



# GENLIB

SPECIALISED INSURANCE & INNOVATIVE SOLUTIONS  
FOR BROKERS  
FSP 35482

## TOUR OPERATORS LIABILITY

Insurer: Western National Insurance Company Ltd. FSP No. 9465

**western**  
Rethink Insurance

This brochure is an informative document and is always superseded by the specific Policy Wording

## INTRODUCTION

Tour Operators Liability is a broad-form commercial insurance policy which provides specific liability cover for Tour Operators.

Tour Operators Liability Insurance has become essential for the industry and is most likely a requirement for travel operators booking tours in RSA. In addition, it is necessary for tour operators to cover themselves for any **negligence** they or they staff may become liable for.

This commercial non-life insurance policy is provided Genlib who is a registered FSP and underwritten by Western National who is a registered insurer.

Brokers who sell this policy must be licensed to advise on and sell Short Term Commercial Lines products.

**Cover includes: (If stated in the schedule)**

**Public Liability, Professional Indemnity, Products Liability, Employers Liability, Directors & Officers Liability, Cyber Liability**

## PUBLIC LIABILITY

The Insured is indemnified by this Section for loss or damage to tangible property or possessions or injury, death, illness, disease, to any person. Including gratuitous advise whereby no fee is charged.

**Exclusions:**

Motor Vehicles, Compulsory Vehicle Insurance, Aircraft and Watercraft, Care, Custody and Control (leased / hired, loaned, HP), Pollution (contamination, seepage, discharge), Product, Employees.

## PROFESSIONAL INDEMNITY

The Insured is indemnified by this Section for legal liability claims arising from the conduct of their business as described in the proposal form, for failing to perform professional services / duties or incorrect or bad advice or recommendations, guidance, information provided to any persons.

**Exclusions:**

Claims made by one Insured against another, liquidated damage clauses, penalty clauses or performance warranties, for fines, penalties, punitive, multiple or exemplary damages, advice given specifically for a fee, alleged unfair employment practice of any kind, loss of money, insolvency, liquidation or judicial management, breach of contract, fraudulent act, dishonesty, illegal or criminal acts or any malicious act committed by the insured, claims against the Insured while acting in their capacity as a director or officer of any the Insured or company.

## PRODUCTS LIABILITY

The insured is indemnified in respect of events happening anywhere in the territories stated in the schedule elsewhere than at premises occupied by the Insured and **caused by any Product sold or**

**supplied** (including wrongful delivery and delivery of incorrect goods) by the Insured in connection with the nature of business.

**Exclusions:**

Repair, Alteration, Recall, Reconditioning or replacement of the product or part thereof causing injury or damage arising from the failure of any product or any part thereof, USA / Canada jurisdiction, Defective products, Food and drink.

## EMPLOYERS LIABILITY

The insured is indemnified against legal liability resulting from injury to an employee occurring in the course of the employee's employment functions.

**Exclusions:**

Disease, Fines, Penalties etc, Judgments occurring outside of RSA, Unreported claims prior to cover or whilst covered, Workmen's compensation fund claims.

## DIRECTORS & OFFICERS LIABILITY

Cover is only available while to policy is in force and indemnifies the directors of the insured company for **wrongful acts**. The cover includes legal defence costs providing the scope of cover granted is not an exclusion.

This extension is not intended to replace a standalone D&O Policy.

**Exclusions (more specifically defined in the policy wording)**

Bodily injury and property damage, Claims known at inception of the policy, Retroactive date, Secret profit, Wilful misconduct, Falling to perform professional duties, Instigation, Insider trading, Pension fund involvement, Failure to insure, Public finance management act, Geo and Jurisdiction limit, Pollutants, Insolvency, Money laundering, Commissions.

## CYBER LIABILITY

The insured is indemnified for cyber breaches concerning, Security and privacy regulations, fines and penalties as a result.

This extension is not intended to replace a standalone Cyber Liability policy.

Specific conditions and exclusions apply as described in the policy wording.

## EXCLUSIONS APPLICABLE TO ALL SECTIONS

Deliberate Acts, Alcohol and Drugs, Non-RSA Territorial Waters, Hazardous Sports, Contractual Liability, Fines, Penalties and Punitive Damages, War and Civil War Exclusion Clause, Terrorism Exclusion Clause, Radioactive Contamination and Explosive Nuclear Assemblies, Prior Events