

PROFESSIONAL INDEMNITY // DESIGN & CONSTRUCT CONTRACTORS //
TECHNICAL SPECIFICATIONS // AUSTRALIA

Technical Specifications: PI Insurance for D&C Contractors

Protecting Professionals

The construction sector continues to be a significant area of growth and activity but also of litigation. Faced with ever-increasing project complexity, tight budgets and even tighter timeframes, the last thing a D&C Contractor wants to spend time worrying about is the quality of their insurance coverage.

Liberty's **Professional Indemnity Insurance for D&C Contractors (08-10)** recognises the complexity of modern design and construction activities. It has been specifically designed to help D&C Contractors manage the unique legal risks involved in combining design and construction services and features one of the broadest professional services definitions available in the marketplace.

What is covered?

- ▶ **Civil Liability** - the insured incurs arising from the performance of their professional services (and it's not tied to a breach of professional duty)
- ▶ **Defence Costs Paid in Advance** - prior to final resolution of a valid claim
- ▶ **Personal Injury, Property Damage and Pollution** - claims arising from the performance of professional services by the insured
- ▶ **Deemed Employees** - contractors and consultants who are deemed employees under the workers' compensation laws
- ▶ **Implied Warranties & Conditions** - for claims alleging breach of warranty or condition as to merchantable quality, due skill and care or fitness for purpose implied in a contract under common law or the Trade Practices Act
- ▶ **Limitation of Liability Contracts** - the insured's right to claim under our policy will not be prejudiced by contracts entered into by the insured with other parties that limit the other parties' liability
- ▶ **Multiple Causes of Loss** - if there are a number of insured and excluded causes which contribute to a loss, the policy will indemnify the insured for that part of the loss which is insured under the policy
- ▶ **Public Relations Costs** - for engaging a public relations consultant to protect the insured's professional reputation in the event of a claim or potential claim

- ▶ **Contractual Liability (Optional)** - for liability the insured incurs under an indemnity or hold harmless term of a contract to the extent that such liability results from the insured's performance of professional services
- ▶ **Loss Mitigation & Rectification (Optional)** - direct costs and expenses incurred by the insured in taking action to rectify or mitigate the effects of any act or omission that would otherwise result in a claim covered under the policy
- ▶ **Novated Contracts (Optional)** - for liability the insured has assumed by reason of a novated contract
- ▶ **Proportionate Liability (Optional)** - for liability the insured has assumed by contracting out of proportionate liability legislation

Other Extensions Include:

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|-----------------------------|--------------------------------|--------------------------------------|
| ▶ Breach of Confidentiality | ▶ Intellectual Property Rights | ▶ Professional Inquiries |
| ▶ Continuous Cover | ▶ Interference with Privacy | ▶ Spouses, Estates & Representatives |
| ▶ Defamation | ▶ Joint Ventures | ▶ Trade Practices Act |
| ▶ Extended Policy Period | ▶ Loss of Documents | ▶ Vicarious Liability |
| ▶ Fraud & Dishonesty | ▶ New Subsidiaries | ▶ Reinstatement (Optional) |
| | ▶ Period of Grace | |

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