

104年專門職業及技術人員高等考試驗船師、引水人、第一次食品技師考試、高等暨普通考試消防設備人員考試、普通考試地政士、專責報關人員、保險代理人保險經紀人及保險公證人考試試題

代號：30630 全一頁

等 別：普通考試

類 科：海事保險公證人

科 目：海事保險英文公證報告

考試時間：1 小時 30 分

座號：_____

※注意：(一)禁止使用電子計算器。

(二)不必抄題，作答時請將試題題號及答案依照順序寫在試卷上，於本試題上作答者，不予計分。

(三)請以黑色鋼筆或原子筆在申論試卷上作答。

一、海事保險意外事故發生後，保險公證人除調查損害原因之外，亦應確認損失情況，請詳述 1906 年英國海上保險法 (Marine Insurance Act,1906) 中有關 constructive total loss 及 actual total loss 之相關規定為何？(25 分)

二、請詳述海事意外事故發生後，下列人員或組織分別在海事案件上所擔任之角色為何？(每小題 5 分，共 20 分)

(一) Claims Setting Agent

(二) Average Adjuster

(三) Marine Insurance Surveyor

(四) Protection & Indemnity Club

三、請以英文寫出被保險人向海上貨物保險人求償時應提出之相關文件。(14 分)

四、請翻譯下列英文為中文：

(一) Unless the policy otherwise provides, where there is a change of voyage, the insurer is discharged from liability as from the time of change, that is to say, as from the time when the determination to change it is manifested; and it is immaterial that the ship may not in fact have left the course of voyage contemplated by the policy when the loss occurs. (10 分)

(二) This insurance covers the Vessel's proportion of salvage, salvage charges and/or general average, reduced in respect of any under-insurance, but in case of general average sacrifice of the Vessel the Assured may recover in respect of the whole loss without first enforcing their right of contribution from other parties.

Adjustment to be according to the law and practice obtaining at the place where the adventure ends, as if the contract of affreightment contained no special terms upon the subject: but where the contract of affreightment so provides the adjustment shall be according to the York-Antwerp Rules. (15 分)

五、試以英文寫出貨損發生後對運送人之損失通知書內容。(16 分)