



Insurance
INSTITUTE OF EAST AFRICA

PRODUCT LIABILITY INSURANCE



**PRODUCT
LIABILITY**

**In-House
Training**

Introduction

Product Liability Insurance defines the product liability risk and the types of claims that businesses may face from this exposure. Participants learn about the development of product liability law and the legal bases for lawsuits. Students who complete this training will be able to identify a business's product liability exposures and recommend the appropriate insurance solutions for those risks.

Suitability

This one day course is designed for property and casualty insurance professionals who want to learn more about the product liability risk and the insurance options that address this risk.

This includes the following:

- Producers
- Claim handlers
- Underwriters
- Risk managers
- Loss control specialists
- Support personnel

Course Objectives

After completing this course, students will be able to

- Identify the types of businesses that are exposed to product liability claims;
- Describe the three basic types of product defects and the elements required to prove each type;
- Explain how modern product liability legal principles developed from common law;
- Identify the most common legal bases for product liability lawsuits and the elements required to prove each one;
- Describe the defenses that may be used for product liability claims; and
- Describe the insurance coverages available for the product liability risk, including the coverage provided under the commercial general liability coverage form, the product withdrawal coverage form, the businessowners policy, the workers' compensation and employers liability policy, the auto dealers coverage form, and the home business insurance endorsement

What is Covered

Module 1:

The Product Liability Risk

Learning Objectives

After completing this unit, you will be able to do the following:

- Define the types of product defects.
- For each type of product defect, identify:
 - The elements required to prove that the product is defective.
 - The factors that cause the product to be defective.
 - At what point in the product's life cycle the defect occurs.
- Identify the types of businesses that may have a product liability exposure due to the stream of commerce theory.
- Explain how the principle of joint and several liability affects how damages are awarded for a product liability claim.
- Identify the parties who can file product liability claims.
- Describe the types of damages that may be recovered for a product liability claim.

Module 2:

Product Liability Law

Learning Objectives

After completing this unit, you will be able to do the following:

- Describe the role that the following legal principles played in the development of modern product liability law:
 - Caveat emptor
 - Common law
 - Stare decisis/precedent
 - Privity of contract
 - MacPherson Rule
- Describe the role that the following play in modern product liability law:
 - Contract law
 - Tort law
 - Uniform Commercial Code (UCC)
- Define the following terms:
 - Negligence
 - Strict liability
 - Warranty
 - Misrepresentation
 - Statute of limitations
 - Statute of repose
 - Disclaimer
 - Assumption of risk/Active negligence
 - Intervening negligence
- For each of the legal bases for product liability lawsuits discussed in this unit, describe the elements that must be proven to substantiate the claim.
- Explain how each defense described in this module may be used to deny a product liability claim.

Module 3:

Insurance Options for the Product Liability Risk

Learning Objectives

After completing this unit, you will be able to do the following:

- With respect to the commercial general liability coverage form, describe:
 - The difference between the claims-made and occurrence coverage triggers
 - Which parts of the coverage form provide product liability coverage
 - How the policy definitions affect coverage for a product liability claim
 - How certain exclusions restrict coverage for product liability claims
 - The coverage territory for product liability claims
 - How the products-completed operations aggregate limit and the per occurrence limit are used to determine the amount paid for a product liability claim
- With respect to the product withdrawal coverage form, describe:
 - The two types of losses covered under the form
 - The general conditions that must be met for a loss to be covered
 - How the policy definitions impact coverage
 - The exclusions that apply to each coverage in the form
 - How the policy limits, deductible, and participation percentage are used to determine the amount paid for a product liability claim
- Summarize how the following policies or endorsements may be used to cover a business's product liability exposure:
 - Products-completed operations coverage form
 - Businessowners policy
 - Limited Product Withdrawal Expense endorsement
 - Workers' Compensation and Employer's Liability policy
 - Auto Dealers coverage form
 - Home Business Insurance endorsement
- Determine which insurance policy or endorsement would be appropriate to cover a particular business's product liability exposure.

Course Delivery

This course combines formal but highly interactive lectures and discussions with dynamic exercises. Delegates will also be examined at the end of the training to qualify for a Certificate of Participation.

Course Summary

Location:	To be provided by Client
Duration:	1 Day
Fee:	Ksh 265,000 + VAT Group-Max 30
Dates:	Open



Contact us to book for the Training

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