

LAWS 2010: INTRODUCTION TO INSURANCE LAW
Winter 2019
Course Syllabus

I. Contact Information

Instructor: Jillian Kean
Office: Purdy's Wharf, Tower 2, Suite 1300, 1969 Upper Water Street, Halifax
Office Hours: By appointment
E-mail: jillian.kean@mcinnescooper.ca
Telephone: 902-444-8459

I will use @mcinnescooper.ca email as my primary mode of correspondence. For students, your @dal.ca accounts will be where I send communications. You are deemed to have received any communication sent to your @dal.ca email address.

Class cancellation will be in accordance with Dalhousie University emergency/storm closure policies and procedures. If Dalhousie University is closed, the information will be posted on the University website and available through the University switchboard (902-494-2211). If you sign up for DalAlert, you will receive a text and/or email about any closures. Communication will be sent via email as soon as possible in the event that class cancellation is necessary outside of campus closure.

II. Classes: Wednesdays – 9 a.m. to 10:50 p.m. – Room 204

Class lectures are based on the assumption that assigned materials have been read in advance. Although no marks are given for class participation, students are expected to participate in class discussion and sample problem solving. Individual students may be called on to contribute to a discussion.

III. Required Materials:

- (1) Casebook – Insurance Law – posted on Brightspace
- (2) Textbook – *General Principles of Canadian Insurance Law*, 2nd ed.
- (3) Statute - *Insurance Act*, R.S.N.S., and selected regulations – posted on Brightspace
- (4) Other Materials – posted on Brightspace as needed

Students should bring these materials to every class.

IV. Evaluation:

100% Exam – Open Book - 3 hours – Wednesday, April 10, 9:30 a.m.

V. Course Objectives:

This course covers basic insurance principles of insurance contracts. The course does not cover in detail the law of any particular type of insurance. Automobile insurance, fire insurance, liability insurance and life insurance are used as the main examples of general principles. Topics include: (a) the nature of the insurance contract and its formation, (b) agency principles applying to insurance agents or brokers, (c) the insurable interest that a person must have to enter into a

valid contract of insurance, (d) the effects of non-disclosure in applying for insurance, (e) interpreting insurance contracts, and (f) claims on policies.

Students must critically examine existing law, its function in modern society and its fairness to the insured person, and consider desirable reforms. Course materials include an examination of insurance cases, the Nova Scotia *Insurance Act*, and various standardized provisions found in insurance contracts.

VI. Recommended Reference Materials (available on Library Reserve)

- A. Boivin, *Insurance Law*, 2nd ed., 2015, Irwin Law
- B. Brown, *Introduction to Canadian Insurance Law*, 2nd ed., 2006, LexisNexis
- C. Hilliker, *Liability Insurance Law in Canada*, 6th ed., 2016, LexisNexis

Student Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or family emergency will require an application to the Law School Studies Committee. Such requests (for example, for assignment extensions) must be made to Associate Dean, Academic Michael Deturbide or the Director of Student Services and Engagement Dana-Lyn Mackenzie as soon as possible, before a scheduled exam or a deadline for an assignment, and will generally require documentation. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation for either classroom participation or the writing of tests and exams due to barriers related to disability, religious obligation, or any characteristic under the Nova Scotia *Human Rights Act*. Students who require such accommodation must make their request to the Advising and Access Services Center (AASC) at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at (902) 494-2836.

Plagiarism

All students must read the University policies on plagiarism and academic honesty <http://academicintegrity.dal.ca/> and the Law School policy on plagiarism <http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.