DELAY FACTORS IN PROCESSING THE MARINE POLICY CLAIMS SUBJECT TO ENGLISH LAW SETTLEMENT

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ABSTRACT

Marine insurance is an important component of international trade and commerce, and it is subjected to international regulations in every stage of operation. The aim of this study is to propose an innovative approach in marine insurance claim management process in reducing the time to compensate the insurer based on the international marine insurance policy. The objectives of this study are: to review the existing marine insurance policy claim management process under marine insurance law, to assess the current constraints in marine insurance in using "Pay to be paid" rule by studying the previous cases in marine insurance claims, to propose a new claim management process in marine insurance to reduce the time to compensate the insurer. Six industry experts were interviewed as well as a survey of 300 respondents, comprised 150 from general insurance and 150 from marine experts, were conducted in identifying the potential problems behind the delay in marine insurance claim management. The respondents came from different backgrounds, working in insurance related areas as well as ordinary people who have insurance plans. The results were analyzed using the Delphi method which consists of 10 items, scored on a Five-point Likert response scale. The results showed that the major delay in claim process is due to redundant documentations. To address the issue of the redundant documentations as well as to shorten the claim settlement process, a 5-step Lean Management System (LMS) was proposed. The LMS proposes the five important steps to improve claim efficiency: i. identify customers, ii. identify value stream, iii. eliminate waste, iv. respond to customer pull, and v. pursue perfection. By implementing the Lean Management System in marine insurance world, it is hoped that the advancement of insurance claim management and process, and a correlation between the after-effects can be benefited to many parties in shipping industry.

ABSTRAK

Insurans marin adalah komponen penting dalam perdagangan dan perdagangan antarabangsa, dan ia tertakluk kepada peraturan antarabangsa dalam setiap peringkat operasi. Tujuan kajian ini adalah untuk mencadangkan pendekatan inovatif dalam proses pengurusan tuntutan insurans marin dalam mengurangkan masa untuk membayar pampasan kepada penanggung insurans berdasarkan polisi insurans marin antarabangsa. Objektif kajian ini adalah: untuk mengkaji semula proses pengurusan tuntutan polisi insurans marin yang sedia ada di bawah undang-undang insurans marin, untuk menilai kekangan semasa dalam insurans marin dalam menggunakan peraturan "Bayar dibayar" dengan mengkaji kes-kes sebelumnya dalam tuntutan insurans marin, untuk mencadangkan proses pengurusan tuntutan baru dalam insurans marin untuk mengurangkan masa untuk membayar pampasan kepada penanggung insurans. Enam pakar industri telah ditemuduga serta kaji selidik 300 responden, yang terdiri daripada 150 daripada insurans am dan 150 daripada pakar marin, telah dijalankan dalam mengenal pasti masalah yang berpotensi di sebalik kelewatan dalam pengurusan tuntutan insurans marin. Responden datang dari latar belakang yang berbeza, bekerja di kawasan berkaitan insurans serta orang biasa yang mempunyai pelan insurans. Keputusan dianalisis menggunakan kaedah Delphi yang terdiri daripada 10 item, dijaringkan pada skala tindak balas Likert lima mata. Keputusan menunjukkan bahawa kelewatan utama dalam proses tuntutan adalah disebabkan oleh dokumentasi berlebihan. Untuk menangani isu dokumentasi berlebihan serta memendekkan proses penyelesaian tuntutan, Sistem Pengurusan Lean 5 langkah (LMS) telah dicadangkan. LMS mencadangkan lima langkah penting untuk meningkatkan kecekapan tuntutan: i. mengenal pasti pelanggan, ii. mengenal pasti aliran nilai, iii. menghapuskan sisa, iv. bertindak balas kepada tarik pelanggan, dan v. mengejar kesempurnaan. Dengan melaksanakan Sistem Pengurusan Lean dalam dunia insurans marin, diharapkan kemajuan pengurusan dan proses tuntutan insurans, dan korelasi antara kesan selepas dapat dimanfaatkan oleh banyak pihak dalam industri perkapalan.

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LIST OF ABBREVIATION

IMO	International Maritime Organization
MIF	Maritime Industry Foundation
CBS	Copenhagen Business School
ICS	International Chamber of Shipping
EU	European Union
US	United States
NTSB	National Transportation Safety Board
H & M	Hull and Machinery Insurance
P & I	Protection and Indemnity Club Insurance
IUMI	International Union of Marine Insurance
UK	United Kingdom
HKTDC	Hong Kong Trade Development Council
SPSS	Statistical Package for the Social Sciences
ADR	Alternative Dispute Resolution
UN	United Nation
SOLAS	Safety of Life At Sea
CMI	Committee Maritime International
UNCLOS	United Nation Conference on the Law of the Sea
IACS	International Association of Classification Society
NMLA	National Maritime Law Associations
IWG	International Working Group
CLC	International Convention on Civil Liability for Oil Pollution Damage
HNS	Hazardous and Noxious Substances by Sea Convention
MLA	Maritime Law Association
USA	United States of America
UNCITRAL	United Nations Commission on International Trade Law
MC	Maritime Convention

