

# Legal and Liability Questionnaire

Copenhagen

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## Overview of the Market

- Income
  - c. USD 4bn gross income
- Major Sectors
  - P&I
  - Cargo Liability
  - Offshore Energy
  - Ports and Terminals
- Underwriting Results

# Legal Environment

# Legal Environment

## Existing Law / Conventions

LLMC (London Convention) 1996 Protocol

CLC '92 and TOPIA

US Oil Pollution Act 1990

# Legal Environment

## New Laws / Conventions

Athens 2002 Protocol (2008?)

UNCITRAL (2008?)

Bunker Convention (2008?)

Wreck Removal Convention (2010?)

ERIKA III

# Legal Environment

## Other Legal Developments

Anti-Money Laundering Regulations

Solvency II (EC)

Law Commission Review of Insurance Law (UK)

TRIA (US)

Rome (1) Convention

# Underwriting Environment

Erosion of Defences to Liability

Assault on limitation

Impact on Capacity

# Underwriting Considerations

How much cover is available for a Cat loss?

Is it sustainable?

Impact of a cross-sector loss?

Gross negligence, wilful misconduct and criminal acts.



# Underwriting Considerations

Other areas of interest . . .

P&I non-poolable coverage.

Offshore Energy construction – DTEP and Con Loss.

Ship repairers, freight forwarders and Warehouse /  
Terminal operators exposures, risk mangement and  
claims handling.

# Thank you