



EXPERT IN MARINE INSURANCE LAW LECTURES AT IMLI

Professor Dr. Marko Pavliha (Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana and former Slovenian Minister of Transportation and Vice-President of the Parliament), recently delivered a series of lectures on the Law of Marine Insurance to the IMLI Class of 2014/2015.



Professor Dr. Marko Pavliha lecturing to the students of the IMLI Class of 2014/2015

Professor Pavliha's lectures constitute the core part of the course on the law of Marine Insurance. The crux of his lectures is to give the students an overview of marine insurance, its history, the functioning of insurance markets and basic understanding of the main principles and concepts of marine insurance law. Professor Pavliha also offered some basic analysis of the broadly used standard clauses of marine hull and machinery insurance and cargo insurance.

Professor Pavliha informed the students of the recent adoption of the new U.K. Insurance Act 2015, which received Royal Assent on 12 February 2015. It implements considerable reforms to marine insurance and is due to come into force in August 2016. The Act, he stated, will apply to every insurance policy and reinsurance contracts written in England and Wales, Scotland and Northern Ireland.

In elaborating on the changes made by the Act, he explained that, policyholders will be subject to a new duty of fair presentation, replacing the existing duty of disclosure, as the new Act removes the remedy of avoidance of the contract for breach of the duty of good faith in section 17 of the 1906 Marine Insurance Act and any equivalent common law rule.

Professor Pavliha stated further that there are also significant new rules on warranties, abolishing the basis of the contract clauses which effectively convert every statement made by a policyholder before the contract is signed into a warranty. The new legislation replaces the existing harsh remedy for breach of a warranty in an insurance contract, which is contained in section 33(3) of the 1906 Marine Insurance Act.

Professor Pavliha's lectures and the "case study", organized at the end of his course, were welcomed with enthusiasm by the students who expressed their appreciation for making the course a valuable experience.

This year's visit of Professor Pavliha coincided with that of the Honourable Minister for Home Affairs and National Security of Malta, Mr. Carmelo Abela.



Professor David Attard (Director, IMLI), the Honourable Mr. Carmelo Abela (Minister for Home Affairs and National Security, Malta) and Professor Dr. Marko Pavliha (Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana) with the students of the IMLI Class of 2014/2015

Professor Pavliha is a member of IMLI's Governing Board and a long standing friend of the Institute. This marks the sixteenth consecutive year that Professor Pavliha has visited the Institute to deliver lectures on the Law of Marine Insurance.

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