B.C.	Before Century
SG	Ships and Goods
ADS	German General Rules of Marine Insurance
UNCTAD	United Nations Conference on Trade and Development
DTV-ADS	German Standard Terms and Conditions of Insurance for Ocean-Going Vessels
SKULD	One of the members of IACS
GT	Gross Tonnage
RDC	Running Down Clause
FFO	Fixed and Floating Objects
FOB	Free On Board
CIF	Cost, Insurance, Freight
MIA	Marine Insurance Act
IG	International Group
IGA	International Group Agreement
EC	European Country
AER	Administrative Expense Ratio
ICR	Individual Club Retention
GMT	Greenwich Mean Time
TSBC	Transport Safety Board of Canada
REMPEC	Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea
MARPOL	International Convention for the Prevention of Pollution from Ships
IOPCF	International Oil Pollution Convention Fund
FC	Fund Convention
SDR	Special Drawing Rights
EEZ	Exclusive Economic Zone
IOPC	International Oil Pollution Convention Fund
RAYCAS	Computer system assisted radar collision avoidance unit
CPEM	Commission Permanente d'Enquêtes sur les Événements de Mer
USD	United States Dollar

INTERTANKO	International Association of Independent Tanker Owners
ITOPF	International Tanker Owners Pollution Federation
AD	After Decade
YAR	York-Antwerp Rules
NMC	Norwegian Maritime Code
GA	General Average
GAA	General Average Adjuster
EMCIP	European Maritime Casualty Information Platform
ITC	Institute Time Clause
GDTV	German DTV
NMIP	Nordic Marine Insurance Plan
AGCS	Allianz Global Corporate and Specialty
OCIMF	Oil Company International Marine Forum
LOF	Lloyd's Open Form
ISU	International Salvage Union
SAR	Search and Rescue
BI	Bodily Injury
PD	Property Damage
PLL	Passenger Legal Liability
CART	Compensation for Actual Repair Time
IV	Independent Variable
DV	Dependent Variable
PC	Personal Computer
EM	Expectation Maximization
RP	Reducing Procedure
TPDC	Third Party Direct Claim
CS	Credit System
SM	Social Media
P2P	Pay to be paid
CD	Claiming Duration
ISC	Insolvent Shipping Company
PNIC	Protection & Indemnity Club
ILU	Institute of London Underwriters

ICC   International Chamber of Commerce

INCOTERMS   International Commercial Terms

CHAPTER ONE

INTRODUCTION

1.1   Introduction

The maritime industry includes the construction development, operations, and maintenance of ships, design structures, and their inseparable parts. It is then incorporated with a group of associations that sets the regulations, coverage and protection (insurance); and inspection and financing of vessels. Therefore, the maritime industry is usually made up of different stakeholders such as shipping companies; insurance and coverage providers; and legal maritime authorities; each of which is involved at different levels in the industry.

Furthermore, the marine insurance is known to be the first of its kind to offer insurance protection; which can be found in the Greek and Roman marine system. It was the most established hazard supporting instrument used to mitigate potential hazards concerning ocean/marine advances, commends agreement, and bill of exchanges. In the fourteenth century, separate marine insurance and protection contracts were created in Genoa, in other Italian urban areas, and spread all the way to northern Europe. The premiums fluctuated based on the natural evaluations of any potential hazards caused by seasons or pirates. Later, the modern marine insurance and protection law began in the Lex moratoria (law dealer). In 1601, a specific office of affirmation separated from other Courts was established in England. By the end of the seventeenth century, London marked a developing significance as a mediator for the exchange by building up interest for marine insurance and protection. In the late 1680s, Edward Lloyd opened a café on Tower

Street in London. Before long it turned into an important area that was frequently visited by transporters, traders, and boat skippers. Also, it became a trusted source of the most recent transportation news.

A marine policy claim is marine insurance that covers the perils of the boats, loading processes, terminals, and any vehicles whose property is moved, gained, or held between the point of departure and the final destination. Marine protection also incorporates Onshore and Offshore uncovered property, (holder terminals, ports, oil stages, pipelines), Hull, Marine Casualty, and Marine Liability. If the merchandise is delivered via mail or messenger, delivery protection is also covered. Figure 1.1 below presents the claims in Marine Insurance.

MARINE INSURANCE

Covers damage to ship due to any mishap like crash, collision or pirate attacks.

Provides coverage to cargo against any damage, loss or misplacement

Covers the loss of freight

Covers life of crew members and others on ship

Covers bank or lender's mortgage if the insurance of the borrower or ship-owner do not respond.

Figure 1.1   Marine Insurance coverage

1.2   Background of Study

This study will investigate how marine policy claims can be made in the event of an unforeseen occurrence concerning marine activities such as shipping, oil & gas, marine projects, and other marine activities including any potential intrusion in the country's seawater areas. As the sea is one of the alternative routes to travel across different countries around the world, the whole world has agreed to use English Law to solve any problems or demands that may arise. However, some steps need to be taken to resolve the problems encountered along the process. This study focuses on delay factors in marine policy claims subject to English Law.

