

Uberrimae fidei

of the utmost good faith. In certain contracts (such as insurance policies) one party must disclose (reveal) any material facts to the other party. If they are not disclosed the contract can be cancelled or become unenforceable. (This term is Latin.)

Ultra vires

beyond one's powers. If an organisation does something ultra vires, what it has done is invalid.

Underlease

the lease of a property by a tenant of the property to someone else.

Undertaking

a promise which can be enforced by law such as a promise made by one of the parties or by their counsel during legal proceedings.

Unfair contract terms

prevents a party to a contract unfairly limiting their liability. The Unfair Contract Terms Act 1977 was passed to control unfair exclusion clauses. In particular, in a case where someone had been killed or injured because of someone else's negligence the act prevented a contract limiting the negligent person's liability.

Unfair dismissal

sacking an employee unfairly. When an employee has been dismissed it is the employer's responsibility to prove that the

¹ Based on Plain English Campaign: The A to Z guide to legal phrases www.plainenglish.co.uk. Other sources wherever used is given due recognition.

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dismissal was fair. If an industrial tribunal finds that the dismissal was unfair it can insist on compensation or reinstatement.

### Unit trust

a trust which manages investments. People can invest in unit trusts by buying units. The managers of the trust use the money people invest to buy investments. The fund manager values the fund's assets from time to time and puts a new price on the fund's units.

### Unlawful wounding

wounding someone without the justification of self defence or without power given by the law.

### Unliquidated damages

the amount of damages decided by a court because the parties to a contract had not agreed in advance how much the damages would be for breaking the terms of the contract.

### Unreasonable behaviour

behaviour by a married person that justifies the other partner in the marriage living apart.

### Unreasonable behaviour Unregistered company

a company which is not registered under the Companies Acts.

### Unregistered land

land which is not recorded in the registers at HM Land Registry.

### Unsecured creditor

someone who has lent money without getting any security for the loan.

### Uterine

describes people who have the same mother but different fathers.

## V

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**Vendee**

a person who buys something.

**Vendor**

a person who sells something.

**Verdict**

the jury's decision at the end of a case.

**Vesting order**

a way the High Court transfers land without the need for a conveyance.

**Vexatious litigant**

a person who regularly brings court cases which have little chance of succeeding.

**Vicarious liability**

a situation where someone becomes responsible under the law for wrongs done by someone else. This often happens when an employee does something wrong while at work which becomes the employer's responsibility (such as an employee working negligently and causing someone else to be hurt because of the negligence).

**Violent disorder**

three or more people in a gathering using or threatening to use unlawful violence.

**Void**

unable to be enforced by the law.

**Voidable –**

able to be cancelled in certain circumstances.

**Voluntary arrangement**

an agreement between a debtor and the creditors. If a person or a company cannot pay their debts when they are due they can come to a voluntary arrangement with the creditors to pay the debts over a period. If the creditors agree with the proposals it avoids bankruptcy of the individual or liquidation of the company.

**Voluntary manslaughter**

Murder and voluntary manslaughter have the same meaning in law. But there are four defences that can reduce the crime in seriousness to manslaughter:

- Provocation;

- Diminished responsibility;
- Infanticide: and
- Suicide.

## W

### Ward of court

a person who is protected by the High Court, such as a minor.

### Warrant is:

- a certificate which gives the person holding it the right to buy shares at a given price;
- a magistrate's written instruction to arrest someone; or
- a magistrate's written instruction to search a property.

### Warranty

a term in a contract. If the term is not complied with damages can be claimed by the injured party.

### Wayleave

a right of way through or over a piece of land often for a particular purpose, such as for a pipeline to go through a piece of land or for goods to be carried over it.

### Will

a legal document which people use to bequeath (leave as a gift) money and property when they die.

### Winding up

disposing of all a company's assets and paying all its debts. Any money left is then divided among the members.

### Without prejudice

when written on a document, the document cannot be used as evidence that a contract or agreement exists.

### Witness

someone who:

- watches a signature being put on a document, and then signs as well to verify the signature's authenticity; or
- attends court to testify about events they know about. To witness a document is to watch it being signed and then add your own signature and name, address and occupation.

### Words of art

words which have a fixed meaning in law so that their use in a legal document can have only one interpretation.

## Writ

an order issued by a court telling someone to do something or not to do something.(This has been known as a 'claim form' since April 1999).

## Writ of execution

a type of writ ('claim form' since April 1999) used when a court judgement needs enforcing.

## Writ of summons

a type of writ ('claim form' since April 1999) used to start a civil case in the High Court.(This has been known as a 'claim form' since April 1999).

## Wrongful dismissal

ending an employee's contract without following the contract's terms.

## Wrongful trading

continuing to trade while knowing that there is little prospect of the company being able to pay its debts.

## Y

## Young offender

a person between the ages of 14 and 17 who has committed a crime.