

LAW OF LIFE, MOTOR AND WORKMEN'S COMPENSATION INSURANCE (FIFTH EDITION) by POH CHU CHAI [Butterworths Asia, 1999, xliii + 803 pp (including index). Hardcover: S\$ 240 plus GST]

ANYONE who is familiar with the first edition of this work will be impressed by how far it has come. The work has matured over the years; it has been constantly improved with each edition. The current incarnation of this work has much to offer in terms of its breadth and depth of its treatment of the relevant principles and case law.

The book is divided into three main parts. The first deals with various aspects of the law of life insurance. The second is concerned with the issues which arise out of motor vehicle insurance and deals with both contractual and statutory questions. The last part covers the main issues arising out of workmen's compensation insurance.

Chapter 1 covers the general principles of insurance law which apply to life assurances. In particular, care is taken to deal with the relevant principles and lay out what are the particular issues germane to life assurances. In particular, it looks at the pitfalls which a proposer in a life assurance should look out for in terms of his duty of disclosure as well as in answering questions in proposal forms. Chapter 2 goes on to cover the law relating to one of the important uses of life assurances – as security. It examines issues such as the different types of security interests which may arise out of a life policy and the different legal consequences which flow therefrom. Two particular issues are important in this area – the effect of section 73 of the Conveyancing and Law of Property Act and how it fetters the right to deal with the policy falling within its purview; as well as how suicide and other public policy considerations may affect the right to claim under a life assurance.

Chapters 3 to 12 form the bulk of the work. Chapter 3 deals with the underlying statutory framework which makes motor vehicle insurance compulsory. It deals with what is required to be insured as well as the various legal consequences which may arise if one were to fail to comply with the statutory requirements. Chapter 4 deals with the vehicle owner's vicarious responsibility for the liability incurred by other persons driving the vehicle. Chapter 5 examines the more common terms that are peculiar to motor vehicle insurance. Chapter 6 is concerned with the matter which are closest to the insured's heart – the effect of the sale of the vehicle on the policy as well as other matters relating to claims and repairs under the policy.

While Chapters 3 to 6 deal with the relationship between the insured and the insurer, Chapters 7 to 12 cover a different facet of motor insurance – they are more concerned with the statutory framework of compulsory insurance under the Motor Vehicles (Third Party Rights Against Insurers) Act and how they impact on the rights of third parties who are injured by the use of the motor vehicle. Chapter 7 deals with the type of risks required to be insured by law. Chapter 8 moves on to discuss the position of the third party as against the insurer. Chapter 9 deals with the enforcement of third party rights. Chapter 10 discusses the position of an authorised driver. Chapter 11 deals with the particular problems which arise in the event of the policyholder being insolvent and how the Act has dealt to negate

these problems. Last, but not least, Chapter 12 lays down the various aspects relating to the Motor Insurance Bureau – what are the prerequisites for claiming against the Bureau as well as the ambit of the Agreement governing the duties and liabilities of the Bureau.

The final part of the book deals with Workmen's Compensation Insurance. Chapter 13 deals with the statutory framework as well as the process and issues that arise from workmen's compensation claims. Chapter 14 examines what is meant by the term "workman" as required under the Workmen's Compensation Act. Chapter 15 is concerned with the other central issue in this context – when does an accident arise out of the course of employment? Chapter 16 deals with the situations where the employer turns out to be insolvent.

The law of insurance is much influenced by the law of England. However, there is a wealth of local case law in this area. The great utility of this book is the extensive coverage given to local authorities. That is not to say that the survey of English authorities are not comprehensive. The author also takes the trouble to juxtapose the English statutory provisions alongside the local statutes so that one can make comparisons as well as explaining the resulting occasional differences between English cases and local authorities.

Any book that is written with the practitioner in mind should be convenient to use and useful for legal research. The style in which this book has been presented is germane to convenience for the busy practitioner. The author takes the trouble not just to expound the legal principles involved in the particular area but also extracts the most pertinent parts of the relevant judgments. This enables the user to have a snap shot of the area, while still being afforded a contextual view of the relevant passage in the authority. The busy practitioner does not, therefore, need to call up the entire case; he can just zoom in on the pertinent passages and make a decision if the entire case needs to be called up and reproduced from the library. In the ultimate analysis, this will save precious time and make for more efficient and effective research.

All things considered, one has to congratulate the author for his laudable efforts in bringing us a comprehensive book on local insurance law. Not only has he covered the various general legal principles relevant in contracts in the realm of life, motor and workmen's compensation insurance, he has also done an excellent job in juxtaposing these with the various statutes to show clearly the relationship between the common law rules and statutory rules. In the ultimate analysis, this book has much to commend itself – it is easy to use, it is well laid out and it is very comprehensive in its survey of both English and local authorities. With that in mind, this book commends itself to any student or practitioner.