



Technical Specifications Information Technology Liability Insurance



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Liberty Offers a Unique Solution for IT Organisations

The ever increasing reliance on technology by business and consumers has driven fantastic growth in the IT sector – but that reliance on technology means the companies that provide it are increasingly vulnerable to legal actions claiming non-performance, failure to deliver and a whole host of other liabilities.

Below is a list of the covers provided by Liberty's **Errors & Omissions Liability (E&O) Policy for IT Organisations**. Liberty's Combined General & Products Liability (CGL) Policy for IT Organisations is also available and provides complimentary cover for a range of closely related exposures.

Important: Covers itemised in this document are general subject headings which may not describe key exclusions or qualifications. You must read the policy.

So What's Covered? Key Features Tailored to the IT Industry

- **Defence Costs Paid in Advance** prior to final resolution of a valid claim
- **Contractual Liability** loss the insured is legally liable to pay under an indemnity and/or hold harmless term of a contract to the extent that such loss results from an act error or omission of the insured
- **Implied Warranties & Conditions** for claims alleging breach of warranty or condition implied in a contract under common law and TPA
- **Limitation of Liability Contracts** the insured's right to claim under our policy will not be prejudiced by commercial contracts and agreements with other parties that limit their liability
- **Statutory Compensation Orders** compensation payable in civil penalty proceedings brought under Australian or New Zealand legislation arising from claims covered under the policy
- **Contractors & Consultants** cover for persons or companies with no more than two employees in respect of IT services or products provided for or on behalf of the named insured
- **Intellectual Property Rights** unintentional breaches excluding North America
- **Breach of Confidentiality** for liability at law for breaches of confidentiality
- **Interference with Privacy** for unlawful interference with privacy
- **Replacing or Restoring Documents** first party cover for replacement and restoration costs

The information in this document is presented by Liberty International Underwriters a trading name of Liberty Mutual Insurance Company ABN 61 086 083 605 Incorporated in Massachusetts, U.S.A. (The liability of members is limited). The information provided here is only a summary of the coverage provided by the policies and should not be relied upon in any way. Nor should it be relied upon as a substitute for the actual policy wordings. Refer to the policy wordings for the complete terms and conditions. This information is accurate as at April 2011.

- **Exemplary & Punitive Damages** the exemplary or punitive damages the insured is legally liable to pay under Australian or New Zealand law arising from claims covered under the policy
- **Loss Mitigation & Rectification (Optional)** direct costs and expenses incurred in taking action to rectify or mitigate the effects of any act, error or omission that would otherwise result in a claim covered under the policy

Other Extensions Include:

Defamation	Trade Practices Act	Joint Ventures
Vicarious Liability	Fraud & Dishonesty	New Subsidiaries
Continuous Cover	Extended Policy Period	Inquiry Costs
Reinstatement (Optional)	Spouses, Estates & Representatives	

Other Conditions & Definitions

- **Allocation** senior counsel clauses apply to disputes regarding decisions to defend claims and allocation between covered and uncovered matters
- **Change in Control** if a change in control occurs during the policy period, the policy will only provide cover for acts, errors or omissions prior to the effective date of the change in control
- **Severability of Proposal & Non-Imputation** offers protection for innocent insureds
- **Insured** the definition of insured includes subsidiaries which were a subsidiary of the named insured prior to the commencement of the policy period
- **Information Technology Products & Information Technology Services** both expressions are broadly defined which expands the scope of cover and reduces the potential for disputes over whether a claim involves a “service” or a “product”

Our Capacity

For IT Organisations	For IT Organisations	For IT Projects
Errors & Omissions Liability	General & Products Liability	Errors & Omissions Liability
up to \$25,000,000 capacity	up to \$25,000,000 capacity	up to \$15,000,000 capacity maximum policy period 72 months maximum project development period 36 months

Want to Know More?

To find out more about Liberty’s Information Technology Liability Insurance products ask your broker to contact one of our specialist underwriters or visit www.liuaustralia.com.au

Sydney
T + 61 2 8298 5800

Brisbane
T + 61 7 3235 8800

Perth
T: + 61 8 6188 9500

Melbourne
T + 61 3 9619 9800

Adelaide
T + 61 8 8124 8500