



# Consumer Insurance (Disclosure and Representations) Act 2012

## 2012 CHAPTER 6

### *Specific issues*

#### **7 Group insurance**

- (1) This section applies where—
  - (a) a contract of insurance is entered into by a person (“A”) in order to provide cover for another person (“C”), or is varied or extended so as to do so,
  - (b) C is not a party to the contract,
  - (c) so far as the cover for C is concerned, the contract would have been a consumer insurance contract if entered into by C rather than by A, and
  - (d) C provided information directly or indirectly to the insurer before the contract was entered into, or before it was varied or extended to provide cover for C.
- (2) So far as the cover for C is concerned—
  - (a) sections 2 and 3 apply in relation to disclosure and representations by C to the insurer as if C were proposing to enter into a consumer insurance contract for the relevant cover with the insurer, and
  - (b) subject to subsections (3) to (5) and the modifications in relation to the insurer’s remedies set out in Part 3 of Schedule 1, the remainder of this Act applies in relation to the cover for C as if C had entered into a consumer insurance contract for that cover with the insurer.
- (3) Section 4(1)(b) applies as if it read as follows—
  - “(b) the insurer shows that without the misrepresentation, that insurer would not have agreed to provide cover for C at all, or would have done so only on different terms.”
- (4) If there is more than one C, a breach on the part of one of them of the duty imposed (by virtue of subsection (2)(a)) by section 2(2) does not affect the contract so far as it relates to the others.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Nothing in this section affects any duty owed by A to the insurer, or any remedy which the insurer may have against A for breach of such a duty.