# **M98**

#### Marine hull and associated liabilities 2021



Learning Outcome Assessment Criteria Indicative Content

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1	Understand the principal	1.1	Describe the world of shipping,	1.1.1	Purpose of shipping and growth in trade.
4	elements of shipping and		including the different types of ships.	1.1.2	Parties involved in marine trade.
Questions	world trade.			1.1.3	Characteristics of different types of ships.
		1.2	Explain risks in the world of shipping.	1.2.1	Risks to which vessels are exposed.
				1.2.2	Elements of liability exposure.
		1.3	Explain ship finance and the requirements of mortgagees and lessors.	1.3.1	Trade finance and corporate debt.
		1.4	Explain the role of Classification societies.	1.4.1	Importance of class to the shipping environment.
2	Understand the legal and	2.1	Describe the legal and regulatory	2.1.1	International conventions and the organisations that create them.
10	regulatory environment of	•	environment affecting shipping.	2.1.2	Law of the sea and jurisdiction over vessels.
Questions	shipping.			2.1.3	Safety.
				2.1.4	Pollution.
				2.1.5	Limitation of liability.
				2.1.6	Shipowners' liability including collision and passenger liability.
				2.1.7	Chartering, charterparties and legal issues concerning carriage of goods.
				2.1.8	Towage.
				2.1.9	Salvage.
				2.1.10	Wreck removal.
				2.1.11	General average.
				2.1.12	Maritime liens.
		2.2	Apply shipping law and regulation to relevant scenarios.	2.2.1	Application of shipping law, conventions and regulations.

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Learning Outcome			Assessment Criteria		Indicative Content
3	Understand the key	3.1	Explain the key provisions of the	3.1.1	Maritime perils.
6	provisions of the Marine		Marine Insurance Act 1906.	3.1.2	Insurable interest, including defeasible and contingent interests;
Questions	Insurance Act 1906.				assignments of interest.
				3.1.3	Disclosure of information and remedies.
				3.1.4	Valued and unvalued policies.
				3.1.5	Warranties.
				3.1.6	Provisions relating to voyage policies.
				3.1.7	Partial losses, total losses and constructive total losses.
				3.1.8	Subrogation and rights against third parties, contribution.
				3.1.9	Matters relating to premium payment.
				3.1.10	Underinsurance.
				3.1.11	Other relevant provisions.
		3.2	Describe relevant changes to	3.2.1	How the Insurance Act 2015 add to and amend the provisions of the
			marine insurance law.		Marine insurance Act 1906.
				3.2.2	Enterprise Act 2016.
4	Understand and apply key	4.1	Explain the impact of shipping law	4.1.1	Evaluation of exposure and potential liability for marine hull and
	underwriting considerations		for hull, liability and protection and		liability insurers.
8	in marine insurance.		indemnity (P&I) insurers.	4.1.2	Protection and indemnity insurers.
Questions		4.2	Explain the varying risk profiles of	4.2.1	Type of vessel, including engines and other machinery.
			vessels.	4.2.2	Flag state requirements.
				4.2.3	Classification of vessel.
				4.2.4	Ownership and management.
				4.2.5	Trading patterns.
				4.2.6	Navigational limitations.
				4.2.7	Risk perception, including areas of enhanced risk.
		4.3	Explain the underwriting and	4.3.1	Setting the rate.
			claims implications of variations in	4.3.2	War and strikes.
			ship valuation.	4.3.3	Freight.
				4.3.4	Implications for physical and moral hazard.
		4.4	Explain the key methods of loss	4.4.1	Pre-underwriting and risk management surveys.
			prevention and risk management	4.4.2	Deductibles.
			in shipping.		

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5	Understand the scope of	5.1	Explain the scope of cover	5.1.1	Institute Time Clauses.	
8	cover under marine hull,		provided by standard London	5.1.2	International Hull Clauses.	
Questions	liability and related		market clauses.	5.1.3	Ancillary insurances and additional clauses.	
	insurances.			5.1.4	Yachts.	
				5.1.5	Builders risks.	
				5.1.6	War and strikes.	
				5.1.7	Loss of use, hire, freight and passage money insurance.	
				5.1.8	Charterers' liability.	
				5.1.9	Ship repairers risk.	
				5.1.10	Mortgagees Interest Insurance.	
				5.1.11	Other maritime related liability coverage.	
		5.2	Describe the key elements of hull	5.2.1	American clauses.	
			and machinery cover provided by other significant clauses.	5.2.2	Nordic Marine Insurance Plan.	
6	Understand the scope of	6.1	Explain the differences between	6.1.1	How their practical operation differs.	
6 Questions	protection and indemnity (P&I) insurance and how it		the International Group clubs and other providers of P&I insurance.	6.1.2	Other sources of P&I insurance.	
	is provided.	6.2	Explain the cover provided by	6.2.1	Cargo risks.	
			major P&I insurers.	6.2.2	People risks: crew, passengers, stowaways and life salvage.	
				6.2.3	Vessel risks: liabilities, pollution, towage, wreck removal, general	
					average, fines.	
				6.2.4	Specialist operations.	
				6.2.5	Charterers' risks.	
				6.2.6	Freight Demurrage and Defence ('FD&D') insurance.	
				6.2.7	Reinsurance.	
				6.2.8	Omnibus Rule.	
		6.3	Explain the role of P&I insurers in	6.3.1	Compliance with Oil Pollution conventions, Bunker conventions and	
			the provision of compulsory		Passenger Liability Regulations.	
			insurance certificates.			
		6.4	Explain the interaction between	6.4.1	Hull insurance.	
			P&I insurance and other insurers.	6.4.2	War insurance.	

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Learning Outcome			Assessment Criteria		Indicative Content
7	Understand claims	7.1	Explain the role of the various	7.1.1	Brokers.
8			parties in the investigation, handling and settlement of claims.	7.1.2	Surveyors.
Questions	settlement procedures in			7.1.3	Lawyers.
	marine insurance.			7.1.4	Average adjusters.
				7.1.5	Other parties.
		7.2	Explain the use of marine survey reports and other documents in support of claims.	7.2.1	Survey reports.
				7.2.2	Class certification.
				7.2.3	International Safety Management (ISM), International Ship and Port Security codes (ISPS).
				7.2.4	Legal reports.
				7.2.5	Risk management survey reports.
		7.3	Apply the provisions of standard market clauses in typical claims scenarios.	7.3.1	Principles of reserving.
				7.3.2	Partial loss.
				7.3.3	Total loss.
				7.3.4	Collision liability.
				7.3.5	General Average.
				7.3.6	Salvage.
				7.3.7	Sue and labour.
		7.4	Explain the handling of claims by P&I Clubs.	7.4.1	Notification provisions including time bars.
				7.4.2	Provision of security.
				7.4.3	Settlement powers and provisions.
		7.5	Describe the settlement of liability	7.5.1	How claims are handled.
			claims for ports, terminals,	7.5.2	Defending and establishing quantum.
			shiprepairers, shipbuilders and charterers.	7.5.3	Cost of defence settlements.
		7.6	Explain subrogation/recovery potential following claims on hull and liability policies and against whom such claims might be made.	7.6.1	Parties who could be subrogated against.
				7.6.2	Being the target of subrogation.