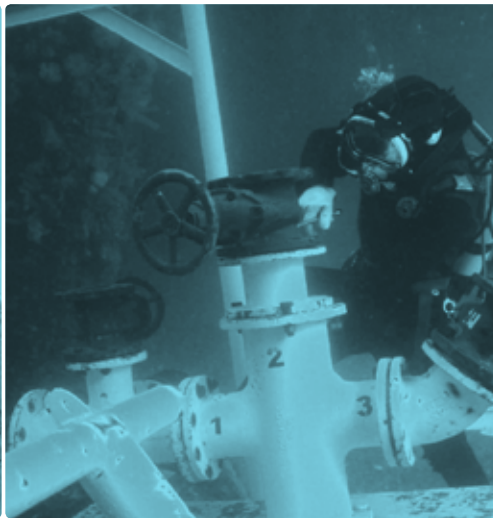


# Diver's P&I Cover

Risk solutions covering liability for professional divers



# Providing the widest range of risk solutions

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In a world of increasing complexity, Gard's objective is to help our Members and clients manage the totality of their exposures – both to existing and developing risks.

As a multi-line insurer – with the strongest rating in the marine market – Gard is uniquely positioned to understand how risks fit together, and identify the best choice of products, ensuring seamless coverage and service.

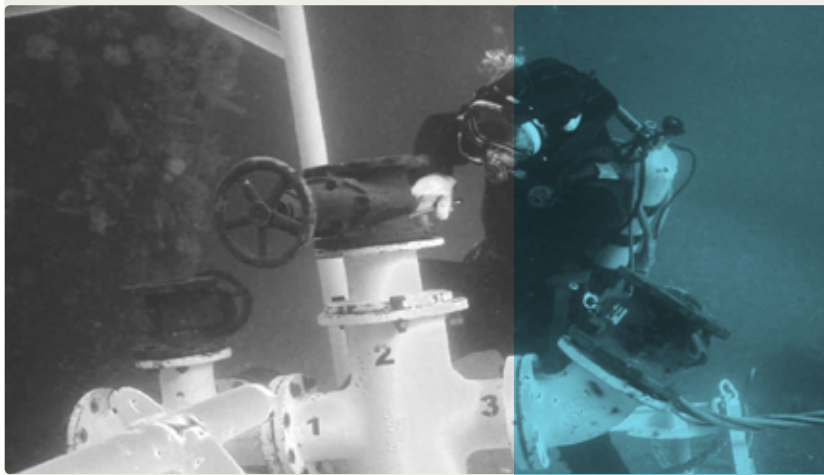
Innovation has always been a cornerstone of Gard's business model and, over the years, we have refined and extended our standard products and introduced a range of additional products, responding to special needs and requirements from different parts of the marine industry.

Liabilities, losses, costs and expenses arising out of the activities of professional or commercial divers are excluded from standard P&I cover. Gard's CGL cover

provides a partial reinstatement of the cover lost by the exclusion, affording cover for liabilities caused by the actions of divers, but the CGL cover does not respond to liabilities for personal injury, illness or death of the divers themselves. In contrast, the Diver's cover provides a complete solution to the exclusion in P&I cover, responding to the Assured's liability as an employer as well as the Assured's liability to third parties caused by the divers' acts or omissions (when there is no underlying CGL cover responding to third party liabilities).

Further information can be found on our webpage ([www.gard.no](http://www.gard.no)) under "Products", or from your usual contact.

# Scope of cover



Divers' P&I Cover follows the diver rather than the vessel, installation or diving activity. The Cover responds to liabilities to the diver during the period defined in the employment contract.

## Liabilities in respect of divers



Liabilities, losses, costs and expenses arising out of the personal injury, illness or death of commercial divers engaged by the Assured.

Legal and other costs incurred to protect or defend against recoverable liabilities.

## Third party liabilities incurred by the divers

Liabilities incurred by the Assured to a third party as a result of an act or omission of commercial divers engaged by the Assured.

Legal and other costs incurred to protect or defend against recoverable liabilities.

## Important exclusions



Damage to contract works caused by divers.

## Who can be covered?

Existing Members and clients of Gard P&I and Gard Marine & Energy

### Limit of cover

Standard limit of USD 25 million per any one event.

# Case studies



Practical examples of where the cover will respond.

## Injury to a professional diver resulting from diving operations



A diver employed by a Member dives from the Member's vessel to carry out underwater welding on a pipeline 100 metres below the surface. During the repairs, the diver damages the pipeline and causes an explosion, not only severely injuring himself and damaging the pipeline but damaging a pipeline from an adjoining field as well. The diver is entitled to USD 150,000 under his employment contract, but is not satisfied and successfully sues the Member in tort. In addition to the damage award of USD 300,000 to the diver, the Member has incurred other expenses in relation to the diver, amounting to USD 470,000. There is also a claim for damage to the third party pipeline, and a claim for damage to the installation on which the diver was employed.

