

IMPORTANT - Update to your policy



We constantly review our policies to provide you with up-to-date cover.

The following amendment is being made to your policy. If the Liabilities cover is in force under your policy, then we are providing cover for legal costs where prosecutions are brought under recent Corporate Manslaughter and Corporate Homicide legislation. If the Liabilities cover is not in force then this cover will not apply.

Please keep this amendment with your policy document.

Endorsement:

Corporate Manslaughter Defence Costs

The Employers' Liability and Public & Products Liability cover of this policy (including any Treatment risk cover) is extended to indemnify the policyholder in respect of legal costs and expenses incurred with OUR prior written consent in connection with the defence of any criminal proceedings or an appeal against conviction which arise from criminal proceedings for any offence as defined in Section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007 committed or alleged to have been committed during the period of insurance in the course of the BUSINESS

Provided that:

1. OUR liability under this extension shall not exceed £1,000,000 in any one period of insurance. This limit will form part of and not be in addition to the limit of indemnity stated in the schedule
2. if this policy provides legal expenses insurance this extension shall only operate in respect of any additional amount beyond the amount payable under the legal expenses section
3. where WE have already provided an indemnity in respect of any legal costs or expenses incurred in the defence of any criminal proceedings arising out of the same event or occurrence which has given rise to the proceedings in respect of corporate manslaughter or corporate homicide any amount already paid by US will be taken into account in calculating OUR liability under this extension
4. WE must consent in writing to the appointment of any solicitor or counsel who is to act for and on YOUR behalf
5. YOU shall notify US immediately about any summons or other process served upon YOU which may give rise to a claim under this extension
6. any appeal can only commence if counsel has advised that it is more likely for an appeal to be successful than not

Effective date

Policy number

Insured

Our update reference
DAP/01062008/



No indemnity will be provided

1. where indemnity for defence costs is available from any other source or is provided by any other insurance or where but for the existence of this extension indemnity would have been provided by such other source or insurance
However this exclusion shall not apply in the circumstances outlined in proviso 2
2. in respect of any proceedings which result from any deliberate act or omission of the INSURED or any partners directors or managerial employees of the INSURED while acting in their corporate capacity and which could reasonably have been expected having regard to the nature and circumstances of such act or omission
3. in respect of fines or penalties of any kind including the costs of remedial or publicity orders or the steps required to be taken by such orders