

# **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 LLM BA(Hons) FCII RPLU CPCU**

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) and the Chartered Property and Casualty Underwriter designation (US). He holds a Master of Laws degree 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, Swansea University and Florida State University.

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| <b>Duration</b>     | One day  |
| <b>Date</b>         | <b>13 May 2025</b>   |
| <b>Time</b>         | 9.00 am - 4.30 pm (London)   |
| <b>Venue</b>        | Online using Zoom  |
| <b>Fee</b>          | <b>£125.00 + VAT</b>   |
| <b>In-House Fee</b> | <b>£850.00 + VAT</b> for up to 12 delegates - Online using Zoom<br><b>£950.00 + VAT</b> for up to 12 delegates - Face to Face / in Your Offices  |
| <b>Bookings</b>     | To reserve a place on this course please contact Tony Gregory<br>Telephone: +44 (0)1491 872 839 / +44 (0)7712 482 212<br>Email: <a href="mailto:tony.gregory@imc-seminars.com">tony.gregory@imc-seminars.com</a> |