

Macgillivray On Insurance Law Relating To All Risks Other Than Marine

This Volume of the AIDA Europe Research Series on Insurance Law and Regulation focuses on transparency as the guiding principle of modern insurance law. It consists of chapters written by leaders in the respective field, who address transparency in a range of civil and common law jurisdictions, along with overview chapters. Each chapter reviews the transparency principles applicable in the jurisdiction discussed. Whether expressly or impliedly, all jurisdictions recognize a duty on the part of the insured to make a fair presentation of the risk when submitting a proposal for cover to the insurers, although there is little consensus on the scope of that duty. Disputed matters in this regard include: whether it is satisfied by honest answers to express questions, or whether there is a spontaneous duty of disclosure; whether facts relating to the insured's character, as opposed to the nature of the risk itself, are to be presented to the insurers; the role of insurance intermediaries in the placement process; and the remedy for breach of duty. Transparency is, however, a much wider concept. Potential policyholders are in principle entitled to be made aware of the key terms of coverage and to be warned of hidden traps (such as conditions precedent, average clauses and excess provisions), but there are a range of different approaches. Some jurisdictions have adopted a "soft law" approach, using codes of practice for pre-contract disclosure, while other jurisdictions employ the rather nebulous duty of (utmost) good faith. Leaving aside placement, transparency is also demanded after the policy has been incepted. The insured is required to be transparent during the claims process. There is less consistency in national legislation regarding the implementation of transparency by insurers in the context of handling claims.

This edition deals with all insurance risks other than marine and takes account of key legislative developments and judicial decisions. This supplement brings the text up-to-date with developments in the law since publication of the 12th edition.

This 2nd supplement to the 13th edition brings the main work up to date with the latest legislative and case law developments

Has been substantially revised and updated, covering the changes to date, including these developments throughout the new next and offering insightful analysis and vital references.

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Essential for insurers and their brokers, MacGillivray on Insurance Law is a classic work which deals with insurance risks and takes into account the key legislative developments and judicial decisions in this area. The 12th Edition will bring this well-regarded work up to date and marks the 100th anniversary since the first edition. It provides you with analysis of essential cases from the insurance sector and includes a wide range of authorities, comparing English law with its Scottish, US and Common wealth counterparts providing you with a clear

understanding of the key themes. It also deals with the new law under the Consumer Insurance (Disclosure and Representations) Act 2012 and considers the latest restructuring of the FSA and Bank of England, looking at the shift of responsibilities.

First published in 2002. Routledge is an imprint of Taylor & Francis, an informa company.

MacGillivray on Insurance Law is a classic work which deals with all insurance risks other than marine and takes account of the key legislative developments and judicial decisions. Considered the insurance law bible, MacGillivray has maintained a high profile amongst insurance lawyers and the wider industry for almost 100 years. The supplement to the 11th edition will bring this well-regarded work up to date for the two years since the mainwork was published, to include the essential cases from the insurance sector which has been so fertile in recent years and which has been made part of the FSA's remit in the UK. The title is the keystone of the insurance law list at Sweet and Maxwell, and of the Insurance Practitioners' Library, being relied upon and cited in the courts as a trusted authority in insurance law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides valuable practical insight into both public supervisory legislation concerning insurance and private insurance contract law in the United Kingdom. An informative general introduction surveying the legal, political, financial, and commercial background and surroundings of insurance provides a sound foundation for the specific detail that follows. The book covers all essential aspects of the law and regulation governing insurance policies and instruments. Its detailed exposition includes examination of the form of the insurance company and its reserves and investments; the insurance contract; the legal aspects of the various branches of property and liability insurance; motor vehicle insurance schemes; life insurance, health insurance, and workmen's compensation schemes; reinsurance, co-insurance, and pooling; taxation of insurance; and risk management and prevention. Succinct yet eminently practical, the book will be a valuable resource for lawyers handling cases affecting the United Kingdom. It will be of practical utility to those both in public service and private practice called on to develop and to apply the laws of insurance, and of special interest as a contribution to the much-needed harmonization of insurance law.

Dealing with all insurance risks other than marine, this text contains sections on insurable interest, non-disclosure, reinsurance, conflict of laws and policy terms. It also includes the Unfair Terms in Consumer Contract Regulations 1994 and the Rome Convention on Conflict of Laws.

The second supplement to the 11th edition of MacGillivray on Insurance Law brings this well-regarded work up to date with changes to the law since September 2010. This title is the keystone of the insurance law list at Sweet and Maxwell, and of the Insurance Practitioners' Library, and can be relied upon and cited in the courts as a trusted authority in insurance law.

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