

Motor claims liability – Northern Ireland 2016

Programme

Although the programme is yet to be finalised for this course, it will cover:

Major reforms to motor insurers' liability and MIB claims

The New Uninsured Drivers Agreement 2015: a job half done

- Uninsured Drivers Agreement (Northern Ireland) 2002 due to be replaced
- major beneficial procedural changes obscure numerous irregularities
- still plenty of unlawful exclusions and restrictions, new terrorism exclusion
- gaps in cover & worrying appeal procedure
- legacy challenges

The Untraced Drivers Agreement (Northern Ireland) 2004

- yet more revisions to shore up a fundamentally flawed and unfair regime
- which provisions can be successfully challenged
- MIB plans for a new agreement

Motor Insurer's liability

- Part VIII Road Traffic (NI) Order 1981 due for major rewrite, post Vnuk
- flaws in the Rights Against Insurers Regulations 2002
- misuse of art 98A declarations
- The Deregulation Act 2015, making it easier to cancel policies
- Insurance Act 2015, restricting insurers ability to avoid liability
- Consumer Insurance (Disclosure and Representations) Act 2012
- the case for wider reform

Why a working knowledge of European law is essential

- EU law bright line standards of minimum compensatory protection made simple
- raising successful legal challenges

General liability update

- Supreme Court clarification on contributory negligence
- standards of care: children, pedestrians, emergency vehicles
- continued use and misuse of ex turpi causa
- new test for sufficiency of inspections in claims against highway authorities
- primary liability scenarios
- credit hire and repair claims
- accidents abroad in Europe