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 Secured Over 200
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 Months

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 WELCAR and Damage
 to Existing Property -

the search for certainty
 of cover We have
 recently been involved
 in a case where a
 dispute arose about
 the cover for physical
 damage to first party
 property (and
 consequential loss)
 under the standard
 endorsement/buy back
 for Damage To Existing
 Property wording for
 the WELCAR offshore
 construction policy
 form.

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The DTEP Exclusion
 and Buy-Back was
 developed as a way for
 insureds to obtain
 cover for physical
 damage to their own
 existing property. It
 has almost always
 been structured as an
 endorsement to...

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Damage to Existing
Property - the
search for ...**

Damage to existing property – It has long been recognised that there is a risk of damage to existing property in the vicinity of new construction works, and as liability for such damage is excluded under section II of WELCAR. A Damage to Existing Property endorsement is offered which removes this exclusion.

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Damage to existing property – It has long been recognised that there is a risk of damage to existing property in the vicinity of new construction works, and as liability

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The circularity of the cross indemnity provisions contained in

the contractual nexus of offshore construction programmes, often calls for the insured to supplement cover under Section II with the Damage to Existing Property buy-back, to add cover for damage to the insured's existing property suffered under the protection of the knock- for-knock provisions.

Offshore OFFSHORE ENERGY

The Physical Damage section of the WELCAR 2001 policy form provides cover for the cost of removing, raising, destroying or marking the wreck, wreckage or debris of insured property. This coverage is subject to a specific policy limit of 25 percent of the insured value of the

property which is the subject of the claim.

WELCAR 2001 - MDS Group

damage to existing property: " EXISTING PROPERTY/CONTRACTUAL EXCLUSION BUYBACK

Notwithstanding the Existing Property/Contractual Exclusion contained in this Policy, it shall not apply to any claim for: Physical loss of and/or physical damage to existing property identified on the attached schedule of insured property.

Please note: PowerPoint This is a 2003

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One of the so-called business risk exclusions, the "damage to property" exclusion, narrows coverage for certain types of property damage claims. A principal source of disagreement among courts has been the words "that particular part," which is found in paragraphs j (5) and j (6) of the exclusion.

More Confusion Regarding the "Damage to Property ...

LEG2/96 "The Insurer (s) shall not be liable for All costs rendered necessary by defects of material workmanship design plan specification and should damage occur to any portion of the Insured Property containing any of the said defects the cost of replacement or rectification which is hereby excluded is that cost which would have been incurred if replacement or rectification of the Insured Property had been put in hand immediately prior to the said damage.

Defect exclusions - SlideShare

Pre-existing damage to insured property does

not always mean that the insured losses out on the claim completely. In some cases, the insurance company may only

deny the part of the claim that has to do with what the insurance company considers pre-existing conditions.