



## **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

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#### **IMC Marlborough**

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### **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      Alan G. Edmonds    DipBS BSc (Hons) ACII**

Alan Edmonds has been involved in training, learning and development work for approximately 20 years. He gained much of his experience working as a training consultant, within the Financial Service sector. He was with Marsh for 17 years, before becoming a freelance consultant. He has worked 'both sides of the fence' as an insurance underwriter and an insurance broker before specialising in learning and development activities. He is a member of the London Market Faculty, Training and Development Forum and a qualified Chartered Insurance Practitioner holding the ACII advanced diploma. He has developed comprehensive, practical, managerial and interpersonal skills working with real business issues that have involved him in many projects including a review of training evaluation and writing a corporate policy on the use of psychometric interventions. Alan has designed, developed and delivered a range of management, interpersonal and technical programmes in the UK, Europe and South Africa. He has an excellent record of accomplishment as an enthusiastic, motivating and effective trainer.

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**Duration** 1 day  
**Date** 20<sup>th</sup> February 2009  
**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](mailto:tony.gregory@imc-seminars.com)