

# Law Of Marine Insurance

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starting with an historical view of marine insurance this book then deals specifically with hull and cargo perils and cargo exclusions and goes on to cover cause sue and labour general average salvage total loss subrogation and double insurance it is intended for lawyers and non lawyers

both volumes present an in depth analysis of actual marine insurance relative to hull insurance cargo insurance and p i insurance the impact of european law on marine insurance and more specifically european competition rules in relation to p i insurance are covered in addition specific issues such as the future belgian marine insurance statute and the antwerp marine policy are dealt with the subjects are covered in a broad comparative law perspective combining practice and theory also topics such as the ism code and its relation to marine insurance and the position of classification societies and quality insurance are considered

first published in 1996 routledge is an imprint of taylor francis an informa company

no detailed description available for german general rules of marine insurance ads

marine insurance is considered one of the oldest of the many forms of commercial protection it has flourished through the establishment of the institution of the coffee houses wherein underwriting was being conducted and from where the evolution and dominance of the lloyd s has stemmed as the world s most famous insurance market marine insurance contracts are special in that they have special characteristics and also because they are contracts of indemnity this book examines the principle of indemnity within marine insurance contracts the legal problems related to the principle in theory and in practice are discussed and evaluated through the citation and critical analysis of the relevant case law in england as well in some of the most representative common law and continental law jurisdictions together with an analysis comprising thoughts and proposals on possible extensions further research options and a possible future law reform the book comprises of six 6 chapters chapter one 1 discusses the history of marine insurance in england and the policy reasoning behind the enactment of the various english statutes as well as the history legal framework and the way marine insurance is regulated in the other jurisdictions chapter two 2 discusses the concept and importance of insurable interest in relation to indemnity marine insurance contracts and the coverage offered under such contracts both in england and in the other legal systems

marine insurance law introduces and clearly explains all topics covered in undergraduate and postgraduate level courses offering students and those new to the area a comprehensive and accessible overview of this important topic in maritime law observing the general

principles of the subject and structure and formation of insurance contracts this text goes on to look at individual considerations in detail including the duty of utmost good faith fair presentation of the risk insurable interest terms of insurance contracts warranties and conditions brokers the premium causation and marine perils losses sue and labour subrogation fraudulent claims and reinsurance the third edition has been fully updated and expanded to cover additional pre marine insurance act 1906 mia 1906 cases as well as the implications of the insurance act 2015 on the duty of fair presentation of the risk in business insurance and on the remedy for breach of a warranty the reader will also read about the emphasis placed by the uk supreme court on the construction of s 55 of the mia 1906 and the challenges faced in respect of claims for a constructive total loss of the subject matter insured which are especially current at the time the book is being prepared for its publication this textbook is the ideal companion for any student academic and practitioner wishing to study the subject and to explore more detailed information on the principles of marine insurance law

the supreme court ruling in *Global Process System Inc v Syarikat Takaful Malaysia Berhad* the *Cendor Mopu* created a shock wave in the london marine insurance market as the supreme court decision changed the boundaries of doctrine with respect to the meaning of perils of the sea and inherent vice both phrases play an important role in the insurance market affecting both assureds and insurers and their respective interests under all classes of marine insurance policies this book reviews the origin of the clauses perils of the sea and inherent vice by tracing back through the early cases in order to understand the origin and noting how and why the changes occurred it will examine how the law has been developed in the recent cases and discuss whether the supreme court case the *Cendor Mopu* has overruled the previous cases in terms of the clauses inherent vice and perils of the sea considering the impact of the *Cendor Mopu* decision with

respect to the marine insurance act 1906 as well as the standard institute cargo clauses it evaluates whether the decision is consistent with these things and discusses the effect of the decision on recent cases and on the insurance market

this erudite research handbook presents in depth analyses on marine insurance law exploring its fundamental issues legal conflicts and the ways in which technology has changed the marine insurance landscape bringing together a vast array of expert legal scholars and practitioners this book adeptly relates marine insurance to international trade cyber insurance and pandemic exclusions

the focus of this new book is the modern law of marine insurance a subject of considerable practical importance in the united kingdom and throughout the world while existing works have tended to be preoccupied with the description of case law largely based upon the marine insurance act 1906 this book adopts an approach which is in line with current legal practice in that it looks towards the 1983 institute clauses as the foundation of modern legal practice in marine insurance similarly while many practitioners works rely upon listing and describing cases the style of this work is analytical and rigorous thereby bringing to the subject a clarity hitherto missing in terms of content the work covers the well established basic structure of the topic starting with an introduction to the law of marine insurance and the insurance market itself before moving on to deal with the duty of good faith the principles of causation marine risks losses formation cover claims subrogation and so forth the book finishes with a series of useful appendixes setting out the relevant legislation institute clauses and standard forms

this book provides a comprehensive collection of cases and materials on marine insurance law the sources included here are not always

readily accessible each chapter is introduced with a brief resume of the general principles before the facts of each case are summarised and the extracts of the relevant parts of judgments reproduced the significance of the judicial extracts the statutory materials and standard terms are then discussed with particular emphasis on important and problematical areas of the law this book will be indispensable not only to postgraduate students of law in house lawyers insurance brokers and claims adjusters but also to students of maritime studies legal practitioners and a wide range of professionals within the shipping industry who may wish to have at hand a convenient source of information whilst the book is a companion to the authors the law of marine insurance it is also structured to stand as a marine insurance text in its own right

providing thorough up to date coverage of the operation of marine insurance legislation this text is an essential resource for today s marine insurance professional designed with the reader in mind previous editions of this book have been heavily praised for its accessible and highly practical format section by section the authors deliver expert commentary on the marine insurance act 1906 and related marine insurance legislation the origin of each section or provision is clearly explained along with the authorities decided since the legislation came into force new to this edition heavily revised with the very latest case law since 2010 some of which having a dramatic effect on the law of marine insurance the most important cases include the *Cendor Mopu* and *Masfield v Amlin* all relevant new cases have been added from across the common law world clarification on new legislation such as the third parties rights against insurers act 2010 and the consumer insurance disclosure and representations act 2012 the compulsory insurance provisions affecting oil pollution and passengers the rules on jurisdiction and choice of law in the brussels regulation and the rome i regulation this compressive text is indispensable for

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