Statistically, more than 70% of the European Union's (EU) foreign exchange transactions and nearly 30% of the domestic exchange transactions are registered under the marine transportation. The percentage is higher than the data recorded for land transportation (Bulletin of Maritime Safety, 2001). For many economically advanced countries, maritime transportation is of some importance. For example, the book Geospatial Information Infrastructure for Transportation Organizations: Toward a Foundation for Improved Decision Making discovered that the ports are particularly vital to the economy of the US. It was reported that 95% of their foreign exchange transactions were earned through their ports. In addition to that, the marine transportation framework creates about 13 million occupations in the nation (US Department of Transportation Maritime Administration, 2007).

Thus, it can be concluded that the shipping industry and marine transportation are the lifeblood of the economy. Without shipping, economic enterprises involving intercontinental exchange, the mass transport of raw materials, and the import of reasonable sustenance and fabricated goods would essentially not be achievable - a large portion of the world would starve and the other half would be frozen (International Chamber of Shipping, 2017).

Ships are technically a major advance; they are high-value assets. A large hi-tech vessel can cost over US$200 million to construct. Business activities on ships can produce an expected yearly wage of over a trillion US Dollars in cargo rates (International Chamber of Shipping, 2017). By looking at the world's percentage on the operations of marine transportation and the cost needed to build a vessel, it is understandable that if any accident occurs to the vessel, the whole shipping industry will need to be backed up by marine insurance coverage planning system. This coverage system is made up of many groups and organizations that are all placed to help handle any potential catastrophic scenario. Figure 1.2 below shows us the comparison of transportation fatalities happening in highway transportation and marine transportation throughout 2013.
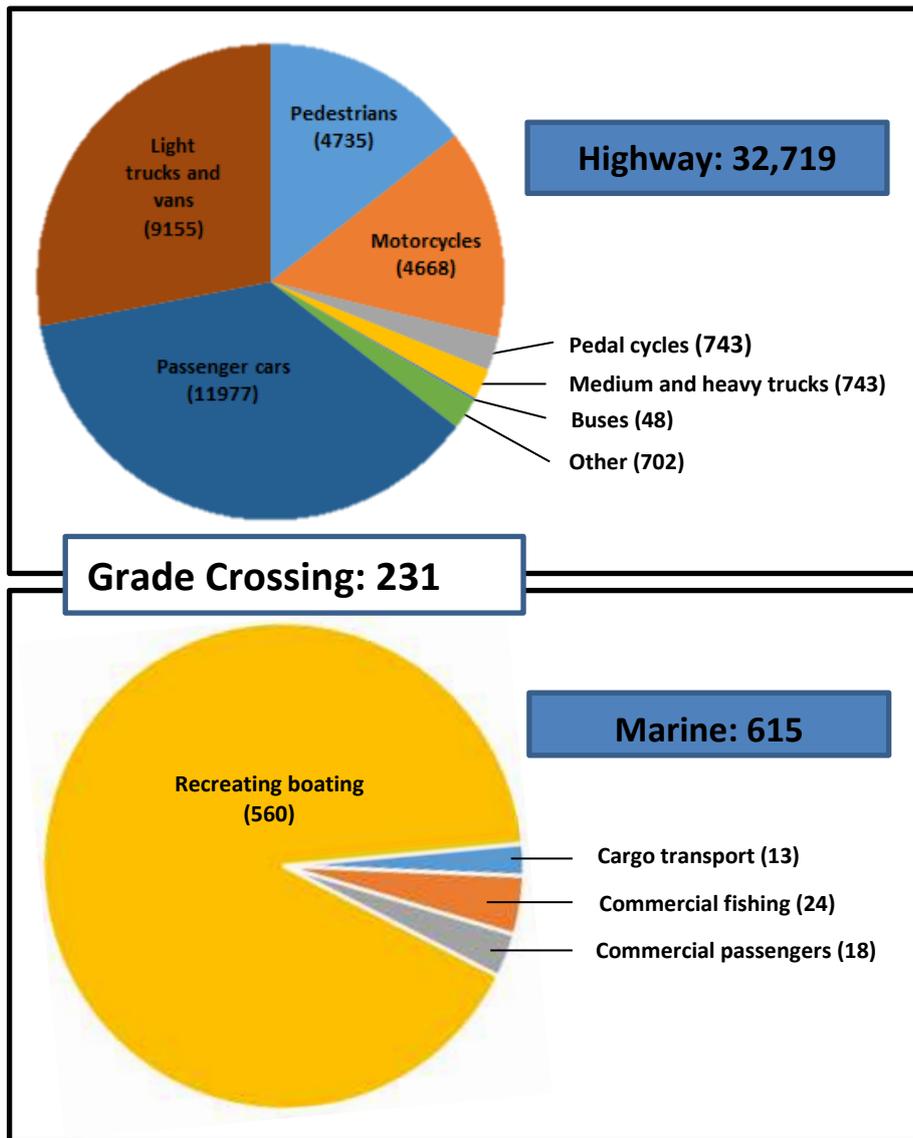
Figure 1.2   The comparison of transportation fatalities happening in highway transportation and marine transportation throughout 2013. (National Transportation Safety Board, 2016).

