



# Statutory Liability product profile

## DUAL's coverage

- ✓ Fines and penalties for wrongful breaches of insurable legislation in course of business
- ✓ Supplementary legal expenses (not covered under management liability or directors and officers insurance)
- ✓ Investigation costs
- ✓ Innocent until proven guilty – advancement of defence costs until final resolution
- ✓ Crisis containment
- ✓ Public relations expenses
- ✓ Transport to and from work benefit
- ✓ New - panel counsel cover
- ✓ Limits up to \$5 million

## Target market

We have a broad target market for all private companies and public listed companies, including sectors such as manufacturing, white-collar and blue-collar industries, retail and IT.

## Selective risks

- ✓ Construction
- ✓ Forestry
- ✓ Offshore oil and gas producers
- ✓ Property development
- ✓ Transport and logistic companies
- ✓ Underground miners
- ✓ Marine

1. Industry
2. Revenue
3. Employees

Send us this information to obtain a nonbinding indication for your client.

# Proven claims experience

Our claims team have handled over approximately \$10 million worth of statutory liability and OH&S claims, so we understand the complexities of these claims. DUAL's dedicated claims team will manage the claims process from the initial notification right through to resolution, and have significant industry experience. Additionally, we engage specialist law firms where needed to handle complex claims to ensure the best outcome for the insured.

## Construction company

30 staff  
\$15 million turnover

## Background

The insured was prosecuted by the local council for breaching the Local Development Act when it cut down what were deemed significant trees. The insured was facing a maximum penalty of \$360,000.

## Outcome

After a lengthy defence, the council agreed to withdraw their claim on the basis that the insured pay its own legal costs of \$190,000.

## Building maintenance services

250 staff  
\$105 million turnover

## Background

An employee was injured by falling scaffolding. The company was subsequently investigated and prosecuted by WorkCover for breaches of OH&S legislation. As the company had prior convictions, they faced a maximum penalty of \$825,000 per contravention if proven.

## Outcome

The insured was found to have breached the OH&S Act and was fined \$125,000. The fine was not insurable by law. However, defence costs of \$265,000 were covered to defend the matter.

## Marketing company

100 staff  
\$50 million turnover

## Background

The insured sent an advertisement for a dating agency, which was deemed to be unsolicited commercial electronic messaging. The emails were sent over 10 times to approximately 400 recipients.

## Outcome

ACMA prosecuted the insured under the Spam Act. After a lengthy hearing, the insured received a favourable outcome, with charges being dismissed. Defence costs were indemnified under the policy, with a total incurred of \$275,000.

## Questions?

For further details on our statutory liability protection, please contact your local DUAL underwriter.

## Helping you do more

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