

IN THE COURT OF APPEAL OF BELIZE, A.D. 2014

CIVIL APPEAL No. 38 of 2011

INSURANCE CORPORATION OF BELIZE LTD. Appellant

V

FUTURE VISION INVESTMENT CO. LTD Respondent

BEFORE:

The Hon. Mr. Justice Dennis Morrison - Justice of Appeal
The Hon. Mr. Justice Samuel Awich - Justice of Appeal
The Hon. Madam Justice Minnet Hafiz-Bertram - Justice of Appeal

Rodwell Williams SC along with J. Ellis-Bradley and
Stevanni Duncan for the appellant

Godfrey Smith SC for the respondent

22 October 2013 and 14 March 2014

MORRISON JA

[1] I have had an opportunity to read in draft the judgment prepared by Hafiz-Bertram JA in this matter. I agree with her reasoning and her conclusions and have nothing to add.

MORRISON JA

AWICH JA

[2] I concur in the judgment prepared in this appeal by Hafiz-Bertram JA, and in the orders agreed that: the appeal is allowed; the judgment dated 11 April 2011 of Legall J in the court below is set aside; the orders made by Legall J are quashed; the appellant have costs of this appeal and costs in the court below. The order for costs is provisional to become absolute on the conditions set out in the judgment of Hafiz-Bertram JA; and the notice to vary the judgment is dismissed.

[3] The respondent was insured to be indemnified for: loss or damage to property caused by:

- “. *Fire, lightning, Thunderbolt*
- . *Hurricane, Windstorm, Tornado, Cyclone, Hail, Typhoon, Earthquake, And Volcanic Eruption to Include Flood caused by these perils*
- . *Riot & Strike*
- . *Malicious Damage*
- . *Explosion.*”