Recent developments in maritime transportation have increased the need for insurance. On the one hand, the sea transportations make massive shipping and the distribution of huge cargos possible as far as thousands of miles; however, on the other hand, this also increases the risks. Marine incidents such as collisions with other ships, collisions with fixed objects or wreck removal have typical liabilities to be covered in the marine insurance policy. When a collision occurs, the party suffering the most is the shipowner, the cargo owner, and those who have some

financial investment in the ships. The losses coupled with financial penalties will be a major blow to the owners. Hence, insurance has become a primary means of providing financial protection by giving up the risks to the insurance company. Insurance has been developed as a financial tool to provide indemnity on losses covered and also to ensure peace of mind for the shipowner and cargo owner; or things can also be insured after a loss has occurred (Michael I. Pazarzis, 2009).

On the other hand, marine insurance is different from general insurance. General Insurance involves protection of property against flame, thievery, individual protection such as Accident and Health Insurance, and liability insurance which covers legal liabilities. Such misfortunes can be overwhelming; however, insurance could help to indemnify them. A Health Insurance policy and arrangement can give financial assistance to an individual experiencing medical treatments either due to an illness or damage.

1.2.1   Marine Insurance: Marine Adventure and Marine Perils

Technically, the term Marine Insurance defines the coverage against loss of or mishap to a ship; and in-travel cargo, misfortune or harm over canals, land, and air (Business Dictionary, 2017). According to the Marine Insurance Act 1906, marine insurance might be identified as an agreement whereby the insurance company attempts to repay the guaranteed parties (policy holders / insured) in a certain way or another to settle any marine losses. (The Marine Insurance Act, 1906). In the Marine Insurance Act 1906 (section 3), the term marine insurance has been splatted into two types; marine adventure and maritime perils that may cover mixed sea and land, or sea and inland water risks (Pavliha, 2010).

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Marine adventure can arise when any ship, merchandise, or different movables are uncovered. The procuring of the exchange might be endangered because the shipowner or other affected individuals in charge of the insurable property might have to deal with some property protection or obligations from an outsider or a third party, in the connection of maritime perils. While "Maritime perils" means the perils happening on the route of the ocean. In other words, risks of the oceans such as fire, war hazards, pirates and thieves, captures, seizures, limitations, control of people groups, cast offs, and some other likely dangerous accidents, both of the like-kind and those that might be assigned by the approach. (Christoper J. Giaschi, 2000).

The purpose of any types of insurance protection is to indemnify the losses due to the accident, and not to get benefits from the loss. As an example, a marine protection agreement involving an exchange transaction for a certain premium, insurance protects the maritime property from any sort of damages or losses due to any unforeseen events. More specifically, if such perils occur, the insurance will provide some financial support for the affected clients. Furthermore, the marine insurance can be categorized into four basic terms and coverage such as Hulls and Machinery (H&M) Insurance, Cargo Insurance, Freight Insurance, Protection and Indemnity (P&I) Club Insurance, and Mortgagees Interest Insurance (MII).

Apart from these kinds of marine insurances, there are other marine insurance policies offered to give some flexibility to the clients when they are selecting their marine insurance policy. The convenience of a wide display of marine insurance approach gives a client a wider field to investigate. Subsequently, it will engage him to get the best insurance plan for his vessel, cargo, and freight (Dimitrios et al, 2016). Policies in maritime insurance might be issued upon either time or voyage terms, whereas differentiation is also identified to be essential concerning the connection and length of risks. It can also be said that 70% of the marine insurance contracts is based on those clauses in the policies.

