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Duties in Insurance
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cht Prioritization in
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Beitragserhöhung

private
Krankenversicherung
– 5 Antworten vom
Anwalt auf die
wichtigsten Fragen!
Werden wir mit der
neuen Grundsteuer
systematisch
enteignet? Lektion
228 - Ein Kurs in

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Wundern Debatte
über steigende
Gaspreise | Markus
Lanz vom 16. August
2022

Dr. Markus Krall:
/"Der Herbst wird
entscheiden! /" (Krise,
Inflation,
Planwirtschaft)

Der Staatsangehörigk
eitsausweis Rico
HandtaAndreas Beck:
Wer jetzt vor den

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steigenden Zinsen
zittern muss /"Die
neue Weltordnung
kommt aus China! /"
Prof. Dr. Max Otte Die
BRD-Lüge?! Ist
Deutschland eine
GmbH? | Faktencheck

Test: Die besten
privaten Krankenversi
cherungen – so
wurden die Gewinner
ermittelt // Mission

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nur Geld kosten

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/"reversed/" Panel

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verlängern

Der Crash kommt!

Was du als

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solltest

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Unterscheidung von

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Underwriting
bedeutet, die Risiken
zu kennen: Mit VdS
Risikomanagement.
Sach und Vermögensv
ersicherung D

Revisiting Carter v
Page 13/56

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Boehm, the collected papers in this book are intended as a catalyst for rethinking the pre-contractual duties in insurance law and the related principle of utmost good faith at a critical time for insurance law. In so doing, it endeavours to provide insurance law students, academics,

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practitioners and

judges with new

perspectives for a

keen understanding

of this fundamental

aspect of insurance

law, which has

become increasingly

dynamic under both

common law and civil

law legal traditions. It

will explore to what

extent and why the

doctrines of pre-

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contractual duties in
insurance law under
the two major legal
traditions are

converging, as well as
the implications of
such convergence. It
will be of great
interest to students,
academics and
practitioners in the
field of insurance law.

This Volume of the

Page 16/56

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AIDA Europe Versr

Research Series on

Insurance Law and

Regulation focuses on

transparency as the

guiding principle of

modern insurance

law. It consists of

chapters written by

leaders in the

respective field, who

address transparency

in a range of civil and

common law

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jurisdictions, along

with overview

chapters. Each

chapter reviews the

transparency

principles applicable

in the jurisdiction

discussed. Whether

expressly or

impliedly, all

jurisdictions

recognize a duty on

the part of the

insured to make a fair

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presentation of the

risk when submitting

a proposal for cover

to the insurers,

although there is little

consensus on the

scope of that duty.

Disputed matters in

this regard include:

whether it is satisfied

by honest answers to

express questions, or

whether there is a

spontaneous duty of

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disclosure; whether
facts relating to the
insured ' s character,
as opposed to the
nature of the risk
itself, are to be
presented to the
insurers; the role of
insurance
intermediaries in the
placement process;
and the remedy for
breach of duty.

Transparency is,

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however, a much
wider concept.

Potential

policyholders are in
principle entitled to
be made aware of the
key terms of coverage
and to be warned of
hidden traps (such as
conditions precedent,
average clauses and
excess provisions),
but there are a range
of different

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approaches. Some jurisdictions have adopted a “ soft law ” approach, using codes of practice for pre-contract disclosure, while other jurisdictions employ the rather nebulous duty of (utmost) good faith. Leaving aside placement, transparency is also

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demanded after the
policy has been
incepted. The insured
is required to be
transparent during
the claims process.
There is less
consistency in
national legislation
regarding the
implementation of
transparency by
insurers in the
context of handling

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claimsrecht Versr

Deutschland
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Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides valuable practical insight into both public supervisory legislation concerning insurance and private insurance contract

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law in Germany. An

informative general

introduction

surveying the legal,

political, financial,

and commercial

background and

surroundings of

insurance provides a

sound foundation for

the specific detail that

follows. The book

covers all essential

aspects of the law and

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regulation governing

insurance policies

and instruments. Its

detailed exposition

includes examination

of the form of the

insurance company

and its reserves and

investments; the

insurance contract;

the legal aspects of

the various branches

of property and

liability insurance;

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motor vehicle Versr
insurance schemes;
life insurance, health
insurance, and
workmen ' s
compensation
schemes; reinsurance,
co-insurance, and
pooling; taxation of
insurance; and risk
management and
prevention. Succinct
yet eminently
practical, the book

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will be a valuable
resource for lawyers
handling cases
affecting Germany. It
will be of practical
utility to those both in
public service and
private practice called
on to develop and to
apply the laws of
insurance, and of
special interest as a
contribution to the
much-needed

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harmonization of
insurance law.
Deutschland

German Edition
This volume focuses
on transparency as
the guiding principle
for insurance
regulation and
supervisory law. All
chapters were written
by experts in their
respective fields, who
address transparency
in a wide range of

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European and non-
European
jurisdictions. Each
chapter reviews the
transparency
principles applicable
in the jurisdiction
discussed. While the
European
jurisdictions reflect
different facets of the
principle as emerging
from EU law on
insurance, the

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principle has
developed quite
differently in other
jurisdictions.

