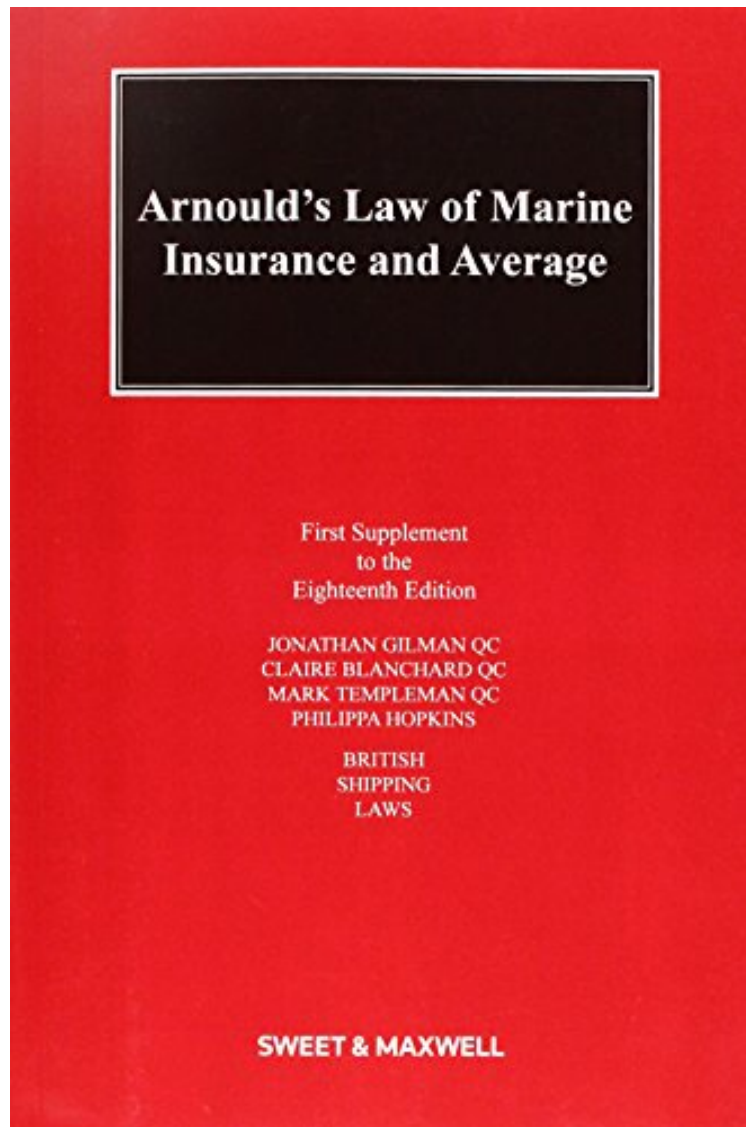


[FREE] Arnould: Law of Marine Insurance and Average 1st Supplement

Arnould: Law of Marine Insurance and Average 1st Supplement

Jonathan Gilman, Professor Robert M. Merkin, Claire Blanchard

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This is the first major update to the 18th edition of Arnould on The Law of Marine Insurance and Average, bringing the work fully up to date as of 1 October 2015. This Supplement is divided into two parts. Part 1 is a special supplement containing a detailed analysis of the Insurance Act 2015. The stand-alone analysis of the 2015 Act is set

out in six chapters in Part 1: Covering the development of the Act. Analysing the new regime concerning non-disclosure and misrepresentation in non consumer insurance contracts (reclassified as the duty of fair presentation). Analysing the new regime governing warranties and certain kinds of "other terms". Dealing with fraudulent claims and the "interpretive principle" of utmost good faith retained in the 2015 Act. Explaining the contracting out provisions in the new regime. Discussing the amendments to the Third Parties (Rights against Insurers) Act 2010 in Part 6 of the 2015 Act. The second part of the Supplement concentrates on the existing law. To avoid undue repetition, references to the forthcoming changes under the 2015 Act are generally omitted from Part 2 which updates the 18th edition in a more conventional way and is to be read side by side with the 18th edition. In some instances the text of the 18th edition is modified or extended and in other cases it's completely superseded. The material covered in Part 2 includes: The effect of the Consumer Rights Act 2015 The Counter-Terrorism and Security Act 2015 The implementation of the Financial Services Act 2012 and Solvency II. Analysis of the Brussels Regulation Discussion of the draft clauses in the Enterprise Bill concerning damages for late payment Discussion of the unusual number of significant marine insurance and reinsurance cases and general average cases since the 18th edition affecting the subjects covered in Arnould, including: *Versloot Dredging BX v HDI Gerling Industrie Versicherung (The DC Merwestone)* [2013] 2 Lloyd's Rep. 131 (Poplewell J); [2015] 1 Lloyd's Rep. 32 (CA). *Metall Market 000 v Vitorio Shipping Co Ltd (The Lehmann Timber)* [2013] 2 Lloyd's Rep. 341. *Sea Glory Maritime Co. v Al Sagr National Insurance Co. (The Nancy)* [2014] 1 Lloyd's Rep. 14. *Hua Tyan Development Ltd. v Zurich Insurance Co. Ltd. (The Ho Feng 7)* [2014] Lloyd's Rep. IR 1 (HKCA); [2015] Lloyd's Rep. IR 14 (HKCFA). *Mitsui Co Ltd v Beteiligungsgesellschaft LPG Tankerflotte MbH Co KG (The Longchamp)* [2015] 1 Lloyd's Rep. 76. *Atlas Navios Navegacao v Navigators Insurance Co. Ltd. (The B Atlantic)* [2015] 1 Lloyd's Rep. 117. *Suez Fortune Investments Ltd. v Talbot Underwriting (The Brillante Virtuoso)* [2015] 1 Lloyd's Rep. 651. *Involnert Management Inc. v Aprilgrange Ltd. (The Galatea)* [2015] 2 Lloyd's Rep. 289. *Bilta (UK) Ltd (in liquidation) v Nazir* [2016] AC 1