

Component Specification

The Law and Insurance

NFQ Level 5

5N3788

1. Component Details

Title	The Law and Insurance
Teideal as Gaeilge	Árachas agus Dí
Award Class	Minor
Code	5N3788
Level	5
Credit Value	15
Purpose	The purpose of this award is to equip the learner with the knowledge, skill and competence in the legal principles and practice underpinning insurance and the application of the law in the insurance market.
Learning Outcomes	<p>Learners will be able to:</p> <ol style="list-style-type: none">1 Examine the features of the Irish legal system to include the sources of Irish law, the Court system, the role and functions of the personnel and constitutional officers, within the system2 Outline the role of the Legislature, Executive and Judiciary within the legal system and the implications of EU legislation for Irish law3 Explore the concepts of public, private, criminal and civil law and the doctrine of precedent4 Summarise the legal features and processes involved in the formation and dissolution of a range of business structures to include sole traders, partnerships, companies

- 5 Explore the main types of companies and the relevance between corporations and unincorporated bodies to insurance
- 6 Examine the essential elements, characteristics of and defences to the main torts to include limitations for actions in tort and remedies available to a plaintiff
- 7 Summarise the various types of liability that are commonly insured to include employers liability, product liability, occupiers liability
- 8 Explain the nature of contract to include the essential features, elements, classifications and terms in relation to an insurance contract
- 9 Examine the formal requirements of a contract of insurance and how it is such a contract is formed to include commonly used insurance contract terms, assignment of an insurance contract, void, illegal and voidable insurance contracts and the principle of proximate cause
- 10 Explore the concept of an insurable interest, when it must exist and its application in various classes of insurance
- 11 Summarise how an agency may be created and terminated
- 12 Discuss the principal of utmost good faith in insurance contracts to include the duty to disclose, non-disclosure and misrepresentation, the types of breaches of good faith and their remedies
- 13 Examine the principle of indemnity to include the options available to insurers and how they affect insurance claims, the principles of contribution and subrogation
- 14 Explore how loss is measured using indemnity to include the principle of proximate cause, the terms excess, deductible, franchise, average, salvage and abandonment
- 15 Discuss the procedures involved when a claim has been notified.

Assessment

General Information

Details of FET assessment requirements are set out in [Assessment Guidelines for Providers](#).

All FET assessment is criterion referenced. Successful achievement of the award is based on learners attaining the required standards of knowledge, skill or competence.

The techniques set out below are considered the optimum approach to assessment for this component. In exceptional circumstances providers may identify alternative assessment techniques through the provider's application for programme validation which are **reliable** and **valid** but which are more appropriate to their context.

Assessment of a number of components may be integrated across programmes for delivery, provided that the learning outcomes of each minor award are assessed.

Group or team work may form part of the assessment, provided each learner's achievement is separately assessed.

All providers are required to submit an assessment plan as part of their application for programme validation. Assessment Plans will include information relating to scheduling and integration of assessment. See current FET validation guidelines at www.qqi.ie.

Assessment Techniques

In order to demonstrate that they have reached the standards of knowledge, skill and competence identified in all the learning outcomes, learners are required to complete the assessment(s) below.

The assessor is responsible for devising assessment instruments (e.g. project and assignment briefs, examination papers), assessment criteria and mark sheets, consistent with the techniques identified below and FETAC's assessment requirements.

Programme validation will require providers to map each learning outcome to its associated assessment technique. See current FET validation guidelines at www.qqi.ie.

All learning outcomes **must** be assessed and achieved

Assignment	60%
Examination - Theory	40%

Description

Assignment

An assignment is an exercise carried out in response to a brief with specific guidelines as to what should be included. An assignment is

usually of short duration and may be carried out over a specified period of time.

There are 2 assignments with a weighting of 30% each

Examination - Theory

An examination provides a means of assessing a learner's ability to recall and apply knowledge, skills and understanding within a set period of time and under clearly specified conditions.

A theory-based examination assesses the ability to recall, apply and understand specific theory and knowledge.

