



# Consumer Rights Act 2015

## 2015 CHAPTER 15

### PART 2

#### UNFAIR TERMS

*What are the general rules about fairness of contract terms and notices?*

#### **66 Scope of section 65**

- (1) Section 65 does not apply to—
  - (a) any contract so far as it is a contract of insurance, including a contract to pay an annuity on human life, or
  - (b) any contract so far as it relates to the creation or transfer of an interest in land.
- (2) Section 65 does not affect the validity of any discharge or indemnity given by a person in consideration of the receipt by that person of compensation in settlement of any claim the person has.
- (3) Section 65 does not—
  - (a) apply to liability which is excluded or discharged as mentioned in section 4(2) (a) (exception to liability to pay damages to relatives) of the Damages (Scotland) Act 2011, or
  - (b) affect the operation of section 5 (discharge of liability to pay damages: exception for mesothelioma) of that Act.
- (4) Section 65 does not apply to the liability of an occupier of premises to a person who obtains access to the premises for recreational purposes if—
  - (a) the person suffers loss or damage because of the dangerous state of the premises, and
  - (b) allowing the person access for those purposes is not within the purposes of the occupier's trade, business, craft or profession.