



4D Group

## Contract Vetting

### Who would benefit?

Underwriters or brokers who are regularly asked to comment on the insurance implications of commercial contracts.

### Objective

At the end of the workshop you will be able to:

- Identify the different types of contract which may be relevant to insurance placement
- Define contractual liability and the elements required for a valid contract in English Law
- Explain different ways in which contractual liability can arise
- Explain the circumstances in which a party cannot restrict or exclude their legal liabilities in a contract
- Describe some key responsibilities that can be contractually passed to another party or assumed from another party
- Explain the importance of indemnity, hold harmless and waiver of subrogation clauses
- Outline some general points you should make to your client in relation to any contract and whether it dovetails with insurance cover
- Describe the actions you would take in response to an enquiry regarding your client's contractual liability

### Content

- Contracts
  - Types of commercial contract
  - Overview of the law of contract
  - Implied v Express Contract terms
  - Contractual limitations and exclusions
  - Unfair Contract Terms Act
- Important Contractual Clauses
  - Indemnities
  - Hold harmless
  - Waivers of subrogation
  - Insurance clauses
- Coverage Implications
  - Property Damage
  - Business Interruption
  - Contractors All Risks
  - Employers Liability/Public Liability/Products Liability/Professional Indemnity
- Documentation
  - To Whom It May Concerns
  - Contractor Questionnaires

### Duration

Half day

### Pre-requisites

A good understanding of commercial insurance is helpful