### *The Gard solution*

The Divers Cover responds to the liabilities relating to the injured diver, both contractual disability compensation, medical expenses, sick wages, repatriation and substitution expenses, as well as the court award exceeding the compensation amount in the employment contract. The liability for the third party (adjoining field) is also covered, however the Cover excludes liability for damage to the contract works (the pipeline upon which the diver was working at the time of the incident).

## Injury to a professional diver whilst diving from an onshore site



A diver employed by the Member is diving in a dam, inspecting the lock gate. The lock is opened before the diver has managed to get out of the water and the current drags the diver under. The diver drowns. The diver's family claims USD 250,000 which is the contractual death compensation. In addition the family is awarded USD 250,000 by a court for emotional distress. In connection with the diving operation the diver damaged a cable supplying electricity to the dam area. The port claims for repair costs and for loss of use of the dam area.

### *The Gard solution*

The Divers' P&I Cover responds to operations carried out from onshore sites and covers the contractual liability as well as the compensation awarded by the court. Further the Cover responds to the repair costs and for the loss of use

## 10 divers die in one accident

10 divers employed by the Member are travelling to the diver site by helicopter. The helicopter crashes into the ocean before reaching the diving site. All ten divers are killed. The families of the deceased divers are entitled to a total of USD 2.5 million in compensations.

### *The Gard solution*

The liability is covered by the Diver's P&I Cover. The cover follows the divers and responds to the Member's contractual liability to the diver. It is not a condition that the claim is a direct result of any diving activity.

# The Gard group

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## Lingard Limited

Trott & Duncan Building  
17A Brunswick Street  
Hamilton HM 10  
Bermuda

**Tel** +1 441 292 6766

**Email** [companymail@lingard.bm](mailto:companymail@lingard.bm)

## Gard AS

P.O. Box 789 Stoa  
NO-4809 Arendal  
Norway

**Tel** +47 37 01 91 00

**Email** [companymail@gard.no](mailto:companymail@gard.no)

## Gard AS

Skipsbyggerhallen  
Solheimsgaten 11  
NO-5058 Bergen  
Norway

**Tel** +47 37 01 91 00

**Email** [companymail@gard.no](mailto:companymail@gard.no)

## Gard AS

Støperigt 2, Aker Brygge  
NO-0250 Oslo  
Norway

**Tel** +47 37 01 91 00

**Email** [companymail@gard.no](mailto:companymail@gard.no)

## Oy Gard (Baltic) Ab

Bulevardi 46  
FIN-00120 Helsinki  
Finland

**Tel** +358 30 600 3400

**Email** [gardbaltic@gard.no](mailto:gardbaltic@gard.no)

## Gard (Greece) Ltd

2, A. Papanastasiou Avenue  
185 34 Kastella, Piraeus  
Greece

**Tel** + 30 210 413 8752

**Email** [gard.greece@gard.no](mailto:gard.greece@gard.no)

## Gard (HK) Ltd

Room 3505, 35F  
The Centrium, 60 Wyndham Street  
Central  
Hong Kong

**Tel** +852 2901 8688

**Email** [gardhk@gard.no](mailto:gardhk@gard.no)

## Gard (Japan) K.K.

Kawade Building, 5F  
1-5-8 Nishi-Shinbashi  
Minato-ku, Tokyo 105-0003  
Japan

**Tel** +81 (0)3 3503 9291

**Email** [gardjapan@gard.no](mailto:gardjapan@gard.no)

## Gard (Japan) K.K.

Vogue 406,  
3-9-36 Higashimura, Imabari-City,  
Ehime 799-1506,  
Japan

**Tel** +81 898 35 3901

**Email** [gardjapan@gard.no](mailto:gardjapan@gard.no)

## Gard (North America) Inc.

40 Fulton Street  
New York, NY 10038  
USA

**Tel** +1 212 425 5100

**Email** [gardna@gard.no](mailto:gardna@gard.no)

## Gard (Singapore) Pte. Ltd.

72 Anson Rd  
#13-02 Anson House  
Singapore 079911  
Singapore

**Tel** +65 3109 1800

**Email** [gardsingapore@gard.no](mailto:gardsingapore@gard.no)

## Gard (Sweden) AB

Västra Hamngatan 5  
SE-41117 Gothenburg  
Sweden

**Tel** +46 (0)31 743 7130

**Email** [gardsweden@gard.no](mailto:gardsweden@gard.no)

## Gard (UK) Limited

85 Gracechurch Street  
London EC3V 0AA  
United Kingdom

**Tel** +44 (0)20 7444 7200

**Email** [garduk@gard.no](mailto:garduk@gard.no)

## Gard Marine & Energy- Escritório de Representação no Brasil Ltda

Rua Lauro Muller 116 – Suite 2405  
Botafogo, 22290-160,  
Rio de Janeiro, RJ,  
Brazil

**Tel** +55 (21) 3544-0046

**Email** [gardbrasil@gard.no](mailto:gardbrasil@gard.no)

## Emergency Telephone Number

+47 90 52 41 00

[www.gard.no](http://www.gard.no)



[www.gard.no](http://www.gard.no)