



Public & Products Liability – Claims Examples

Important Notice

These are examples only. You should read them only as a guide. They do not form part of any policy. Every claim is different. We always determine indemnity decisions and claim payments on an individual basis, after we have assessed the claim. Information provided is general only and has been prepared without taking into account any person's particular objectives, financial situation or needs. Insurance cover and whether a policy responds to a claim is subject to the terms, conditions, limits and exclusions of the policy. When making a decision to buy or continue to hold a financial product, you should review the relevant policy wording and any applicable endorsements.

Care, Custody & Control Claim - Freight Transport Operator

Sprinkler head in ceiling was knocked by forklift operator who was attempting to stack a pallet on shelf and hit a sprinkler with the forklift, causing water damage to goods held in care, custody, or control. The insured was responsible for damage to claimant's goods which occurred during the course of conducting their business. The matter settled for approx. \$140,000 including expenses.

Care, Custody & Control Claim - Service and Maintenance of Cleaning Equipment

The claimant had engaged the Insured to service a cleaning machine. The equipment was taken to the insured's premises to complete the service. Insured had a trailer and its contents in their custody and control when their premises was broken into and trailer and contents were stolen. Claimant held insured responsible as their equipment was at the insured's premises which were secured however thieves have entered property and stolen items. The matter was settled for approx. \$100,000.

Public Liability Claim - Fencing Installer

The insured was engaged to construct a commercial fencing project. The claimant (also working on the same project) twisted their knee and back when they stepped backwards into an uncovered hole that had been drilled by the insured. The matter was settled for over \$90,000 including expenses.

Public Liability Claim - Electrical Contractor

The insured was engaged to supply and install a nurse call system in a care facility. While laying cables in the ceiling cavity the insured's employee slipped and put their foot and weight on a fire system pipe causing it to break. Water flowed for approx. 30 mins before it could be turned off. The damage affected at least 7 rooms of the facility and damaged personal items belonging to residents. The matter was settled for approx. \$480,000 including expenses.

Public Liability Claim - Window Manufacturing

Insured was engaged to supply and install all aluminium and glazed doors and windows to a new residential property. It was alleged that the windows were incorrectly installed, causing water damage to the property following heavy rain & storm events. The matter was settled for approx. \$60,000 including expenses.

Berkley Insurance Company (limited company incorporated in Delaware, USA) ABN 53 126 559 706 | AFSL 463129 is an APRA authorised general insurer.
BIA 08/09/2023 A