The report by the International Union of Marine Insurance (IUMI), based on marine insurance premium paid by the line business category in 2014, showed that Transport/Cargo made up most of the marine insurance premium by holding 51.9% of the market share. It was then followed by the global hull, marine liability, and offshore / energy. As for the total marine insurance premium by region, it shows us that Europe led the insurance premium paid by holding 50% of the total marine premium paid from 2013 up to 2015. Following Europe, we had Asia / Pacific, Latin America, North America, and other regions including the Middle East and Africa. The data can be seen in Figure 1.3 below and Figure 1.4 on the next page.
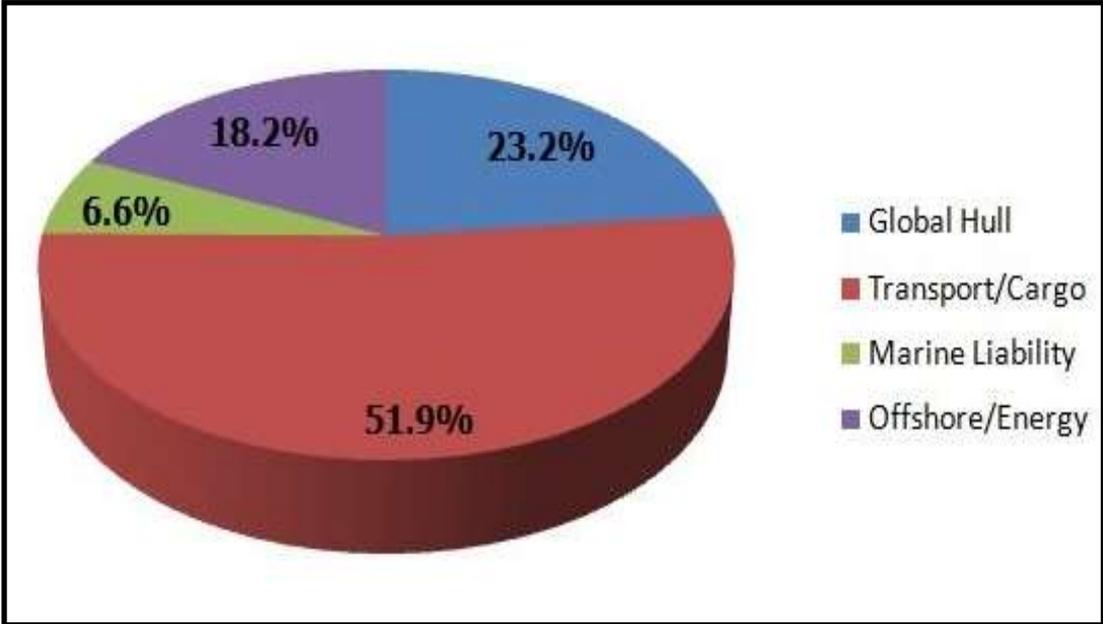
Figure 1.3   Marine Insurance Premium by line of business (Original Source taken from the Bulletin of International Union of Marine Insurance (IUMI), 2014).
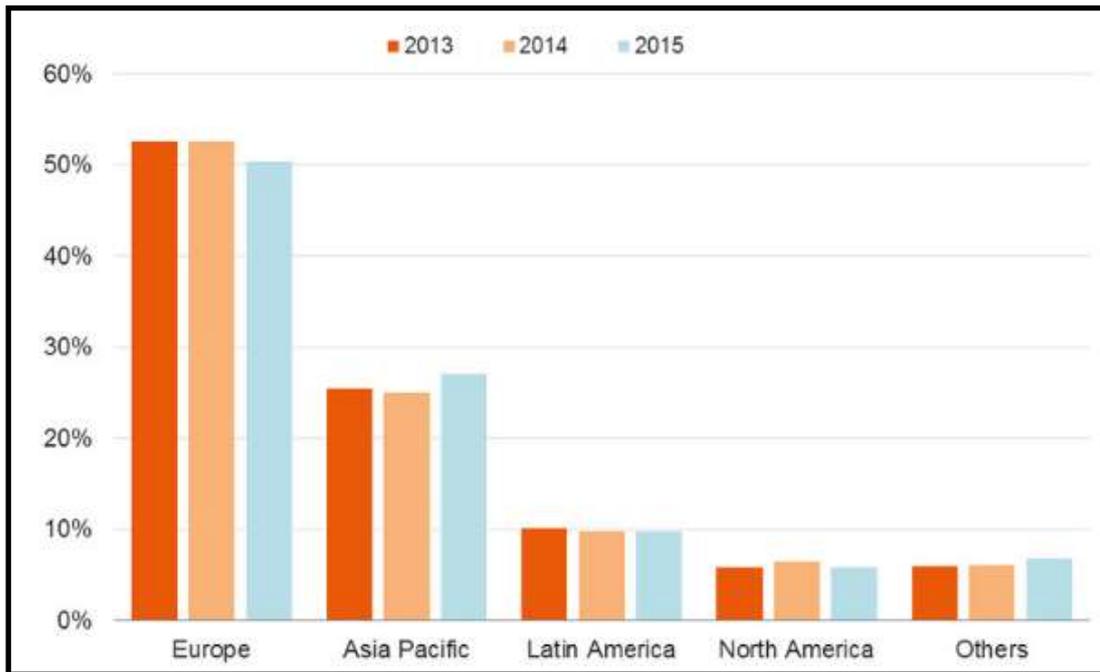
Figure 1.4   Marine Insurance Premium by Region (Original source taken from the Bulletin of International Union of Marine Insurance (IUMI), 2015).

In this globalization age, marine insurance has served as the most important insurance among other types of insurance. For example, as the world's biggest trading and shipbuilding nation, China plays a key role in Asia's marine insurance and protection area. In 2015, China became the world's second biggest marine insurance industry, trailing the UK and representing 8% (around US$2.3 billion) of the worldwide marine premium (Bulletin of HKTDC Research, 2017). In terms of benefits, the marine insurance encompasses individuals, the ship-owner, freight, and some other parties in the maritime industry.

