

If the insurer has paid part only of the amount of the loss, he cannot exercise his right to the prejudice of the right of the assured or of the beneficiary to claim from the third person the remainder of the compensation.

S

(old section 936)

No change.

part of the loss paid by the insurer to the remainder

T

(old section 937)

No change.

U

(new section)

Under otherwise agree between the parties, an
~~An insurer is not liable when the loss has been caused by the nature or the defects of the subject of the insurance, or by its natural waste, or by the fact of the assured or beneficiary acting in bad faith or with omission of such care as may be expected from a person of ordinary prudence.~~

(Jap. Com. 396)

The insurer is not liable when the loss has been caused by the fact of the assured or beneficiary acting in bad faith

V

(old section 938)

No change.