The book addresses a topic at the intersection of two heavily regulated sectors: insurance and investment services. Until recently, scholars and professionals have

Access PDF
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approached insurance
and investment
services as two
separate categories in
the financial services
sector, and as being
governed by separate
regulatory
frameworks. In
practice, however, the
boundaries were and
are blurred, a reality
that regulators have
begun to recognize

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and address in their

more recent

regulatory texts. The

first part of the book

approaches the new

standards applicable

to investment

products based on

insurance: insurance-

based investment

products (IBIPs).

These rules are

harmonized across

the EU. The rationale

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behind this new
definition is provided,
together with a
description of these
products '

limitations. The
analysis addresses
the new rules and
explores the legal
regime and relevant
standards applicable
to IBIPs. The
organizational rules
concerning the design

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and distribution of

IBIPs are also

examined, and the

book highlights e.g.

how these rules are

inspired by the

principles of conduct.

In closing, the ADR

systems are analysed,

in order to ascertain

whether or not they

can offer an effective

tool for settling

disputes over these

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products. In turn, the second part focuses on the liability for distribution of IBIPs, which ranks as one of the most conspicuous and relatively new legal phenomena, but at the same time, represents an exceptionally important field of civil liability in today ' s world.

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Liability is still Versr

regulated at the
national level. Thus,
the four largest life
insurance markets in
the EU are

considered, along
with the largest
emerging market for
life insurance. The
chapters on national
laws also consider
whether, and if so,
how the new

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harmonized rules on

IBIPs are being

combined with those

already in force in the

jurisdictions

considered. The goal

is to determine

whether the new

rules are likely to

change the doctrine

and case law

approach to these

products, or whether

the European

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legislators' choices
have no real impact
on the protection of
clients.

The book explores,
from a comparative
and inter-disciplinary
perspective, the
relationship between
fundamental rights
and private law in

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Europe, a debate

usually referred to as

Drittwirkung or

‘ horizontal effect of

fundamental rights ’ .

It discusses the

different models of

‘ horizontal effect ’

and the impact that

fundamental rights

may have in shaping

tort law, especially

the position of child

tortfeasors. The book

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concentrates on Versr

several European
jurisdictions, namely
France, Italy,

Germany, Portugal,
Sweden, Finland, and
England and Wales.

At a crossroad
between human
rights and European
private law, this study
draws insights from
several legal fields
(international,

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European, tort, Versr

constitutional and
child law), sociology,
psychology, and

feminist studies. It
also considers policy
implications and
advances proposals
which would ensure
the optimisation of
the effect, and
maximisation of the
effectiveness, of
fundamental rights in

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tort law, and more

generally in private

law. This book

departs from

traditional legal

doctrines and offers a

more pragmatic,

comprehensive and

just legal analysis of

the role of

fundamental rights in

private law. It will be

of interest to

undergraduate and

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postgraduate Versr

students, academics,
practitioners, policy-
makers and activists

with an interest in
human rights, tort
law, comparative law,
children ' s rights and
European private law.

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Die Bedeutung des
privaten

Versicherungsrechts
manifestiert sich in

Millionen von Versich
erungsverträgen. In

einer gewissen

Diskrepanz hierzu

steht die eher

spärliche

Kommentarlandschaft

. Insbesondere fehlt

ein aktueller großer

Kommentar. Das

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vorliegende Werk soll
diese Lücke
schließen.

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sich an Anwälte und
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aft. Neben einer

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möglichst Versr
umfassenden und
übersichtlichen
Darstellung und
Analyse von Judikatur
und Literatur will das
Werk insbesondere
Argumente verfügbar
machen, um dem
Leser die
Meinungsbildung zu
zahlreichen
Streitfragen zu
erleichtern. Da das

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deutsche und das
österreichische VVG
trotz eines
allmählichen

Auseinanderdriftens
auf weiten Strecken
immer noch identisch
sind, werden beide
Gesetze unter
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Judikatur und
Literatur gemeinsam

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