

## **ANATOMY OF A GENERAL LIABILITY INSURANCE POLICY**

### **Course Description**

This course will provide a detailed analysis of the words and clauses used in General Liability insurance policies with an emphasis on the courts' interpretation of commonly used terminology.

### **Target Audience**

The course will be of interest to anyone engaged in drafting or interpreting Liability wordings, including brokers, underwriters, lawyers and claims handlers.

### **Course Objectives**

On completion of the course delegates will be able to:

- Understand the structure of Liability insurance policies
- Understand the rules of construction of policies
- Appreciate the interpretations of various widely used words and phrases in Liability wordings
- Appreciate the dangers of careless drafting of Liability wordings

### **Course Format**

The course will be run as an interactive presentation with discussion and case studies based on actual cases.

### **Course Content**

#### **The Legal Framework**

- The Rules of Construction
- Contra Proferentem
- Rectification
- Privity of Contract
- Joint and Composite Insureds

#### **The Recital Clause**

#### **Operative Clause (Insuring Clause)**

- Joint and composite insureds
- The meaning of "accidental", "loss", "damage", "property", "injury"
- Extensions of cover – nuisance, wrongful arrest and many others

### **Policy Triggers on Liability Wordings**

- Employers Liability
  - Caused or Sustained
- Public and Products Liability
  - Injury or Damage occurring
  - Claims Made and Circumstances Notified Wordings
  - Integrated Loss Occurrence

### **Limit of Indemnity, Excess and Deductible**

- “any one claim”
- “any one occurrence”
- “any one event”
- aggregate

### **Extensions**

- Mitigation Costs
- Representation costs at civil and criminal proceedings
- Many others

### **Exclusions**

- How wordings differ in extent of application
- Not to defeat the purpose of the policy
- Burden of Proof
- Detail of policy exclusions
- Non-efficacy exclusion

### **Liability Policy Conditions**

- Conditions Precedent to the Policy
- Conditions Precedent to Liability
- Innominate Conditions
- Reasonable Precautions
- Claims Notification
- Claims Handling and Control
- Contribution
- Subrogation
- Cancellation

### **Endorsements**

- The status of endorsements in relation to the original wording
- Effective wording of endorsements

### **Warranties**

- What do the courts regard as warranties?
- The effective wording of warranties
- Remedies for breach of warranty post Insurance Act 2015

**Presented by Tony Gregory BA(Hons) Dip Mgmt FCII RPLU**

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 and a Vice-President of the Insurance Institute of London. He holds the Registered Professional Liability Underwriter designation of the Professional Liability Underwriting Society (US). He holds a Postgraduate Diploma in Laws from the University of London. He was the leader of the Insurance Institute of London's Research Groups on *Professional Indemnity Insurance* (First Edition) and of *Liability and Accident Compensation*. He was a founder member of the Liability Underwriters Group. He lectures and provides training in a range of insurance topics in the London Market and worldwide and for academic institutions including the University of Cardiff, the University of Bath and Florida State University.

<b>Duration</b>	1 day
<b>Date</b>	<b>25 February 2021</b>
<b>Time</b>	9.00 am - 4.30 pm
<b>Venue</b>	Online using Zoom
<b>Fee</b>	<b>£100.00 +VAT</b>
<b>In-House Fee</b>	<b>£750.00 +VAT</b> for up to 12 delegates
<b>Bookings</b>	To reserve a place on this course please contact Tony Gregory Telephone: +44 (0)1491 872 839 / +44 (0)7712 482 212 Email: <a href="mailto:tony.gregory@imc-seminars.com">tony.gregory@imc-seminars.com</a>

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