

ASSISTANT PROFESSOR MARIJA PIJACA

UNIVERSITY OF ZADAR

MARITIME DEPARTMENT

IN GENERAL

- English insurance market; London insurance market
- Marine insurance; transport insurance
- MARINA OPERATOR LIABILITY INSURANCE





smaller segment of insurance portfolio















Croatian marinas - do not have the practice of securing their liability on English marine insurance market





















- On the English market there are different insurance groups:
- Lloyd's (Lloyd's Act, 1971, 1982)
- independent insurance companies
- > organizations for mutual insurance

Brokers

Brokers: Croatian law - Insurance Act (art. 411- brokers)

150% - policy - marina liability insurance





English insurance market Standard terms and conditions - in which there are unified conditions for all risks -> marina operator liability

insurance

Croatian insurance market Standard terms and conditions of marina operator liability insurance

main features of marina operator liability insurance in the context of Croatian and English law and practice



- focuses on the <u>business</u> <u>practice</u> and
- standard terms and conditions of marina operator insurance.

MARINA OPERATOR LIABILITY

Contract liability – liability towards the users of services provided by the marina:

 liability for damages on the vessels that are on the berth



MARINA OPERATOR LIABILITY INSURANCE

<u>Legal sources</u> related to marina operator liability insurance

Croatian law:

there are no legal sources that <u>specifically</u> regulate marina operator liability insurance

Maritime Code

marina operator liability insurance is largely regulated by the Obligation Act; special provisions – Insurance Contract, art. 921-965, Liability Insurance, art. 964-965. It is common that damages to yachts and boats are primarily cover by marine hull and machinery insurer SUBROGATION

insurer may require a compensation for the damages from the liability of the marina or directly through the marina operator liability insurer.

"a special relationship" with some maritime insurance
 – ship repairer liability insurance

coverage of marina liability for damage to vessels received for repair and service=marine insurance

> Marina – owner: P&I insurance

MC + OA

if the coverage of this type of liability is "incorporated" into a single insurance contract



<u>Legal sources</u> related to marina operator liability insurance

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Marine Insurance Act, 1906

marina operator liability insurance is largely regulated by the UK Insurance Act-a, 2015 - applies to all commercial contracts of insurance Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Marine Insurance Act 1906. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

INSURANCE ACT 2015



Marine Insurance Act 1906





MARINA OPERATOR LIABILITY INSURANCE

<u>Business practice</u> related to marina operator liability insurance

quite a different "picture" of Croatian and English business practices in the matter of marine liability insurance

>English business practice:



The English marine insurance market commonly offers a package of liability insurance coverage that is tailor-made according to the needs of a particular client (the insured marina operator).



coverage list from the coverage package into a single insurance policy English marine insurance market Combine party liability .apility arising (loss of or from core business damage to third (providing a safe Package of party property/ berth) liability death or bodily insurance injury) coverage **CGL** - Commercial Ship repairer's General Liability 'ability (bodily injury, Employee property dr coverage

insurers combine

many

liability from the



<u>Business practice</u> related to marina operator liability insurance

Croatian business practice:

One policy → <u>general liability</u> - that includes CORE BUSINESS COVER Another policy → third party legal liability + damage caused by environmental pollution + employee coverage



- environment significant for assessing the risk of marina liability Insurance
- damages excluded from insurance
- provisions on the notification and compensation for damage
- third parties rights against insurers



CONCLUSION

Legal sources/ the relevant legal framework

there are no legal sources that <u>specifically</u> regulate marina operator liability insurance in Croatian and English law autonomous legal sources

Business practice

- quite a different "picture" of Croatian and English business practices in the matter of marine liability insurance



One policy \rightarrow <u>general liability -</u> that includes CORE BUSINESS COVER//

Another policy \rightarrow third party legal liability + damage caused by environmental pollution + employee coverage





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mpijaca@unizd.hr