Liability insurance

Academic Year: (2020 / 2021) **Review date: 10-07-2020**

Department assigned to the subject: Private Law Department

Coordinating teacher: MORILLAS JARILLO, MARIA JOSE

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Contract Law

OBJECTIVES

BASIC COMPETENCES
Apply the knowledge acquired to solve problems related to the area of ¿¿study.
Integrate knowledge and face the complexity of making judgments based on information that, being incomplete or limited, includes reflections on the assurance of civil responsibility.
Knowing how to communicate conclusions and knowledge and ultimate reasons that sustain them to specialized and non-specialized audiences in a clear and unambiguous way.
Develop learning skills that allow to continue studying in a way that will be largely self-directed or autonomous.

GENERAL COMPETENCES
Understand the importance of liability insurance as an essential sector not only for the development of economic and professional activities, but also for individuals in general.
Learn to identify the problems linked to the assurance of civil responsibility and know their legal treatment. Know the legal regime of civil liability insurance in general and in its main modalities or variants.
Learn to identify the legal problem and to give a solution to it.
Issue critical judgments on legal issues related to the assurance of civil liability.
Apply methods of legal analysis that allow the student to have the ability to study and synthesize the information received.

SPECIFIC COMPETENCES
Understand the treatment of civil liability insurance.
Identify the elements of civil liability insurance and know how to give a solution to the conflicts raised in this area.
Understand civil liability insurance from a global or collective perspective, as well as in its main particular areas.

RESULTS OF LEARNING
The training process of the subject aims to familiarize students with the specialties of liability insurance, whose importance is enormous when projecting on the most different sectors and personal, economic and professional activities.
Overcoming the subject means that students know and manage the sources where insurance regulation is contained, the interpretation problems that arise in practice and the jurisprudential lines that exist in relation to them, in such a way that they are capable of address and resolve cases involving liability insurance.

DESCRIPTION OF CONTENTS: PROGRAMME

Lesson 1. General issues.
1. Concept and regulation.
2. Nature and characters.
3. Personal items.
4. The role of the Insurance Compensation Consortium in Civil Liability Insurance.
5. The legal position of the injured third party.
6. Insurable risk.
7. Interest insured.
8. The loss in the Civil Liability Insurance.

Lesson 2. Content of the contract. Rights and obligations of policyholder and insured.
1. Risk declaration.
2. Payment of the premium.
3. Duties of communication of the loss, rescue and collaboration.

Lesson 3. Content of the contract. Rights and obligations of the insurer.
1. Payment of the liability debt.
2. The default of the insurer.
3. Direct action in favor of the victim and the exceptions.
4. Legal defense.
5. Rights of repetition and subrogation of the insurer.

Lesson 4. Modalities.
1. Types of Civil Liability Insurance.
2. Mandatory insurance.
3. Automobile Civil Liability Insurance.
4. Civil Liability Insurance and transportation.
5. The Civil Liability Insurance of the building.
6. Insurance of companies and professionals.
7. The D & O Insurance.
8. Technologies and Civil Liability Insurance.

ASSESSMENT SYSTEM

Participation in class (10%)
Individual or group work carried out during the course (45%)
Final exam (45%)

% end-of-term-examination:	45
% of continuous assessment (assigments, laboratory, practicals…):	55

BASIC BIBLIOGRAPHY

- A. B. VEIGA COPO Tratado del Contrato de Seguro, Civitas Thomson Reuters, 2016
- A. J. TAPIA HERMIDA Manual de Derecho de Seguros y Fondos de Pensiones, Iustel, 2014
- F. REGLERO CAMPOS Y OTROS Ley de Contrato de Seguro, Thomson-Aranzadi, 2011
- F. SÁNCHEZ CALERO Y OTROS Ley de Contrato de Seguro, Aranzadi, 2010
- J. BATALLER, N. LATORRE CHINER y J. OLAVARRÍA IGLESIA Derecho de los Seguros Privados, Marcial Pons, 2007
- M. A. CALZADA CONDE El Seguro de Responsabilidad Civil, Thomson-Aranzadi, 2005