

APPLICATION OF ENGLISH LAW REGULATIONS (AMENDMENT NO.1) 2020

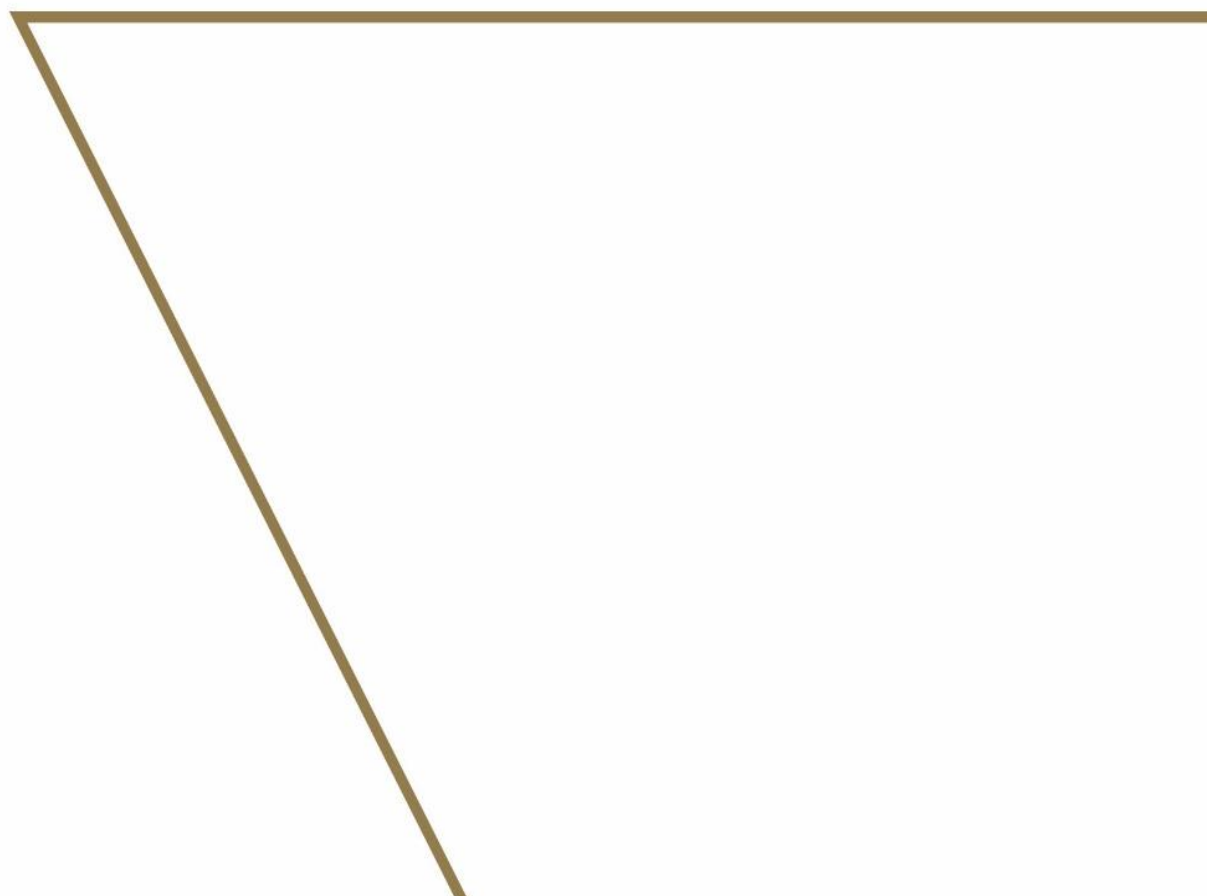


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APPLICATION OF ENGLISH LAW REGULATIONS (AMENDMENT NO.1) 2020

Regulations to amend the Application of English Law Regulations 2015.

