

CML SEMINAR SERIES**Concurrent Causation in Insurance:
Common Law and Chinese Law Compared****SPEAKER**

Dr Zhao Liang

Visiting Senior Research Fellow, Centre for Maritime Law, NUS Law

CONVENOR

Professor Stephen Girvin

Director, Centre for Maritime Law, NUS Law

ABOUT THIS EVENT

It is a general principle of insurance contract law that the insurer will only be liable for losses proximately caused by one of the perils listed in the policy. The question of causation becomes complex where the loss is due to a combination of concurrent causes of approximately equal efficiency. Under the common law, the general principle is that the insurer will not be liable for the loss where one of the concurrent proximate causes is excluded. Where the insured cannot establish which of the perils (the insured or the excluded peril) caused the loss, or where none of the concurrent causes seem inherently likely, there will be no cover. Chinese law, by contrast, is silent on concurrent causation in insurance and the Chinese courts take a different approach from the common law. The insurer will be liable for the loss caused by an insured peril in proportion if an excluded peril caused the loss proximately and concurrently. If it cannot be determined which of the perils caused a loss, the insurer will be liable for the loss according to the corresponding proportion. However, the proportion is uncertain and unpredictable because it falls within the discretion of judge in the case. This seminar will analyse the issue of concurrent causation under the common law and Chinese law, and outline the fundamental difference in respect of concurrent causation between the common law and Chinese law.

ABOUT THE SPEAKER

Dr Zhao Liang is an Assistant Professor of School of Law at City University of Hong Kong. He obtained his LLB at Dalian Maritime University, LLM from University of Southampton, and PhD at the University of Hong Kong. His research interests include maritime law, insurance law, conflict of laws, and arbitration law. He has published academic papers in reputable journals, including the *Journal of Business Law*, *Lloyd's Maritime and Commercial Law Quarterly*, *Tulane Maritime Law Journal*, *Journal of International Maritime Law*, etc. He is Deputy Editor-in-Chief of the Chinese Maritime and Commercial Law Reports (Informa UK). He has written a chapter on ship finance for *Maritime Law and Practice in Hong Kong* (Sweet & Maxwell Asia 2015) and co-authored a book, *Maritime Law and Practice in China* (Routledge 2017). He is a member of the Hong Kong Maritime Law Association, the Hong Kong Insurance Law Association, and the China Maritime Law Association.

WHO SHOULD ATTEND

Lawyers, in-house counsel, and legal officers and claims handlers working in the maritime, insurance and reinsurance industry, and P & I Clubs.

Venue:

Maxwell Chambers Pte Ltd
32 Maxwell Road, Singapore 069115

Date and Time:

Wednesday, 31 July 2019
1630 to 1800

Event Programme

1600 : Registration
1630 : Start of Seminar
1730 : Discussion (Q&A)
1745 : Refreshments
1800 : End of Event

This event is complimentary. Limited Seats!

Register at

<https://nus.edu/2YEw0wc>



Closing date:

Friday, 25 July 2019

For any enquiries, please e-mail Ms Alexandria Chan at rescle@nus.edu.sg



Public CPD Points: 1
Practice Area: Admiralty Practice/Shipping
Training Level: General

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information