

CML SEMINAR SERIES

Express and Implied Voyage Conditions in Marine Cargo Insurance

SPEAKER

Ayşegül Buğra

Visiting Research Fellow, Centre for Maritime Law, NUS Law

CONVENOR

Professor Stephen Girvin

Director, Centre for Maritime Law, NUS Law

ABOUT THIS EVENT

The rules on marine insurance which are almost invariably identical in a number of jurisdictions such as Australia, Canada, Hong Kong, New Zealand and Singapore due to the influence of the English Marine Insurance Act, 1906 ('the 1906 Act') contain voyage conditions on change of voyage, deviation and delay in voyage. All these circumstances have the identical consequence that the insurer is discharged from liability, respectively, as from the time when the determination to change is manifested, when the actual deviation from the agreed route takes place, and when the delay becomes unreasonable. The rationale for such remedy rests upon the view that the voyage so changed or delayed is no longer the voyage assumed under the contract, yet constitutes an alteration of the risk initially undertaken by the insurer. These voyage conditions have now become obsolete to a considerable extent as they have been replaced by express provisions in standard form wordings such as the Institute Cargo Clauses.

Following the entry into force of the Insurance Act 2015 ('IA'), it still remains uncertain whether the express provisions found in the Institute Cargo Clauses or the implied voyage conditions found in the 1906 Act would be subject to the s 11 of the IA that is on 'Terms not relevant to the actual loss'. The seminar will seek to tackle this issue and compare the application of s 11 with the relevant provisions of the Principles of European Insurance Contract Law ('PEICL') – a set of opt-in model rules which aims at establishing a common insurance contract law sphere across the European Union.

ABOUT THE SPEAKER



Dr. Buğra acts as Director of Dr. Nüsret-Semahat Arsel International Business Law Implementation and Research Center ('NASAMER') and as Assistant Professor of Transport and Insurance Law at Koç University. She holds LL.M and Ph.D degrees from the University of Southampton (UK) where she also worked as Tutor and Research Fellow. She has previously been awarded the British Council UK Alumni Awards Professional Achievement Award in Turkey (2019), and also the European Commission Erasmus+ Jean Monnet Module Grant (2018), AIDA Europe Conference Best Paper Prize (2018), Turkish Science Academy Young Scientist Award (2016), and Modern Law Review grant (2012). She is the author of the book 'Insurance Law Implications of Delay in Maritime Transport' (Informa Law from Routledge, 2017) which was awarded the British Insurance Law Association (BILA) Book Prize (2018), and has recently contributed to the book 'Insurtech: A Legal and Regulatory View' (Springer, 2019). She is a Presidential Council Member of AIDA and a Member of the Special Interest Group on Insurance Law of the European Law Institute.

WHO SHOULD ATTEND

Lawyers, in-house counsel, and legal officers and claims handlers working in the maritime, insurance and reinsurance industry, and P & I Clubs.

Venue

Maxwell Chambers Pte Ltd
32 Maxwell Road, Singapore 069115

Event Programme

1600 : Registration
1630 : Start of Seminar
1730 : Discussion (Q&A)
1745 : Refreshments
1800 : End of Event

This event is complimentary. Limited Seats!

Register at

<https://nus.edu/2VSdtjh>



Closing date:

Friday, 21 June 2019



Public CPD Points: 1
Practice Area: Admiralty Practice/Shipping
Training Level: General

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.silecpdcentre.sg> for more information

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