

CYBER INSURANCE - POLICY WORDING COMPARISON

INSURING CLAUSES - OLD WORDING	INSURING CLAUSES - NEW WORDING	COMMENT
Privacy Liability (Including Employee Privacy)	Network Security, Privacy and Confidentiality Liability	The new policy is now explicit in covering confidential corporate information and not just personal information.
Privacy Regulatory Claims Coverage	Network Security and Privacy Liability (Regulatory)	Triggers now include regulatory claims made as a result of a breach of confidential corporate information (as well as personal information). New wording does not include cover for criminal penalties or fines
Security Breach Response Coverage	Breach Costs	"New triggers include breach of confidential corporate information, DoS attacks, transmission of malicious code to a third party from the insured's network or attacks to the insured's network. Old wording only covers breach costs as a result of a breach of private personal information. New policy now allows up to CAD 100,000 to be incurred by Pre-Approved Providers as specified in the policy in first 72 hours following an event without prior approval of insurers - to ensure matters can be addressed immediately, avoiding potential delays whilst insurers agreement is awaited."
Security Liability	Network Security, Privacy and Confidentiality Liability	No change to cover
Multimedia Liability	Multimedia Liability	No change to cover
Cyber Extortion	Cyber Extortion and Ransomware	Conditions removed around making a cyber-extortion payment ((a) no authority required from insurers to do so; and (b) the payment does not need to be less than the amount insurers reasonably believe would have been incurred had such a payment not been made).
Business Income and Digital Asset Restoration	"Insured's Network Failure - Income Loss & Extra Expense"	More transparency around how insurers will calculate Business Income Loss with clear formulaic approach. Triggers now expanded to include Operational Error, Accidental Damage of Hardware, failure of back-up generators.
	Costs for Damage to Data of Programs	Triggers now expanded to include Operational Error, Accidental Damage of Hardware, failure of back-up generators.
PCI DSS Assessment	Payment Card Industry Data Security Standard	"Sublimited to 250k under new wording (unless 100k LOI quoted in which case it will sublimit to 100k). Old wording sublimited to 100k.
		New wording includes coverage for the costs incurred to appoint a payment forensic investigator - which they may be legally liable for under the terms of a Merchant Services Agreement with Card Associations."

TWO NEW EXTENSIONS:

E-theft

"Cover for theft of money, credit, securities or other property of value caused by:
1) Phishing / Pharming / Spoofing attacks
2) Damage, modification, distortion, misuse of the insured's network

Sublimited to 100k for a flat rate additional premium of CAD 500 (subject to meeting underwriting criteria regarding controls and processes around handling of funds."

Outsourced Service Provider / Cloud Provider Extension

"Contingent BI cover as a result of failure or degradation of an outsourcer's network) caused by Computer Attack, Operational Error, Accidental Damage of Hardware, failure of back-up generators.

Sublimited to 10% of Cyber limit selected for a 10% AP."

New Minimum Premiums on the following limits:

3m
5m
10m