

Public Liability Insurance

Legal liability to pay compensation for

Accidental death/bodily injury to Third Party and/or

loss of or damage to Third Party property

in connection with the business of the Insured

Exclusions

A) Injury to or illness of any person under a contract of service, apprenticeship or employment with Insured

B) The ownership, possession or use of:

- i. any mechanically propelled vehicle licensed for road use and loading or unloading of such
- ii. any lift, elevator, escalator, hoist or crane
- iii. ship vessel or aircraft and loading or unloading of such

C) Loss of or damage to property belonging to or in the custody or control of the Insured on which the Insured is or had been working if that loss or damage results directly from such work.

Exclusions (con't)

D) Any goods, commodity, article or thing sold, supplied, repaired, altered, serviced, installed or treated by or to the order of the Insured

E) Seepage pollution or contamination.

F) Fines, penalties, punitive or exemplary damages.

G) Injury or damage directly or indirectly from:

- i. any lack of care or skill in giving of professional or other advice.
- ii. any fault , error or omission in any design plan or specification.
- iii. vibration or the removal or weakening of or interference with support to land building or any other property.

Exclusions (con't)

- H) The cost of removing, nullifying or cleaning up seeping, polluting or contaminating substances.
- I) Loss of or damage to property caused by the explosion of any boiler or apparatus owned or used by the Insured.
- J) Liability assumed by the Insured under any contract or agreement whether written or verbal or implied

Underwriting Factors –

- Occupation/trade
- Situation of the risk
- Surrounding third party properties
- Equipment or machinery used
- Loss history
- Limit of indemnity

Consider the following –

- Physical state of property and possible threat
- Hazards from activities at the premises and its proximity to and nature and occupation of adjacent property
- Contact with other occupants and visitors etc
- Special hazards relating to use of plant and equipment, congestion and inadequate lighting etc
- Any off premises activities carried out by the Insured
- Nature of goods produced or materials used
- Number of exposure units involved

- Other exposures such as advertising signs, plant on hire, sports, social, recreational, canteens, exhibitions, nursing and medical facilities
- Claims experience in the past
- Management attitude towards risk control
- Number of parties insured in the same policy... “for their respective rights and interests”

Basis of rating

- Limit of Liability
- Turnover
- No. of outlets
- Space occupied

Public liability

1. Payable when there is legal liability on the part of the insured.
2. Legal liability arises when the injury to third party / damage to third party property is caused by the negligence of the insured (falling below the duty of care reasonably expected of them)

- Duty of care – Insured has a duty to take care for interest of others (act reasonably, warn others of hidden dangers, take care to prevent injury to others etc)
- Breach of duty of care – Insured did not keep up to the standard reasonably expected of him
- Injury / damage must be quantifiable

Commercial General Liability Insurance

Commercial General Liability Coverage Form – Claims Made

- Policy has the following structures:

Section I – Coverages

Coverage A – Bodily Injury and Property Damage Liability

Coverage B – Personal and Advertising Injury Liability

Coverage C – Medical Payments

Supplementary Payments – Coverages A and B

Section II – Who is an Insured

Section III – Limits of Insurance

Section IV – Commercial General Liability Conditions

Section V – Extended Reporting Period (ERP)

Section VI - Definitions

Commercial General Liability Coverage Form – Occurrence

- Policy has the following structures:

Section I – Coverages

Coverage A – Bodily Injury and Property Damage Liability

Coverage B – Personal and Advertising Injury Liability

Coverage C – Medical Payments

Supplementary Payments – Coverages A and B

Section II – Who is an Insured

Section III – Limits of Insurance

Section IV – Commercial General Liability Conditions

Section V – Definitions