



Introduction to Insurance Law

Course Description

This Course will provide delegates with a detailed introduction to some of the most important aspects of insurance law.

Target Audience

The course will be of value to anyone involved in insurance underwriting, claims handling, or contract and contract wording preparation or checking. Those new to the legal profession will also find it valuable. It will also be useful as an introduction to those taking CII Examinations.

Course Objectives

On completion of the course delegates will:

- Have an understanding of the legal issues relevant to the formation of insurance contracts
- Understand the principles of law in relation to the handling of claims

Course Format

An interactive presentation including discussion and exercises based on examples and case law.

Course Content

Making the insurance contract

- General principles of contract law and their application to insurance
- How is the contract made and when does cover begin?
- The principle of utmost good faith: misrepresentation and the duty of disclosure in insurance
- What information must be given to insurers?
- Completing proposal forms
- Renewing insurance
- Breach of good faith by the insured or the insurer – what is the result?
- Good faith and the claims process
- The effect of insurance industry codes of conduct and proposals for law reform

The operation of insurance policies

- Warranties, conditions and other terms in insurance contracts
- Special rules governing compulsory insurances
- Void and illegal insurances
- The effect of mistake in insurance
- Illegality, criminality and public policy in insurance

Joint and composite insurance

- Coinsurance – joint and composite insurance
- Distinguishing joint and composite policies
- Rights under joint and composite policies

Principles governing insurance claims

- Who can claim on an insurance policy and who can benefit from it?
- Rights of the insured and of third parties under insurance contracts
- Legal rules governing notice and proof of loss
- Time limits for notification of insurance claims
- The burden of proof in insurance claims
- Fortuitous and non-fortuitous losses
- The effect of 'reasonable precautions' and similar clauses

Construction (interpretation) of insurance contracts

- Statutory and common law rules of construction
- The importance of context
- Ambiguities and inconsistencies in insurance wordings

Causation

- The doctrine of proximate cause
- Insured, excluded and uninsured perils
- Identifying the proximate cause of a loss
- Single causes, 'chains of events' and concurrent causes
- Measures to mitigate loss and loss prevention costs
- Modification of the doctrine of proximate cause

Loss recovery

- Subrogation in insurance
- Waiver of subrogation rights
- Market agreements affecting subrogation rights

The wider context

- International variations in insurance law
- Proposals for reform of insurance law

Trainer Tony Gregory BA(Hons) FCII

Tony Gregory is Managing Director of Insurance Market Conferences. He had many years experience in the London Market underwriting Liability and Professional Indemnity business, before establishing IMC. He is a Fellow of the Chartered Insurance Institute. He was the leader of the Insurance Institute of London's Research Groups on *Professional Indemnity Insurance* and of *Liability and Accident Compensation*.

Duration 1 day

Date 25th March 2010

Time 9.30 am - 5.00 pm

Venue IMC Marlborough Training Rooms, 16 St Clare Street, London EC3N 1LQ

Fee £245.00 +VAT (including refreshments and a buffet lunch)

Bookings To reserve a place on this course please contact Tony Gregory
Telephone: 020 7481 9070 or email: tony.gregory@imc-seminars.com