An expensive ship like a cruise ship can experience some damages due to different types of risks, either in marine adventure or in marine perils. The shipowners may experience great losses because of the decimation of their ships. Therefore, for such unexpected situations, marine protection provides payment to cover the loss to the shipowner. In this way, the marine protection has become a critical protection for shipowners.

1.3   Problem Statement

Current evolutions in the marine industry have increased the need for insurance. It is quite realistic considering the ability of marine transportations to carry a huge volume of goods and deliver them over long distances. Therefore, at the same time, it also poses greater threats to the industry. In case of accidents, the losses will be intensified by other financial-related penalties, and it will be a major burden to the shipowners. The main problem is the settlement claim process of the marine insurance. A lot of procedures and too many actions will need to be taken, adding to the long wait of the claim process, either through an organization or individual marine insurance. It normally takes 3 to 12 years to settle a marine insurance claim process; some cases, however, even take a longer time to finish. For example, the claim procedure for Hebei Spirit is still ongoing and the affected area is still under cleaning process (Review of the International Association of Oil and Gas Producers, 2015).

This is one of the weaknesses of the marine insurance claim process and management. Until now, this problem has not been resolved yet. This is the main risk to the organization and professional marine insurance holder. For the Hull and Machinery (H & M) Insurance coverage, especially in General Average condition and salvage cases, the claim settlement also takes a longer time to settle. This happens due to the complexity of the procedures, processes, and relevant rules and clauses. These typical arrangements are normally carried out by an average adjuster who processes all the necessary information and security related to the case. He also guarantees that each claim from the insured's side is well established and is lawfully executed.

The marine insurance is created to provide indemnity for the shipowners by covering and guaranteeing the losses experienced after an accident. It appears to be intentional to include that regulation to anticipate a bogus report from the genuine actualities made by the safeguarded. On the other hand, if the hazard happens to a delivered cargo, the beneficiary of the load must be willing to be examined on all the included parts related to the state of the freight, quickly when this falls into his

discernment. The safety net providers must be notified about the occurrence so that they can delegate an auditor who will assist the cargo examination.

Insurance coverage for the third-party liabilities coverage is one of the most essential coverage policies in the P & I Club marine insurance, which also covers other essential items such as cargoes, oil pollution, personal injury, etc. The initial problem of the P & I Club rules for the third-party losses and damages is the "paid to be paid" agreement. This regulation says that the compensation must be paid first before getting insured by the Clubs, which causes the compensation claim to take a longer time to settle. As mentioned in the P & I Club insurance policy contract based on the "Pay to be Paid" rule, when a vessel encounters an incident, the Club member or shipowner should first liquidate their compensation to the third party and then reclaim for indemnity from the P & I Club as per rule. In that case, there will be a long delay in the reimbursement process. Also, the difficulty increases and it becomes even more complicated to claim compensation over a loss or damage due to the procedures regulated in the P & I Club; which causes a time constraint.

The time constraint resulted in the compensation process may not be a serious concern to the marine insurance company, but it will be a significant burden to the shipowners. It is because the shipowners or Club members should first pay and settle the case with the third party before they can reclaim a reimbursement from the Club. In most cases, the time constraint just becomes longer, and in some cases, it may take many years (Richmond D., 2010). Some P&I Club members or shipowners, living in different countries and are under the P&I Club rules of that country, may already face serious financial problems, bankruptcy, or insolvency while waiting for the Club to reimburse the indemnification for their cases (Richmond D., 2010). Hence, the compensation claim procedure in P&I Clubs has an issue of time delay in paying the compensation, moreover, the procedure just burdens the companies. Previous studies of marine insurance have not focused on the compensation time constraint, instead, most of the studies done in marine insurance have only been centering on the procedures in making claims under the P&I Club (Steven J. Hazelwood, 2000).

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Furthermore, most claiming processes take a long time as no specific time constraint for the settlement of the compensation claim has been mentioned in the insurance contracts. The so-called hidden terms in the insurance policy even make it more difficult for the shipowners to settle their case. By researching these phenomena, the outcome of this study will provide some benefits to the shipowners in terms of finding, scheduling, and preparing the appropriate financial support before dealing with the burden of an accident after a loss. (A. Mavrakis, 2015; Gedalla, Jackson, & Sanders, 2004; Pazarzis, 2009).

1.4   Research Objectives

This study was intended to achieve 6 (six) research objectives as mentioned in the following section:

1.4.1   To review the existing insurance policy management processes governed by multiple practices, general contract law, and the law of evidence in the marine insurance law. The reason is to clarify all of the policies in the process.

1.4.2   To identify the causes of delay in processing marine insurance claims. This will help formulate some alternative procedures to reduce, minimize, or even remove the delays in the claim process.

1.4.3   To study and modify the current implementation constraints in marine insurance, including the Hull and Machinery (H&M) Insurance, particularly, General Average condition and P&I Club marine insurance by using the "Pay to be paid" rules.

1.4.4   To determine and propose a new claim management in the marine insurance law so as to reduce the time constraint throughout the compensation process. Sometimes, the long delay is only caused by troublesome procedures.

