “policy or security” insert “under that Act or”, and for “it” substitute “the policy or security”.
- (4) In Article 98A of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I.)) (exceptions to duty of insurers to satisfy judgment against persons insured against third-party risks), in paragraph (2)—
- (a) in sub-paragraph (a), after “avoid it” insert “either under the Consumer Insurance (Disclosure and Representations) Act 2012 or, if that Act does not apply,”;
 - (b) in sub-paragraph (b), after “policy or security” insert “under that Act or”, and for “it” substitute “the policy or security”.

12 Short title, commencement, application and extent

- (1) This Act may be cited as the Consumer Insurance (Disclosure and Representations) Act 2012.
- (2) Section 1 and this section come into force on the day on which this Act is passed, but otherwise this Act comes into force on such day as the Treasury may by order made by statutory instrument appoint.
- (3) An order under subsection (2) may not appoint a day sooner than the end of the period of 1 year beginning with the day on which this Act is passed.
- (4) This Act applies only in relation to consumer insurance contracts entered into, and variations to consumer insurance contracts agreed, after the Act comes into force.

In the case of group insurance (see section 7), that includes the provision of cover for C by means of an insurance contract entered into by A after the Act comes into force, or varied or extended so as to do so after the Act comes into force.
- (5) Nothing in this Act affects the circumstances in which a person is bound by the acts or omissions of that person’s agent.
- (6) Apart from the provisions listed in subsection (7), this Act extends to England and Wales, Scotland and Northern Ireland.
- (7) In section 11—
 - (a) subsection (3) extends to England and Wales and Scotland only;
 - (b) subsection (4) extends to Northern Ireland only.