

COMMERCIAL LEGAL PROTECTION

POLICY NO: TS5/5277944

SUMMARY OF COVER

This summary, by necessity, merely outlines the cover. For further information, please contact your insurance adviser and ask for a specimen policy.

What we pay

The policy will pay legal costs up to a policy limit of indemnity of £100,000 including solicitors' and barristers' fees, court costs, expenses for expert witnesses, attendance expenses and accountants' fees. We will also pay the costs of appealing or defending an appeal. The policy will be governed by English law.

EMPLOYMENT DISPUTES AND COMPENSATION AWARDS

(a) Employment Disputes

- Defending your legal rights prior to the issue of proceedings in a court or tribunal following dismissal of an employee.
- Defending your legal rights in respect of any dispute with an employee or ex-employee or a trade union acting on their behalf relating to their contract of employment.
- Defending your legal rights in respect of any dispute with an employee, prospective employee or ex-employee arising from an alleged breach of their statutory rights under employment legislation.
- Please note that waiting periods may apply to claims that arise from employment disputes.

(b) Compensation Awards

In respect of a claim we have accepted under Employment Disputes cover, we will pay any basic and compensatory award and/or compensation awards arising from an alleged breach of an employee, prospective employee or ex-employee's statutory rights under employment legislation; provided that throughout the employment dispute, you have either followed the ACAS Code of Disciplinary and Grievance Procedures, the equivalent codes of practice issued by the Labour Relations Agency in Northern Ireland, or sought and followed advice from the DAS legal advice service.

The policy limit of indemnity applies to the aggregate of the sums payable for Employment Disputes and Compensation Awards relating to the same incident.

(c) Service Occupancy

Negotiating for your legal rights against an employee or ex-employee to recover possession of premises which are owned by you or for which you are responsible.

LEGAL DEFENCE

- Defending your legal rights or your employees' legal rights prior to legal proceedings when dealing with the police or the Health and Safety Executive where it is alleged that you or your employees have or may have committed a criminal offence in connection with your business activities.
- Defending non-motor criminal prosecutions arising from your business activities.
- Defending civil actions taken against you or your employees for compensation under section 13 of the Data Protection Act 1998, including the payment of any compensation award made against you or your employees.
- Defending a civil action taken against you for wrongful arrest in respect of an accusation of theft.
- Defending your employees' legal rights if civil action is taken against them under legislation for sex, sexual orientation, race, disability, age, religious belief or political opinion.
- Defending your employees' legal rights if civil action is taken against them as a trustee of a pension fund set up for the benefit of your employees.
- Appealing against the imposition or terms of any Statutory Notice issued under UK legislation affecting your business.
- Appealing against the refusal of the Information Commissioner to register your application for registration.
- The attendance expenses of your employees for jury service.

PROPERTY PROTECTION AND BODILY INJURY

(a) Property Protection

Negotiating for your legal rights in a civil action following an event causing physical damage to material property which you own or are responsible for, or any nuisance or trespass. This does not include defending your legal rights except in the event of a counter-claim.

(b) Bodily Injury

At your request, negotiating for your employees' and their family members' legal rights following an event causing the death of or bodily injury to them in a non-motor accident arising from your business activities. This does not include defending legal rights except in the event of a counter-claim.

TAX PROTECTION

(a) Full Enquiries or Aspect Enquiries

Negotiating on your behalf in respect of a full or aspect enquiry carried out by HM Revenue & Customs and representing you in any subsequent appeal proceedings.

(b) Tax Intervention Enquiries

Negotiating on your behalf and representing you in any dealings with HM Revenue and Customs in respect of a tax intervention enquiry.

A £200 excess applies for aspect enquiries and tax intervention enquiries and there is an inner limit of indemnity of £2,000.

(c) Employer's Compliance

Negotiating on your behalf and representing you in any appeal proceedings in respect of a dispute concerning your compliance with Pay As You Earn or Social Security Regulations following a review by HM Revenue & Customs.

(d) VAT Disputes

Negotiating on your behalf and representing you in any appeal proceedings following an assessment issued by HM Revenue & Customs in respect of Value Added Tax due.

Statutory Licence Protection

Appealing to the relevant statutory or regulatory authority, court or tribunal, following a decision by a licensing or regulatory authority to suspend, or alter the terms of, or refuse to renew, or cancel your licence, mandatory registration or British Standard Certificate of Registration.

Contract Disputes Cover

Negotiating for your legal rights in a contractual dispute arising from an agreement or alleged agreement entered into by you or on your behalf, for the purchase or hire or sale or provision of goods or services, providing the amount in dispute exceeds £250.

A £500 excess applies if the amount in dispute exceeds £5,000.

Debt Recovery

Negotiating for your legal rights including enforcement of judgment to recover money and interest due from the sale or provision of goods or services, providing that the amount in dispute exceeds £250.

HELPLINE SERVICES

The following helpline services are available 24 hours a day, 365 days a year during the period of insurance.

EuroLaw Commercial Legal Advice

We will provide you with a confidential legal advice service over the phone on any commercial legal problem affecting your business subject to the laws of the member countries of the European Union, the Isle of Man, the Channel Islands, Switzerland and Norway.

Tax Advice

We will provide you with confidential advice over the phone on any tax matters affecting your business under the laws of the United Kingdom.

Business Assistance

In the event of any unexpected emergency affecting your business premises which causes damage or potential danger, we will contact a suitable repairer or contractor and arrange assistance on your behalf.

All costs of assistance provided will be your responsibility.

Counselling Helpline

We will provide all employees (and members of their immediate family who always live with them) with a confidential counselling service over the phone including, where appropriate, onward transmission to relevant voluntary and/or professional services.

Employment Manual

The DAS Employment Manual offers comprehensive, up to date guidance on rapidly changing employment law. To view it, please visit our website at www.das.co.uk. From the Home Page click on the Employment Manual icon. All the sections of this web-based document can be printed off for your own use.

DASbusinesslaw

DASbusinesslaw provides an on-line business support system which allows free access to over 600 model business documents, specimen letters and business guides on a wide range of subjects from employing someone to writing a marketing plan. Regular information bulletins and daily business news is also available from the site.