

## Public & Product Liability Insurance

Public & Product Liability Insurance (PPL), sometimes referred to as General Liability Insurance (GL) provides protection for your business against financial loss arising from your legal liability to pay compensation to a third party when they have suffered:

- ◆ Personal Injury;
- ◆ Property Damage; or
- ◆ Advertising Injury,

which arises out of an Occurrence in the course of your business or as a result of one of your Products, during the Policy Period.

PPL is designed to protect you and your business from claims for compensation that can arise from some of the following:

- slips & falls on your premises
- damage to a third party's property
- injury caused by you or one of your employee's negligence
- faulty or defective products
- workers' compensation recovery claims for labour-hire employees/contractors

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# Claims Examples

*The following real life claims examples demonstrate some of the protection that a Public & Products Liability Indemnity Insurance Policy can provide for your business.*

## **Logistics Company - Negligence**

**Facts:** The Insured, a logistics company was engaged by their client to remove property and decommission their premises. The Insured inadvertently disposed of hardware that was intended to be retained. The client sought indemnification from the Insured for the costs of replacing the disposed hardware.

**Result:** Berkley agreed to indemnify the Insured and paid the costs of replacing the disposed hardware.

## **Labour Hire - Workers' Compensation Recovery**

**Facts:** A labour-hire contractor suffered fatal head and neck injuries whilst operating machinery at the Insured's premises. The deceased was hired through a third party labour hire company. The incident gave rise to two claims against the Insured. The first claim was brought by the workers' compensation insurer of the labour hire company. The second claim was brought by the family of the deceased.

**Result:** After considerable negotiation, both claims were finalised with the Insured being liable to pay approximately \$180,000 which was paid by Berkley.

## **Product Liability**

**Facts:** The Insured, an importer of paint products sold one of their paint dryers to a customer. The dryer was installed by a third party. Following installation and during the second use of the dryer, a fire broke out at the customer's premises causing significant damage to the dryer and surrounding area. An engineer engaged by the Insured and their client concluded the dryer was incorrectly designed. The manufacturer of the dryer does not have a presence in Australia and as a result, the Insured would be deemed to be the manufacturer. The customer's property liability insurer responded initially, however they ultimately brought an action against the Insured for recovery of their costs.

**Result:** Berkley agreed to indemnify the Insured and paid the recovery costs of approximately \$140,000.