1.4.5   To find potential technological supports that could be used to simplify and make the claims process more efficient. Technologies from other industries may be adapted to marine insurance to reduce the time constraint in the process of settlement claims.

1.4.6   To analyze, suggest, and share ideas to upgrade the current practices in processing the compensation of marine insurance. Hopefully, some new ideas can benefit both the shipowners and the marine insurance companies.

1.5   Research Questions

By conducting this research, this study aims to answer and address the following research questions:

1.5.1   What are the common claims filed by the relevant parties?

15.2   What are the legal principles and practices in marine insurance that cause long delays in the claim process?

1.5.3   How will the current claim process be implemented in different countries using the "Pay to be paid" rule?

15.4   How does the specific application of the "Pay to be Paid" rule cause long delays in the claims process?

15.5   How alternative procedures can save time in the claims process?

1.5.6   What practical and effective suggestions or solutions can be proposed in processing a marine insurance claim that would benefit both the shipowners and the marine insurance companies?

1.5.7   How can technology implementation eradicate the long delays in processing the marine insurance claim under the existing legal framework?

1.6   Significance of the Research

This thesis provides an important opportunity to advance the understanding of insurance, particularly in the realm of maritime insurance. This is the major study to undertake an analysis of the time constrain in compensating claims in marine insurance law and P&I Club policy. The finding should make an important contribution to the field of marine insurance and will be able to make a big difference in addressing the problems of marine insurance claims among shipowners, shipping companies, cargo owners, and the third parties. The significance of this dissertation is to introduce and suggest some management innovations by employing some unique principal methods or new procedures to settle the claim faster.

As a researcher who continues to value any possible alternatives from this investigation system, it is believed that the arrangements can offer some incentive to numerous zones of the marine insurance company. The findings of this study may also have the potential to be implemented in the marine insurance policy. Allowing a reasonable time constraint to compensate a claim after facing losses will offer a fair contract to the shipowners and help build a good rapport between the marine insurance providers and other stakeholders. This will create a good relationship between the shipowners and the insurance companies; which consequently helps develop a good business relationship between them.

1.7   Research Flow

This   dissertation is divided   into   5   chapters.   After the   introduction section, chapter 2 will provide some reviews, investigations, and analyses on the existing insurance policy. The process is carried out by selecting some related cases in the area of maritime insurance and comparing them with the closest equivalents in general insurance. In this chapter, some examples of *related* case studies under Hull and Machinery (H & M) Insurance are presented (i.e., General Average and Salvage and the fundamental rule in Protection and Indemnity (P & I) Club insurance, i.e., "Pay to be paid" rules). Chapter 2 also suggest some possible alternatives to adjust the time constraint in insurance claims and review some potential innovation and ideas to reducing the time constraint in marine claims.

Chapter 3, built on chapter 2, explains the methodology used in the current study to assess the existing practices and constraints by developing a quantitative method using a questionnaire as well as an expert panel interview. In this chapter, the theoretical and conceptual framework, hypotheses, and methods of data collection and analysis are discussed.

Next, chapter 4 reports the findings from the data analysis in two main sections. The results are analyzed using the Delphi method; which is presented with a five-scale Likert response. Additionally, a descriptive statistics analysis is used to transform the raw data into information that can describe the factors in this study. Furthermore, the researcher also applying the Hypotheses in getting the results.

Finally, chapter 5 concludes the study based on the findings found in chapter 4. This chapter also proposes and discusses some marine insurance innovations for reducing the time constraint by applying the financial system and credit line services.

As there are various types of marine insurance available under the law, in this study, the investigation is mainly focused on the "Pay to be Paid" rules in the marine insurance; more specifically, insurance that covers the third-party insurance coverage in the marine transportation industries and shipping companies.

This research is be based on the research flow chart shown in figure 1.5, putting together all the reviews, ideas, and suggestions in this research.

Research Proposal Flow Chart

Research Question → **1. Introduction** — Summary of Proposal
What? Why?
How?

Literature on Topic → **2. Literature Review** — Find a Hole
Literature on Method — Look for Debates
Theoretical Approach
Why? How?

Research Design → **3. Methodology** — Selection and Access
Research Procedures — Human Subjects Review
Kind of Data — Ethics Statement
Collection Procedures — Costs and Funding
How?

Evidence of Importance → **4. Preliminary Data** — Preliminary Findings
Informs Methodology — Important categories & Relationships
What?

Alternatives → **5. Statement of Limitations** — What your research will do
Weaknesses

Contributions → **6. Conclusion** — Importance
What? How? Why?

