



Hamid Khanbhai

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Hamid Khanbhai is developing a broad practice across all areas of Chambers' work, with an emphasis on commercial dispute resolution (including international arbitration) and professional liability.

Hamid has appeared, both as sole and junior counsel, in the High Court and the county courts. He has experience of large-scale multi-party litigation. He enjoys working on his own as well as part of a team, and strives to pursue an approach that meets his clients' commercial requirements.

Hamid is a member of COMBAR.

Commercial: Hamid has experience of commercial litigation and arbitration encompassing a wide variety of domestic and international disputes. He has particular expertise in insurance and reinsurance disputes, as well as matters raising issues of the conflicts of law and jurisdiction. Hamid also has experience of construction disputes, shipping disputes (charterparties, ship registration and mortgages), sale of goods disputes and civil fraud.

Professional Liability: Hamid has experience of claims for and against professionals including solicitors, surveyors, accountants and auditors, and insurance brokers & agents.

Publications

Hamid contributed a feature article in the Butterworths Journal of International Banking and Financial Law on the Court of Appeal decision in *Fortress Value Recovery Fund v Blue Skye Special Opportunities Fund* [2013] EWCA Civ 367; [2013] 2 All ER (Comm) 315; [2013] 1 Lloyd's Rep 606. The article is "Stormy skies: uncovering the problems of section 8 of the Contracts (Rights of Third Parties) Act 1999" B.J.I.B. & F.L. 2013, 28(7), 421-423.

Hamid has also written for Insurance Law Monthly and Law in Sport.

Privacy Policy

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Areas of Expertise

Insurance & Reinsurance

Hamid has a deep interest in insurance and reinsurance work. He has expertise in large-scale insurance and reinsurance disputes involving issues such as coverage, aggregation, avoidance for material non-disclosure and misrepresentation.



He is familiar with a wide range of contracts of insurance, including cover for directors & officers; public authority officials; material damage and business interruption; marine risks (hull, cargo); K&R; political risks; and professional indemnity. He has experience of facultative reinsurance as well as both proportional and non-proportional treaty reinsurance.

Recent work includes:

- Advising an insurer under an excess layer of professional indemnity insurance about avoidance and/or repudiation of liability on the basis of material non-disclosure, misrepresentation, breach of warranty, contractual exclusions, and/or a condition precedent to liability.
- Coverage advice in the context of a multi-layered excess of loss primary insurance providing, amongst other things, D&O cover to a multi-national bank facing a US\$60 million claim under section 90 of FSMA in respect of allegations of untrue / misleading statements and/or omissions in a prospectus to a rights issue. The top layer of the tower included D&O cover written on a Bermuda Form.
- Advice on aggregation provisions in a policy of insurance covering civil liability to a multi-national bank that was facing claims amounting to some US\$ 100m. The underlying claims arose out of alleged mis-selling of Knock-In Knock-Out Options for foreign currency hedging.
- Coverage and notification issues in relation to a policy of Public Authority Officials Indemnity Insurance in the context of a £20-million claim arising out of a public procurement process.
- Acting, with Justin Fenwick QC and Graham Chapman QC, for a multi-national reinsurer in a £10-million claim for breach of an alleged success fee agreement which raised issues of actual/apparent agency, formation of contract (in particular the intention to create legal relations), waiver, and breach of fiduciary duty. The action was compromised on favourable terms for the reinsurer shortly before trial.

Hamid was invited by David Turner QC to be one of four speakers in a reinsurance seminar in Dubai. Hamid spoke on the liability of a Lloyd's placing broker to a local-market (a) cedant and (b) producing broker.

Qualifications & Memberships

Hamid received a 1st in Modern Languages (French and Spanish) from Magdalen College, Oxford. He was appointed to the William Alexander Fleet Fellowship at Princeton before returning to Magdalen to read History as a graduate. Before coming to the Bar, Hamid taught naturalistic drawing and oil painting in Florence.

At Oxford, Hamid was a William Doncaster Scholar, Heath Harrison Scholar, and winner of the Anglo-Spanish Society Prize. After receiving a distinction in the GDL at City University, Hamid was called to the Bar at the Inner Temple where he was a Scholar and Exhibitioner.

Education – B.A. (Oxon), M.St. (Oxon), Dip. Law (City).

Languages – French, Spanish and Italian