

# Information Technology Organisations and Professionals

## Customer Information Sheet

### What is an Information Technology Organisations and Professionals Insurance Policy?

Berkley Insurance Australia's (BIA) Information Technology Organisations and Professionals (ITOPS) insurance policy is a combined Professional Indemnity (PI) and Public and Products Liability (PL) insurance policy, specifically designed to cater to the IT industry.

The PI section of the policy provides civil liability protection against claims arising out of the supply or provision of your Information Technology Services or Information Technology Products in the conduct of your business.

The PL section of the policy provides protection for you against claims arising from Bodily Injury and/or Property Damage arising out of the supply or provision of your Information Technology Services, or Information Technology Products or caused by your Information Technology Products.

Combining the PI and PL coverage under one policy removes any potential gaps in cover that may occur when placed separately. In the past, such gaps in

coverage have been exposed as a result of the differing interpretations as to whether a service or a product has been provided an Insured.

### Why do I need an ITOPS policy?

A large proportion of contracts for service require information technology organisations and professionals to maintain their own PI and PL insurance policies.

More importantly, customers are becoming increasingly aware of their rights to pursue service providers where they believe those service providers are responsible for damage they have suffered in relation to those services.

Claims for financial loss can be made against you for a number of reasons:

- breaching misleading and deceptive conduct provisions of consumer legislation
- breaches of intellectual property rights
- failure to exercise your professional duty
- breach of contract
- bodily injury or property damage caused by you in the provision of your services
- bodily injury or property damage caused by your products.

Significant Legal costs and expenses can be incurred even in cases where the claim made against you is unfounded.

### Key Coverage Highlights

- Breaches of consumer legislation
- Costs of replacing or restoring lost or damaged documents owned by the Insured or for which they are responsible



Sydney

Brisbane

Melbourne

Adelaide

Perth

#### Claims Contact

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Berkley Insurance Australia is a registered business name of Berkley Insurance Company ABN 53 126 559 706 an APRA authorised insurer.



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Insurance Australia

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- Cover extends to your vicarious liability arising from your acts or your contractors
- Cover can be extended to include individuals who are employed by you as contractors
- Infringement of Copyrights or Patents
- Licensee Intellectual Property Rights
- Fines and Penalties Coverage (including privacy legislation)
- Court attendance costs where a principal, partner, director or employee is required to attend court in relation to a claim under the policy
- Claim Preparation Costs
- Costs of retaining a public relations consultant to design and implement a publicity campaign to prevent or mitigate damage to the Insured's reputation as a result of a claim
- Mitigation Costs
- Fee Recovery
- Emergency Defence Costs
- Representation costs for regulatory inquiries, disciplinary proceedings or other proceedings (including privacy inquiries)
- Access to BIA's ITOPS Legal Panel for verbal advice in relation to matters potentially covered under the policy
- Costs incurred by you in relation to the recall of your IT products (optional)
- Principal's Indemnity

### How much cover can BIA provide?

BIA can provide a limit of liability starting at \$1,000,000 up to \$20,000,000 for each coverage section.

### Who is Berkley Insurance Australia?

BIA is a trading company of Berkley Insurance Company. BIA's parent company is W.R. Berkley Corporation (WRB), a Fortune 500 company listed on the New York Stock Exchange. WRB's financial strength was given a rating of "A+ (Strong)" by Standard and Poor's and "A+ (Superior)" by A.M. Best Company. Both WRB and BIA are fully authorised and regulated by the Australian Prudential Regulatory Authority (APRA), the prudential regulator of the Australian Financial Services Industry.

### Financial Strength

"A+ (Strong)" by Standard and Poor's and  
"A+ (Superior)" by A.M. Best

### BIA Claims Team

BIA recognises that people purchase insurance policies to have their claims paid. As a result, BIA's in-house claims team is comprised of hand-picked, highly trained and experienced claims management professionals. The claims professionals are specialists in managing the risk classes covered under the various policies provided by BIA. The Claims team has a proactive approach in recognising and paying claims that arise under any policy of insurance written by BIA's specialist underwriting team. Berkley Insurance Australia is an APRA regulated Company.

### What other Products can BIA provide?

- Association Liability
- Directors' and Officers' Liability
- Management Liability
- Professional Indemnity
- Medical Malpractice
- Public and Products Liability Insurance

Please see our separate information sheets for these products.

### Contact

Please contact your broker for more information regarding Berkley Insurance Australia and their policies.

For full details of cover please refer to the policy wording.

**Contact:** [australia@berkleyinaus.com.au](mailto:australia@berkleyinaus.com.au) **Local call:** 1300 800 772

Berkley Insurance Australia is a registered business name of Berkley Insurance Company  
ABN 53 126 559 706 an APRA authorised insurer.