

# GENERAL LIABILITY, TURNING ABSOLUTE LIABILITY INTO ABSOLUTE ADVANTAGE

## COVERAGE

- Public liability on a broad-form, non-accidental basis
- Product liability, including defective workmanship and damage arising out of faulty design
- Negligent advice which may for example, arise out of poor sales advice or training
- A range of specialist covers, including product inefficacy, errors and omissions, pure economic loss, product recall and advertising and copyright infringement
- Statutory defence cover, capable of defending the imposition of a fine arising out of the Consumer Protection Act
- Industry specific covers, such as custody & control, warehousing, carriers and contractors liability

## THE NEED

**On 1 April 2011**, the Consumer Protection Act (CPA) came into full effect and with its implementation consumers were empowered to legally demand quality service, products and full disclosure of the price of goods and services. The Act also provides protection against false, misleading or deceptive representations and provides a common standard of protection for the consumer. Understandably this piece of legislation had the impact of changing the way businesses interact with their customers forever. The concept of no-fault liability for all parties involved in the product supply chain is possibly the

most radical change, although new labelling and plain language regulations also mean that even products that are not defective can be high risk.

Our once conservative courts have also demonstrated that large awards against businesses that are found to have caused third-party injury or damage are now the order of the day. The CPA has undoubtedly increased the awareness of the rights of consumers and has also given the average South African access to inexpensive dispute resolution mechanisms.

## THE POWER OF KNOWLEDGE

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Underwritten by certain underwriters at Lloyds, Compass Insurance Company Limited and Bryte Insurance Company Limited

# REDEFINING THE BOUNDARIES OF RISK MANAGEMENT, NOW AND INTO THE FUTURE

## THE SOLUTION

Unfortunately many of the legal risks facing South African businesses are purely increased trade risks, a consequence of being in business. The Camargue General Liability product (CGL) covers a wide range of liability exposures that are able to be insured and then also provides each client with access to broad legal risk management tools to manage the balance.

## VALUE-ADDED SERVICES

**Camargue's unique M<sup>3</sup> approach** to insurance is geared towards managing, mitigating and migrating critical business risks – an outcome achieved through the provision of value-added risk benefits to policyholders. Notwithstanding the coverage provided in terms of the policy, the additional risk management benefits further enhance the Camargue product offering and go way beyond simple insurance. The overall result is a well-rounded and complete solution to the risks faced by businesses.

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**Please refer to the Risk Management Brochure for more information**



## RISK MANAGEMENT SERVICES INCLUDED IN THE POLICY COVER:

- **Contract vetting and assessment with a particular focus on the CPA**
- **CPA Workshops for sales and customer service staff**
- **A commercial law help-line dedicated to CPA and other spheres of litigation**
- **A comprehensive industry specific CPA website**
- **Emergency medical evacuation services for visitors, search and rescue, repatriation, and medical expenses**
- **Industry specific quality control and assessment services (Security, Agriculture, Food and others)**
- **Private Arbitration Services:**  
Offered through TOKISO Dispute Settlement - this service works towards fast, equitable resolution of disputes between the insured and their clients. As far as possible court proceedings are avoided saving time, money and more importantly reputation.
- **Crisis communication:**  
Skilled support in managing public relations crises and avoiding online media disasters.
- **General risk surveys, health and safety, environmental and agricultural assessment**

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