



## Liability & Insurance Committee

Until the end of 2009 Kevin Corbett chaired the Committee.  
Since 2010 Ulla Sassarsson is the Committee Chair.

### Mission:

*Identify significant issues impacting on risk and liability for the consulting engineers and formulate strategies to address those issues in Europe*

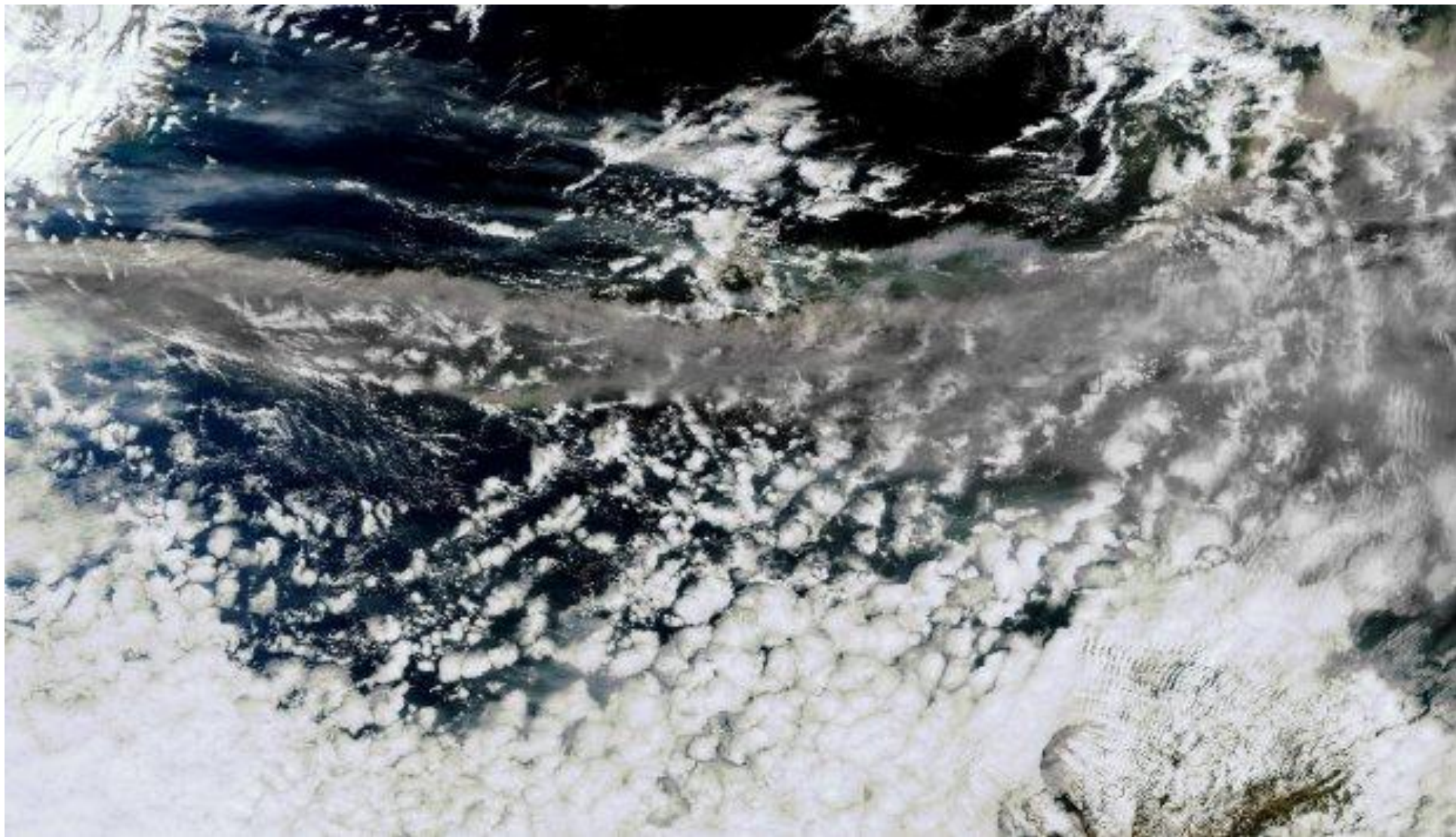


## Liability & Insurance Committee

This Report covers the period June 2009 to May 2010.

During this period the Committee held two meetings.

The scheduled meeting in spring was cancelled because of...





## Liability & Insurance Committee

This postponement delayed the completion of the two policy papers:

- Joint and several liability
- Financial Caps



# Liability & Insurance Committee

The Committee made a  
**Report on Liability and Insurance**  
 for members in Europe



The report has been prepared by EFCA's ad hoc legal advisor Vera van Houtte, and is based on the contributions from the MAs in : Austria, Belgium, Denmark, Germany, Finland, France, Hungary, Italy, The Netherlands, Norway, Spain, Sweden and UK



# Report on liability and insurance

- Applicable law and legal issues
  - Length of liability periods
  - Statutory financial caps
  - Duty of care imposed on professionals
  - The rights of third party and the ability to bring a claim against the consulting professional
  - Joint and several liability
  - Corporate versus personal liability
  - Any other relevant law or issue



# Report on liability and insurance

- Contractual arrangements
  - Freedom to freely negotiate contract terms
  - Collateral warranties (specific English law)
  - Use of bonds, guaranties, payment retentions
  - Intellectual property rights
- Insurance