

## DESIGN & CONSTRUCT

### Professional Indemnity

Professional Indemnity insurance provides essential financial protection for Construction (Design & Construct) consultants against potential losses as contractors increasingly take on design liability either by employing their own in-house design professionals or by assuming liability where they sub-contract out the design element.

#### Key Exposures

Design failure
Inadequate / incorrect advice, design, specification
Inadequate supervision / project management
Inappropriate / incorrect certification
Lack of experience
Poor work documentation
Poor communication with clients

Newline Australia provides a tailored Construction (Design & Construct) Professional Indemnity insurance policy based on a broad civil liability wording.

#### Key Facts

<b>Security</b>	Lloyd's (Newline Syndicate 1218)
<b>Security Rating</b>	"A+" from Standard and Poor's
<b>Line Size</b>	Up to \$25 million capacity
<b>Reinstatements</b>	Typically two (2) reinstatements
<b>Capacity Use</b>	Primary layer (preferred); Excess layer; Co-insurance
<b>Geographical</b>	Worldwide (excluding North America)
<b>Jurisdiction</b>	Australia

#### Underwriting Criteria

- Newline Australia Design & Construct Proposal Form (or suitable substitute) – must be signed.
- Full claims information (i.e., paid claims and outstanding estimates)
- For Excess Layers:
  - Details of primary insurer and terms applied
  - Underlying wording

#### Coverage Features

##### Insuring Clauses

- Claims Made and Notified coverage basis
- Civil Liability or Negligence based, including:
  - Misleading & Deceptive Conduct
  - Libel & Slander
  - Defence Costs - inclusive within the Limit of Liability

##### Automatic Extensions

- Compensation for Court Attendance Costs - \$25K sub-limit
- Extended Reporting Period – 30 days
- Previous Business Name
- Quasi Judicial Costs - \$100K sub-limit
- Loss of Documents - \$250K sub-limit
- Newly Acquired or Created Subsidiary or Business
- Continuous Cover
- Consultants, Sub-Contractors & Agents

##### Optional Extensions

- Joint Venture Liability
- Fraud & Dishonesty
- Intellectual Property
- Mitigation Costs & Expenses
- Severability & Non-Imputation

##### Key Exclusions

- Optional Extensions (unless coverage is granted)
- Known claims / circumstances
- Personal Injury / Property Damage – however policy has a professional services write-back
- Contractual Undertakings – unless liability would attach in the absence of the same
- Conflicts of interest
- Claims by related / associated entities
- Collateral warranty / duty of care
- Defective materials / workmanship
- Mould