

LW5615: PRINCIPLES OF INSURANCE LAW (MARINE AND GENERAL)

Effective Term

Semester A 2025/26

Part I Course Overview

Course Title

Principles of Insurance Law (Marine and General)

Subject Code

LW - Law

Course Number

5615

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Nil

Precursors

Nil

Equivalent Courses

LW4615 Principles of Insurance Law (Marine and General),
LW6170E Principles of Insurance Law (Marine and General)

Exclusive Courses

Nil

Part II Course Details

Abstract

The development of marine and non-marine insurance principles dates back centuries. Whether for individuals or businesses, purchasing insurance coverage for potential risks is important before taking any chances. This course will introduce students to insurance and its significance for individuals and businesses. The course aims to teach how an insurance contract is formed, the insured and excluded risks, the consequences of breaching an insurance contract, various types of losses, how insurance indemnity is assessed, and the actors who play significant roles in the insurance lifecycle. By the end of the course, students should be able to expertly evaluate the terms of an insurance contract and comment on whether the relevant insurance policy covers the assured's claim.

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Analyse relevant legal materials, including statutes, case laws, and standard form insurance contracts		x	x	
2	Analyse insurance law principles and authorities to discover solutions to complex factual problems		x	x	x
3	Discover and critically evaluate existing debates on insurance law in the United Kingdom and Hong Kong		x	x	x
4	Discover and identify ambits of duties and liabilities of parties to insurance contracts		x	x	
5	Critically evaluate marine insurance policies and their application.		x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Learning and Teaching Activities (LTAs)

LTAs	Brief Description	CILO No.	Hours/week (if applicable)	
1	Seminars	Students will engage with the legal liabilities arising from the operation of ships, the policies and the legal principles underpinning them.	1, 2, 3, 4, 5	3 hours lecture / week

2	Guided individual studying	Students will engage with basic independent research and critical assessment skills.	1, 2, 3, 4, 5	
3	Formative work problem solving and quizzes	Students will engage with exam-like activities to develop the relevant legal and practical skills.	1, 2, 3, 4, 5	

Assessment Tasks / Activities (ATs)

ATs	CILO No.	Weighting (%)	Remarks ("- for nil entry)	Allow Use of GenAI?	
1	Nil	1, 2, 3, 4, 5	0	-	No

Continuous Assessment (%)

0

Examination (%)

100

Examination Duration (Hours)

3

Minimum Examination Passing Requirement (%)

40

Additional Information for ATs

The use of Generative AI in the examination is prohibited.

The course is assessed by a 2-hour computer-based examination. The exam is an open book exam. The students have access to all the course materials, their notes and their books during the exam as well as access to one language dictionary.

Applicable to students admitted in Semester A 2022/23 and thereafter

To pass the course, a student must obtain a minimum mark of 50% in examination and an overall mark of 50%. To pass this course, student must obtain an aggregate mark of 50% and a minimum of 50% in each of the continuous assessment (CA) and the examination elements of the assessment.

Applicable to students admitted before Semester A 2022/23

To pass the course, a student must obtain a minimum mark of 40% in examination and an overall mark of 40%. To pass this course, student must obtain an aggregate mark of 40% and a minimum of 40% in each of the continuous assessment (CA) and the examination elements of the assessment.

Grading of Student Achievement: Standard (A+, A, A...F). Grading is based on student performance in assessment tasks / activities.

Assessment Rubrics (AR)**Assessment Task**

Examination (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Demonstration of a good understanding of relevant statutes, cases, doctrines and concepts, and an ability to use these to solve complex legal problems

Excellent

(A+, A, A-) Strong evidence of original thinking; good organisation; capacity to organise and synthesise; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Examination (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Demonstration of a good understanding of relevant statutes, cases, doctrines and concepts, and an ability to use these to solve complex legal problems

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Part III Other Information

Keyword Syllabus

Insurance law; policy; assureds; brokers; insurers; duty of disclosure, misrepresentations, material facts, inducement, actual and constructive total loss, sue and labour, subrogation; fraudulent claims; insurance warranties; causation, insured and excluded risks

Seminar 1: Introduction to Insurance, formation of insurance contracts

Seminar 2: Insurable interest

Seminar 3: Causation

Seminar 4: Insured and Excluded Risks

Seminar 5: The assured's pre-contractual duties

Seminar 6: Remedies for breach of pre-contractual duties

Seminar 7: Marine Insurance Losses

Seminar 8: Terms of insurance contracts

Seminar 9: Sue and labour

Seminar 10: Subrogation

Seminar 11: Insurance fraud

Seminar 12: The role of reinsurance

Seminar 13: Revision

Reading List**Compulsory Readings**

Title	
1	Nil

Additional Readings

Title	
1	The principles of insurance and marine insurance law are found in the court cases. For each topic taught a list of relevant cases (you can download them on westlaw) will be provided. Additionally, you may refer to one of the books listed below.
2	Textbooks (s)
3	Gurses O, (2023) Marine Insurance Law (Routledge).
4	Colinvaux' s Law of Insurance in Hong Kong (Sweet & Maxwell 4th edition 2021- earlier editions should be suitable for most purposes too)
5	Colinvaux's Law of Insurance 13th Ed. 2024 (with Supplement)
6	Journals:
7	International and Comparative Law Quarterly
8	Lloyd' s Maritime and Commercial Law Quarterly
9	Journal of Contract Law
10	Journal of Business Law