

M05 Latest Learning Material - Exam M05 Review

Examination Guide



E05

Examination element of M05 Insurance law

Based on the 2019/2020 syllabus
examined from 1 May 2019 until 30 April 2020

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CII Insurance law (IL) Exam Sample Questions (Q54-Q59):

NEW QUESTION # 54

Under the provisions of the Contracts (Rights of Third Parties) Act 1999, the right to enforce a contractual term arises if a third party.

- A. proves that the parties to the contract intended to limit his rights.
- **B. is one of a general class of persons identified in the contract as benefitting from the contract.**
- C. appoints an agent to carry out the contract provisions.
- D. is the agent who arranged the contract.

Answer: B

NEW QUESTION # 55

Fred knew Susie wanted to sell her car. On behalf of Susie, Fred agreed the sale of the car to Tina for £5,000. That evening, Susie ratified Fred's agreement with Tina. The next day, Tina decided NOT to proceed with the purchase. What is Susie's legal position in these circumstances?

- A. She can sue Tina for breach of contract.
- B. She can sue both Fred and Tina jointly for breach of good faith.
- C. She can sue Fred for breach of agency agreement.
- **D. She has no legal right to sue.**

Answer: D

NEW QUESTION # 56

Which of the following is a key principle of insurance that ensures that a policyholder is not overcompensated for a loss?

- A. Utmost good faith
- B. Insurable interest
- **C. Indemnity**
- D. Subrogation

Answer: C

Explanation:

The principle of indemnity ensures that the policyholder is compensated only to the extent of the loss suffered and does not profit from an insurance claim. This principle is essential to prevent overcompensation.

NEW QUESTION # 57

As a result of a breach of good faith under a commercial insurance policy, the insurer avoided the policy as a whole, but was NOT permitted to retain the premium because

- A. the misrepresentation was fraudulent.
- **B. the misrepresentation was innocent.**
- C. the premium was paid by monthly installments.
- D. no claim had been submitted or paid.

Answer: B

NEW QUESTION # 58

How can an agency relationship be best described?

- **A. A person has the authority to act on behalf of another party.**
- B. A person, who has paid another party under a contract, has the right to stand in the place of that other party and avail himself of the rights and remedies of that party.
- C. A person has ratified another party's action.
- D. A person has transferred his obligations under a contract to another party.

Answer: A

NEW QUESTION # 59

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