



# Unfair Contract Terms Act 1977

## 1977 CHAPTER 50

### PART III

#### PROVISIONS APPLYING TO WHOLE OF UNITED KINGDOM

##### *Miscellaneous*

#### **29 Saving for other relevant legislation**

- (1) Nothing in this Act removes or restricts the effect of, or prevents reliance upon, any contractual provision which—
  - (a) is authorised or required by the express terms or necessary implication of an enactment; or
  - (b) being made with a view to compliance with an international agreement to which the United Kingdom is a party, does not operate more restrictively than is contemplated by the agreement.
- (2) A contract term is to be taken—
  - (a) for the purposes of Part I of this Act, as satisfying the requirement of reasonableness ; and
  - (b) for those of Part II, to have been fair and reasonable to incorporate, if it is incorporated or approved by, or incorporated pursuant to a decision or ruling of, a competent authority acting in the exercise of any statutory jurisdiction or function and is not a term in a contract to which the competent authority is itself a party.
- (3) In this section—
  - " competent authority " means any court, arbitrator or arbiter, government department or public authority ;
  - " enactment " means any legislation (including subordinate legislation) of the United Kingdom or Northern Ireland and any instrument having effect by virtue of such legislation ; and
  - " statutory " means conferred by an enactment.