Recognition of Prior Learning (RPL)

Learners may be assessed on the basis of their prior knowledge and experience. Providers must be specifically quality assured to assess learners by this means. To do so they must complete B10, see Provider's Quality Assurance Guidelines and be included on the Register of RPL approved providers. See RPL Guidelines at www.fetac.ie for further information and registration details.

Grading

Pass	50% - 64%
Merit	65% - 79%
Distinction	80% - 100%

Specific Validation Requirements

There are no specific validation requirements

Supporting Documentation

None

Access

To access programmes leading to this award the learner should have reached the standards of knowledge, skill and competence associated with the preceding level of the National Framework of Qualifications. This may have been achieved through a formal qualification or through relevant life and work experience.

Transfer

Successful completion of this component award enables the learner to transfer to programmes leading to other certificates where this component is a mandatory or an elective requirement.

2. FET Award Standards

QQI award standards are determined within the National Framework of Qualifications (NFQ), <http://www.nfq-qqi.com>. QQI determines standards for the education and training awards that it makes itself and that are made by providers to whom it has delegated authority to make an

award. Providers offering programmes leading to QQI awards **must** have their programme(s) validated in accordance with current validation policy (see www.qqi.ie).

Award standards are designed to be consistent with the NFQ's award classes i.e. major, special purpose, supplemental and minor awards. They are expressed in terms of **learning outcomes** i.e. concise statements of what the learner is expected to know or be able to do in order to achieve a particular award. Learning outcomes for FET awards are contained within the associated specifications:

AWARD CLASS	STANDARDS	AWARDS
Major Award	Certificate Specification	Certificate (Levels 1 to 5) Advanced Certificate (Level 6)
Supplemental Award	Supplemental Specification	Supplemental Certificate (Level 3 to 6)
Special Purpose	Specific Purpose Specification	Specific Purpose Certificate (Levels 3 to 6)
Minor Award	Component Specification	Component Certificate (Levels 1 to 6)

Award standards are thresholds, they describe standards of knowledge, skill or competence to be acquired, and where appropriate, demonstrated, by a learner before an award may be made.

Award standards will be reviewed from time to time as necessary. Minor changes may be made by the QQI executive outside the review cycle where necessary. Changes to standards are published on QQI's website. Providers with validated programmes and providers with delegated authority to make awards are responsible for monitoring relevant standards and making necessary responses to changes.

3. FET Credit

Every FET certificate and component specification includes an FET credit value (Table 1). FET credit is quantified in multiples of 5 FET credits (up to 50 hours of learner effort). Learner effort is based on the time taken by typical learners at the level of the award to achieve the learning outcomes for the award. It includes all learning time involved including: guided learning hours, self-directed learning and assessment.

Table 1: FET Credit Values

NFQ Level	Major Awards Credit Values	Default Credit Values Minor Awards	Other Permitted Minor Award Credit Values	Special Purpose and Supplemental Award Credit Value Ranges
1	20	5	10	
2	30	5	10	
3	60	10	5,20	>5 and <60
4	90	10	5,15,20	>5 and <90
5	120	15	5,10,30	>5 and <120
6	120	15	5,10,30	>5 and <120

Guide to Level

Learning outcomes at this level include a broad range of skills that require some theoretical understanding. The outcomes may relate to engaging in a specific activity, with the capacity to use the instruments and techniques relating to an occupation. They are associated with work being undertaken independently, subject to general direction.

Strand	Sub-strand	Nature of learning
Knowledge	Breadth	Broad range of knowledge
	Kind	Some theoretical concepts and abstract thinking, with significant depth in some areas.
Know How & Skill	Range	Demonstrate a broad range of specialised skills and tools
	Selectivity	Evaluate and use information to plan and develop investigative strategies and to determine solutions to varied unfamiliar problems
Competence	Context	Act in a range of varied and specific contexts, taking responsibility for the nature and quality of outputs; identify and apply skill and knowledge to a wide variety of contexts
	Role	Exercise some initiative and independence in carrying out defined activities; join and function within multiple, complex and heterogeneous groups
	Learning to Learn	Learn to take responsibility for own learning within a managed environment
	Insight	Assume full responsibility for consistency of self- understanding and behaviour

Extract from 'Determinations for the Outline National Framework of Qualifications': NQAI