



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

Status: This is the original version (as it was originally enacted).

- (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).