

## Chapter 7

Assignment, subrogation,  
variation or creation of rights

## 7.1 Application

### Application and Purpose

7.1.1 **R** This chapter applies to the *FSCS*.

7.1.2 **G** It is also relevant to claimants.

### Purpose

7.1.3 **G** The *FSCS* may (and in some cases must) make an offer of compensation conditional on the assignment of rights to it by a claimant. The *FSCS* may also be subrogated automatically to the claimant's rights. The purpose of this chapter is to make provision for and set out the consequences of an assignment or subrogation of the claimant's rights.

7.1.4 **G** In relation to *claims* in connection with *funeral plan provision activity*, the *FSCS* may:

- (1) vary existing rights and obligations in connection with *trust arrangements* and *contracts of insurance* relating to the relevant *funeral plan contract* entered into or carried out by the *relevant person or successor*; and
- (2) create new rights in favour of, or obligations to, the *FSCS* that override such existing rights or obligations.

This chapter also makes provision for and sets out the consequences of such a variation or creation of new rights and/or obligations: see **COMP 7.7**.