



معهد الخليج لدراسات التأمين
GULF INSURANCE INSTITUTE

Technical Competency Certificate

Liability Insurance

Course Code	TCLI
Content:	Unit 1: Legal framework Unit 2: Torts Unit 3: Negligence Unit 4: Statutory Liabilities Unit 5: General policy Considerations Unit 6: Public and Products liability Unit 7: Employers' liability Unit 8: Products liability Unit 9: Professional liability Unit 10: Underwriting Liability Risks Unit 11: Liability Claims
Duration	60 hours of classroom learning involving Lectures, and interactive sessions. Candidates should devote a further 60 hours for private study, further reading and completion of assignments. These assignments are marked and include instructor's comments and advice and carry at 30% of the final examination mark.
Audience	Advanced
Learning Objectives:	At the end of this course participants will be able to:

Unit 1: Legal Framework

- 1.1 Be aware of the main branches of law distinguishing between Public Law and Private Law, Criminal law and Civil Law.
- 1.2 Explain the sources of law: Acts of Parliament, Common law, Statute, EU directives, Historical sources.
- 1.3 Explain how liability arises under the various forms of law; Torts, Contracts; Statutes
- 1.4 Explain Legal personality and discuss how certain classes of persons may not have full legal personality
- 1.5 Define the terms *Damnum* and *Injuria* and their relationship in the context of liability.
- 1.6 Elaborate on special legal Relationships that exist and or are recognised at law and how liability may be affected or arises under such relationships.

Unit 2: Torts

- 2.1 Explain the concept of Tort and how the law of torts regulates the conduct of civil society
- 2.2 Identify the six classifications of torts: Trespass, Nuisance, Defamation, Breach of



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Copyright, Negligence, Breach of Statutory Duty.

- 2.3 Explain the various forms of Trespass
- 2.4 Explain Nuisance and how it arises, distinguishing between public Nuisance and Private Nuisance.
- 2.5 Distinguish between libel and Slander under the tort of Defamation
- 2.6 Define breach of Copyright and how it is treated in the context of Tort law.
- 2.7 Explain the concept of negligence
- 2.8 Discuss the principle of statutory duty and the rules which govern actions under such breach

Unit 3: Negligence

- 3.1 Define negligence
- 3.2 Explain the requirements for proof for an action in negligence to be sustained
- 3.3 Discuss the "Duty of Care" concept under negligence quoting English case law that established the "Neighbour principle", the Standard of Care, Foressability and Proximity
- 3.4 Discuss Breach of Duty and how it may arise
- 3.5 Discuss the nature of Damage is allowable under tort
- 3.6 Discuss the onus of proving actions in tort
- 3.7 Explain the defences that may be brought in an action for damages under Tort
- 3.8 Discuss Strict Liability under the "Rylands vs Fletcher" rule.

Unit 4: Damages

- 4.1 Outline of the types of remedies available to a plaintiff under the law of tort
- 4.2 Explain "Special Damages" and "General Damages" and distinguish between them
- 4.3 Outline the types of damages that a court may award against the tortfeasor.
- 4.4 Elaborate on the measure of damages in respect of damage to property and personal injury.

Unit 5: Statutory Liabilities

- 5.1 Explain the general principles and objectives of Health and Safety legislation
- 5.2 Elaborate on an employer's statutory duties under modern Health and Safety at Work legislation
- 5.3 Discuss product safety and manufacturers' statutory duties under modern product safety legislation
- 5.4 Discuss the special requirements on food safety imposed on a "Food Business" under modern food safety and consumer protection legislation
- 5.5 Discuss statutory liabilities on owners and occupiers of premises with specific reference to public places such as hotels.



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- 5.6 Identify other sources of Health and Safety Legislation that may impose statutory duties and liabilities on a business.

Unit 6: General Policy Considerations

- 6.1 Identify the types of policies covering liability and their scope
6.2 Explain the measure of indemnity provided under liability policies
6.3 Explain how insurable interest arises under liability insurance and who may claim under such policies
6.5 Explain how the application of the limit of indemnity under a liability policy
6.6 Explain "Claims Made" and "Claims Occurring" wordings and distinguish between them
6.7 Explain how jurisdiction and territorial limits apply and distinguish between them

Unit 7: Public and Products liability

- 7.1 Discuss a typical operative clause in a public liability policy
7.2 List the common exclusions under Public Liability policies
7.3 List the common extensions under Public Liability policies
7.4 Explain the cover provided of a Products Liability policy
7.5 Explain how liability against the insured may arise
7.6 Define a product for the purpose of a Products policy
7.7 List the common exclusions under Product Liability policies

Unit 8: Employer's Liability

- 8.1 Explain the operative clause of an Employer's Liability policy
8.2 Explain how liability against an employer may arise under statute and under common law
8.3 Define an employee for the purpose of an EL policy
8.4 Distinguish between Employer's liability and Workmen Compensation
8.5 List the common exclusions under Liability policies
8.6 List the common extensions under liability policies
8.7 Explain how EL policy premiums are calculated

Unit 9: Professional Indemnity and Directors' and Officers' Liability

- 9.1 Explain the scope of a Professional Indemnity Policy
9.2 Explain the cover provided of a Professional Indemnity policy
9.3 Explain how liability against the insured may arise
9.4 List the common exclusions under Product Liability policies
9.5 Explain who may be insured under a D & O Policy



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9.6 Explain who may bring a claim under a D & O Policy

Unit 10: Underwriting Liability risks

- 10.1 Discuss the Underwriting considerations in determining the premium and conditions
- 10.2 Outline risk reduction techniques that an insured may take to mitigate the risk
- 10.3 Explain rating structures in Liability insurance
- 10.4 Explain the considerations when determining Limits of Indemnity
- 10.5 Explain how a Reinsurance Excess of Loss treaty operates to protect a Liability account.

UNIT 11: Liability Claims

- 11.1 Explain the claims conditions contained in Liability Policies
- 11.2 Outline the sections of a typical claim form and their purpose
- 11.3 Discuss some techniques that a claims manager may use in handling and negotiating Liability Claims
- 11.4 Explain the systems and procedures adopted by claims departments in respect of liability insurance claims.
- 11.5 Outline the Litigation process in defending liability claims.
- 11.6 Discuss the assessment of damages when settling Liability Claims

Assessment

- a) Practical Assignment: Students must complete each module including the practical assignment handed out at the end of each unit. The practical assignments carry 30% of the overall mark of 200
- b) Written Examination: Participants will be asked to sit for a three-hour written examination at the end of the course consisting of:-
 - Part 1: 8 compulsory short questions
 - Part 2: 1 compulsory essay question
 - Part 3: 3 essay questions from a choice of five

The written examination carries 140 marks.

Put of the overall mark of 200, candidates must obtain a minimum 40 marks from the practical assignments and a minimum of 110 marks overall.

Private study

Participants should undertake a minimum of 100 hours of private study throughout the course.

Accreditation

2 credits towards Associateship or Fellowship or the GII
30 specific credits for Chartered Insurance Institute - 755 Liability Insurance.