Figure 1.5   Research Proposal Flow Chart

1.8 Limitations

The reader should bear in mind that the current study is based on the marine insurance policy only. This study generalizes the data and it will not follow any jurisdiction law. Due to practical constraints, this study will only focus on the time constraints experienced in the marine law and marine insurance claim management. The details of limitation in marine insurance can be seen in Figure 1.6 below.
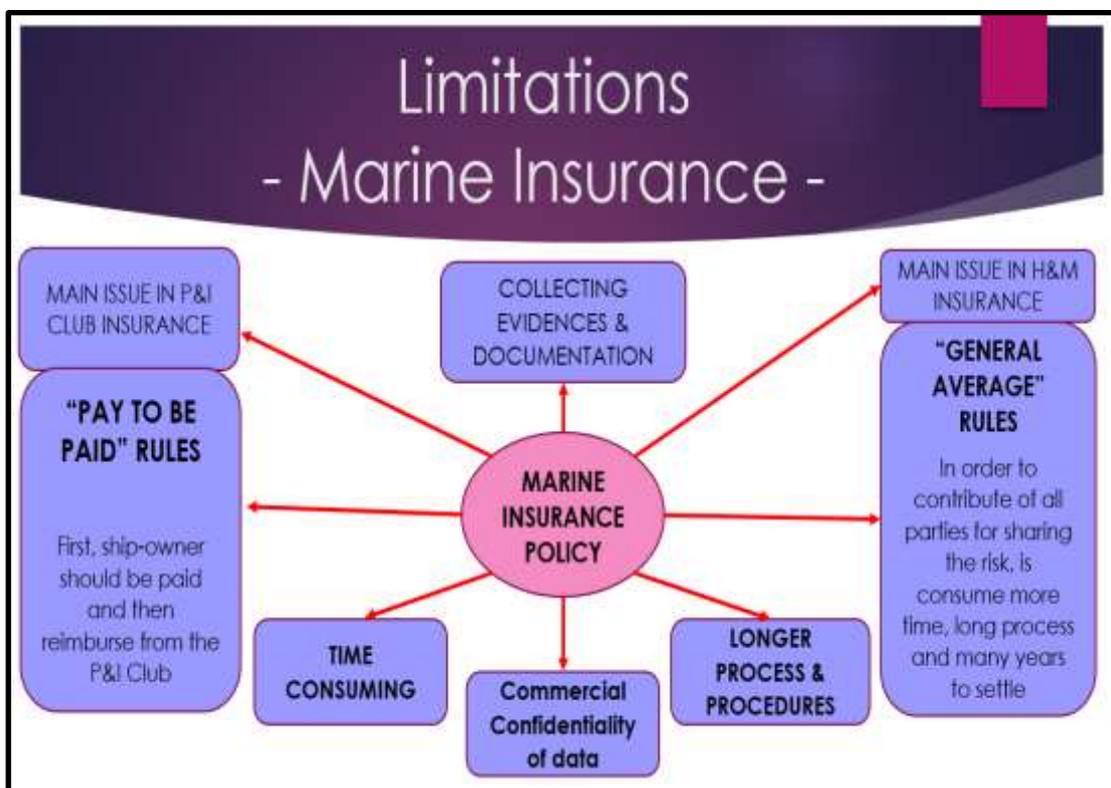
Figure 1.6   Limitations in Marine Insurance

1.9   Conclusion

In the new global economy, the time constraint has become a central issue faced by shipowners in processing their compensation. When a shipowner suffers from a loss, he needs the necessary financial support as soon as possible either to repair the ship, compensate the goods, or pay the third party. If the compensation of a claim is delayed, it would cause the shipowner further losses. Therefore, the shipowners have the right to know how long it will take for a claim to get compensated. If they insured a ship, they also need to know that they are entitled to receive compensation as soon as possible.

In the modern development of technology, insurance companies should also develop their technological support systems. There should be no more issues involving the claim time frame. Innovations in marine insurance should be developed quickly in this era of modernization in order to catch up with technological advancements. Hence, this dissertation will be one of the starting initiatives for the development of technological innovations in the realm of marine insurance. Over the past centuries, there have never been any technological innovations or proper developments of marine insurance policy claims. This reality just makes it is more urgent to develop some technological innovations in the field of marine insurance policy claims, and because of the dramatic technological improvements in the marine industries and sea transport.

Lean-driven digitization means insurers can leave behind high costs and low scalability. Online claim reporting systems, automatic claims processing, and digital fraud detection should be able to reduce expenses and improve effectiveness. The lean implementation ensures all steps are focused and aligned to adding value, one piece at a time, removing all wasteful and unnecessary activities from the processes. Digitalizing the customer experience is more effective because many customers do not need to wait for an underwriting decision anymore, and get a binding offer immediately instead. It is one way to reduce or avoid any delays in the claim

process. Throughout the process, insurers and their implementation partners need to work diligently on the front lines – that is, side-by-side with shipowners. Not only will it help shipowners from avoiding unnecessary costs to a service or product, but they are also best placed to identify wasteful processes or activities. For the best results, marine insurance companies must emphasize a collaborative approach that empowers and motivates their workforce to become a key driver in long-term and sustainable improvements.

It is believed that the marine insurance policy should be promoted by parallel trends with the innovation policy and technology improvements in the marine industry; all of which will produce a combination of efforts to sort out vessel accident issues by providing the necessary compensation within the sufficient and reasonable time frame.

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