



OPTIONAL TOP UP INSURANCE

Affinity

Top up insurance is optional for barristers requiring additional insurance to cover them above the compulsory primary layer of \$2 million cover.

Top up insurance offered will be offered by Affinity Insurance Brokers (Affinity).

Affinity has arranged for Insurance Australia Limited trading as CGU Insurance (CGU) to provide "Top Up" Professional Indemnity Insurance cover which is available in seven layers up to \$18 million (in excess of the LPLC compulsory primary layer of \$2 million).

We are pleased to advise that CGU have agreed not to increase premiums this year. The policy wording also remains unchanged save for endorsement on the following page.

Features of Affinity's cover are

- Cover for **Employment Practices Breaches**. Cover is afforded for claims arising from a range of employment related acts including but not limited to:-
 - Workplace harassment (sexual or otherwise)
 - failure to employ, promote or grant tenure.
 - discrimination / wrongful termination of employment
 - wrongful discipline or negligent evaluation of employment performance
 - Drop-down cover is provided up to **\$100,000 in the aggregate** with a \$5,000 excess. **This cover is currently an exclusion under the LPLC Professional Indemnity Insurance for Barristers Policy.**
- A 20% premium reduction continues for those barristers who are members of the Professional Standards Scheme (PSS). For details of PSS for members please see the Victorian Bar website under Legal Practice and Compliance, Professional Standards Scheme.
- Free Run Off cover for current policy holders who cease to practice during the period of insurance, subject to the receipt and acceptance by CGU of a completed run off application form each year. This arrangement only exists whilst the facility is with Affinity/CGU. Barristers can also seek a pro-rata refund of their top up premium (less applicable charges) if they cease practice during the policy period.
- Cover for Enquiries. Cover is afforded for all reasonable legal costs and expenses for your representation at any official enquiry, investigation or examination, including an enquiry under the disciplinary rules of the Victorian Bar or the Legal Services Commissioner. This drop-down cover is provided up to **\$1 million** with a \$1,000 excess. **This cover is currently an exclusion under the LPLC Professional Indemnity Insurance for Barristers Policy.**
- A copy of the CGU Top-Up policy is now available on the PI Insurance section of the Victorian Bar website.





New Endorsement to Policy

Continuous Cover

- a) **We Cover** the **Insured**, for any **Claims** otherwise **Covered** by this **Policy**, arising from a **Known Circumstance** (notwithstanding Section 6.1 of this **Policy**) if:
- there has been no fraudulent non-disclosure or fraudulent misrepresentation in respect of such **Known Circumstance**; and
 - We** were the professional liability insurer of the **Insured** named in the Schedule when the **Insured** first knew of such **Known Circumstance**; and
 - We** continued without interruption to be the professional liability insurer of the **Insured** named in the Schedule up until this **Policy** came into effect; and
 - had **We** been notified of the **Known Circumstance** when the **Insured** first knew of it, the **Insured** would have been covered under the policy in force at that time but is now not entitled to be covered by that policy, and the **Insured** would (but for Section 6.1 of this **Policy**) otherwise be **Covered** under this **Policy**; and
 - the **Known Circumstance** has not previously been notified to **Us** or any other insurer.
- b) If the **Insured** was entitled to have given notice of the **Known Circumstance** under any other policy of insurance with any other insurer, then this 'Continuous Cover' clause does not apply to provide **Cover** under this **Policy** to the extent that indemnity is provided to the **Insured** under that other policy of insurance.
- c) **Our** liability under this 'Continuous Cover' clause is reduced to the extent of any prejudice **We** suffer as a result of any delayed notification of the **Known Circumstance** to **Us**.
- d) The **Policy Limit** of the **Cover We** provide under this 'Continuous Cover' clause is the lesser available under the terms of the policy in force at the earlier time referred to in paragraph a) iv. above, or under this **Policy**. The terms of this **Policy** otherwise apply.

In all other respects the **Policy** remains unaltered.

Top Up Application Forms

The application process will be completed online. The Application form can be found on Affinity's website at <https://www.affinityib.com.au/business/vic-bar-top-up-insurance/>

Inquiries and Run Off Application Forms

If you require a paper Application Form, would like to pay by cheque, or for any other inquiry please contact Mary Spanos at Affinity on (03) 8587 7760 or email mspanos@affinityib.com.au

