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# Summary of Changes

## Engineers Professional Liability Insurance for Members of the Ordre des ingénieurs du Québec

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The following is a section-by-section summary of the key changes between the updated policy form L60500E and the former policy form L60300E. The actual policy documents supersede this summary.

### Part I – Definitions

- Claim: the last paragraph has been moved to Item 5, The Insurer's Limits of Liability, of Part II – Insuring Agreement.
- Claim Expense(s): paragraphs 2, 3, 4 and 5 have been removed and are now under Part II, 1 (d) (iv), Attendance Cost.
- Damages: the definition now includes punitive and exemplary damages where insurable by law.
- Deductible: the definition now includes a reduced deductible feature for claims settled through mediation and when specific risk management conditions have been met.
- Insured(s): paragraph (c) was added to provide automatic coverage (60 days) for newly acquired and created firms.
- Pollution: has been added.

### Part II – Insuring Agreements

- Item 1 (d), Expense Reimbursement: is a new paragraph. A limit of liability of \$35,000 is now offered for the reimbursement of expenses incurred as detailed in paragraphs (i) to (iv):
  - Paragraph (i), Regulatory and Administrative Actions: was previously named Occupational Health and Safety Act. The limit has been increased from \$25,000 to \$35,000 and reimbursement now includes legal expenses incurred in the Insured's defence of proceedings brought by government agencies under federal, provincial or state law or similar regulations.
  - Paragraph (ii), Loss of Documents: the limit has been increased from \$25,000 to \$35,000.
  - Paragraph (iii), Crisis Management: is new and provides a limit of \$35,000 for expenses incurred as a result of a crisis event.
  - Paragraph (iv), Attendance Cost: the limit has been increased from \$25,000 to \$35,000 for expenses incurred as a result of attendance at judicial proceedings including mediation.
- Item 1 (g), Intellectual Property Infringement: is a new coverage. It provides a \$250,000 sublimit in the event of a claims for intellectual property infringement.
- Item 1 (h), Pollution Liability: now defined for better clarification.
- Item 3, Your Policy Period: has been clarified.
- Item 4, Circumstances and Mitigation of a Claim: this paragraph was removed from Your Policy Period and added as a new item.

- Item 5, The Insurer's Limits of Liability: has been revised. The first paragraph has been revised to state the deductible is in excess of the limit of liability and the aggregate limit is now applied on an annual basis. The second paragraph of the claim definition has been moved to be included in this item. Supplementary payments are in addition to the limits of liability regardless of claim jurisdiction.

### **Part III – The Exclusions to Your Insurance Coverage**

- This section has been reformatted; the exclusions are now itemized in alphabetical order.
- Items 2 (a) and (b) of former policy form L60300E are now under Item 11, "Ownership Interest" and we now provide coverage for claims originating from independent third parties.
- Item 3 (a) of former policy form L60300E is now under Item 6, "Faulty Workmanship".
- Item 3 (b) of former policy form L60300E is now under Item 13, "Products Liability".

### **Part IV – General Conditions**

- Subparagraph (i), Notice, of Item 1 (a): has been amended.
- Item 3, Your Consent to Settle: has been improved. The obligation to defend continues.
- Item 4, Other Insurance: has been amended to make the OIQ policy excess of all other valid and collectible insurance.
- Item 5, The Insurer's Rights to Recover From Others: has been amended to include an automatic waiver of subrogation if the insured has a written agreement to this effect.
- Item 14, Interpretation: has been added.
- Item 15, Policy Conformity With Statutes: has been clarified.
- Item 16, Continuity: has been added.
- Item 17, Trade or Economic Sanctions: has been added.

*This document is for illustrative purposes only and is not a contract. It is intended to provide a general overview of the program described. Please remember only the insurance policy can give actual terms, coverage, amounts, conditions and exclusions. Program availability and coverage are subject to individual underwriting criteria.*