Date of Enactment: [2020]

The Board of Directors of the Abu Dhabi Global Market, in exercise of its powers under Article 6(1) of Law No. 4 of 2013 concerning the Abu Dhabi Global Market issued by His Highness the Ruler of the Emirate of Abu Dhabi, hereby enacts the following Regulations -

1. Amendment to the Application of English Law Regulations 2015

- (1) In section 2(1) of the Application of English Law Regulations 2015, after the words “date of enactment of these Regulations”, add the words “or at the date of such amendments to these Regulations as are set out in the first column of the Schedule.”.
- (2) In the Schedule to the Application of English Law Regulations 2015:
 - (a) After the words “Bills of Exchange Act 1882 (Chapter 61)” in column 1, add the words “as amended by the Small Business, Enterprise and Employment Act 2015”.
 - (b) In the second column of the row in which Bills of Exchange Act 1882 (Chapter 61) appears in the first column, after the words ““at least two leading English language newspapers of the United Arab Emirates”.”, add the words “(9) Any references to the “Treasury” or to “regulations” in Part 4A of the Act shall be read as references to the Board or to rules respectively. (10) The words in parenthesis at the end of section 89B(2) shall be omitted. (11) Sections 89F(2), (3) and (4) shall be omitted and Sections 89(F)(5) and (6) renumbered accordingly.” and renumber subsequent items accordingly.
 - (c) After the words “Trustee Act 1925 (Chapter 19)” in column 1, add the words “, as amended by sections 8 and 9 of the Inheritance and Trustees Powers Act 2014”.
 - (d) After the words “Limited Partnerships Act 1907 (Chapter 24)” in column 1:
 - (i) after the words “the debts and obligations of the firm” in item (2), add the following subsections:
 - “(4) In the event of a dissolution of a limited partnership —
 - (a) the general partners shall, within one month of the dissolution of the limited partnership, file a notice of dissolution of the limited partnership with the Registrar;
 - (b) if there are no general partners then, subject to any agreement among the partners to the contrary, the limited partners shall,

within one month of the dissolution of the limited partnership, file a notice of dissolution of the limited partnership with the Registrar.

- (5) Upon receipt of the notice of dissolution, the Registrar shall amend the Register so to indicate that the limited partnership has been dissolved”, and renumber subsequent items accordingly;
 - (ii) replace the words “level 2” in item (12) with the words “level 3”.
- (e) After the words “Marine Insurance Act 1906 (Chapter 41)” in column 1, add the words “, as amended by the Insurance Act 2015”.
- (f) The words “Insurance Act 2015 (Chapter 4)” are inserted into a new row in column 1 and the following words are inserted into the second column of this new row:

“The whole Act, subject to the following modifications:

- (1) The term “contract of insurance” shall be replaced with “contract of marine insurance” throughout.
- (2) The term “contracts of insurance” shall be replaced with “contracts of marine insurance” throughout
- (3) The term “non-consumer insurance contract” shall be replaced with “contract of marine insurance” throughout.
- (4) The term “non-consumer insurance contracts” shall be replaced with “contracts of marine insurance” throughout.
- (5) In section 1: (i) the words "(apart from Part 6)" shall be omitted; (ii) the definitions of "consumer insurance contract" and "non-consumer insurance contract" shall be omitted; and (iii) the words: "'contract of marine insurance" has the same meaning as in the Marine Insurance Act 1906;' shall be inserted.
- (6) In section 14(2), the words “and the Consumer Insurance (Disclosure and Representations) Act 2012” shall be omitted.
- (7) Section 14(3)(b) shall be omitted.
- (8) Section 14(4) shall be omitted.
- (9) Section 15 shall be omitted.
- (10) In section 16A, the title of the section shall be amended to: “Contracting out of the implied term about payment of claims:

contracts of marine insurance”.

- (11) Section 16A(1) shall be omitted.
- (12) In section 18, the wording “consumer C” means an individual who is one of the Cs, where the cover provided by the contract for that individual would have been a consumer insurance contract if entered into by that person rather than by A, and “non-consumer C” means any of the Cs who is not a consumer C’ shall be omitted.
- (13) Section 18(2) shall be omitted.
- (14) In sections 18(3) and 18(4), the words “non-consumer C” shall be replaced with “C”.
- (15) Part 6 shall be omitted.
- (16) Section 21(4) shall be omitted.
- (17) Section 21(5) shall be omitted.
- (18) Section 21(6) shall be omitted.
- (19) In section 23(2), the words "Part 6 and" shall be omitted.
- (20) Section 23(3) shall be omitted.
- (21) In Schedule 1, paragraph 2, the words “which are non-consumer insurance contracts” shall be omitted.
- (22) Schedule 2 shall be omitted.”

2. Short title, extent and commencement

- (1) These Regulations may be cited as the Application of English Law Regulations (Amendment No.1) 2020.
- (2) These Regulations shall apply in the Abu Dhabi Global Market.
- (3) These Regulations come into force on the date of their publication. The Board may by rules make any transitional, transitory, consequential, saving, incidental or supplementary provision in relation to the commencement of these Regulations as the Board thinks fit.