

PRIMARY PROFESSIONAL LIABILITY INSURANCE

Professional Liability Insurance designed for and made available to engineers and engineering firms offered by the Ontario Society of Professional Engineers

Understanding Primary Professional Liability Insurance

If you (or your business entity/firm) provide professional engineering services to the public, you (or the entity/firm) must hold a Certificate of Authorization (C of A). C of A holders assume professional responsibility for the services provided and are generally required to carry Primary Professional Liability insurance in accordance with PEO regulations.

Primary Professional Liability Insurance protects you and your firm against liability or allegations of liability for injury or damages that have resulted from a negligent act, error, or omission that has arisen out of your professional capacity as an engineer. Your coverage ensures payment of both compensatory damages and legal costs associated with a claim.

Coverage is afforded on a “claims-made and reported” basis and will respond to claims made during the policy period. This means that the policy in place when a claim is made will be the policy to respond – regardless of when the incident occurred.

Reporting a Claim

Prompt claims notification is very important and should be made within 30 days of receiving a formal notice or statement of claim. Failing to report a claim may result in denial of coverage. Please refrain from making any written or oral statements to the claimant unless the insurer advises to do so. If you are unsure, always err on the side of caution and report a claim.

Members receiving notice of a claim or who are aware of a potential claim should contact BMS directly at **1-844-294-2717** or ospe.insurance@bmsgroup.com.

OSPE and BMS put you and your practice first, giving you access to comprehensive insurance coverage and services specifically tailored to meet your business needs.

Highlights:

- ✓ Limits up to \$5,000,000 per claim / aggregate per year
- ✓ Access to excess insurance limits
- ✓ Worldwide territorial limit available
- ✓ Regulatory legal expense coverage
- ✓ First dollar defence available
- ✓ Complimentary portfolio reviews
- ✓ Direct access to knowledgeable insurance brokers specializing in the engineering sector
- ✓ Prompt turn-around time on certificate requests
- ✓ Free consultations on insurance related matters
- ✓ Claims advocacy
- ✓ Run-off coverage options

Other Coverage Available

- Secondary Professional Liability Insurance – provided to all members in good standing with OSPE
- Commercial General Liability Insurance
- Office Contents and Equipment
- Directors’ and Officers’ Liability
- Cyber Security and Privacy Liability
- Automobile Insurance
- Excess Professional Liability Insurance

Common Terminology:

Regulatory Legal Expense

Coverage is provided for legal expenses incurred in your defence against a disciplinary action brought against you by an architectural or engineering provincial licensing body (for instance, Professional Engineers Ontario). In the event of a complaint or investigation, members are provided with superior legal representation and defence protection. Examples of Regulatory Legal Expense claims include complaints alleging professional misconduct, incompetence, or incapacity.

Loss of Earnings

If you are asked to attend a mediation, arbitration, deposition, or trial to assist in the defence of your claim, requiring time off work, you will be reimbursed for your loss of earnings.

Infringement of Copyright

Participants are covered for claims in connection with an actual or alleged breach of patent, design, trademark, or copyright.

Loss of Documents

If physical documents (for example, plans, forms, etc.) under your care are destroyed, damaged, lost or stolen your policy will respond to provide coverage for damages and/or the costs/expenses required to replace or restore these documents.

Dishonesty of Employees

Provides coverage for claims arising out of financial loss to third parties caused by dishonest fraudulent or criminal acts of your employee(s). For example, if your employee were to steal money, securities or other property from a client while conducting business.

Retro-Active Date

Typically, the date that your coverage was first put in place and continuous from that date. Defines how far back in time a loss can occur for your policy to respond.

First Dollar Defence Coverage

If included, means that the deductible will not apply to defence costs thus eliminating the need for you to pay out of pocket before the insurer will provide a defence. The deductible then only applies to a third-party award payment. If only defence costs are paid out, the deductible would not apply.

Run-Off Coverage

A designated time period after a claims-made policy has expired that will allow coverage to respond to claims arising from past services after you have closed your business or are no longer delivering engineering services.

Occupational Health and Safety Act

Legal expertise incurred with respect to legal proceedings related to this act.

Reputation Protection

Covers expenses incurred for a public relations consultant for the purpose of protecting your reputation in connection with an insured claim.

Joint Venture

Provides coverage for claims made against you (or your firm) for services rendered as a member of a joint venture or consortium arrangement.

How to Apply

Please contact BMS or visit www.ospe.bmsgroup.com to apply for coverage.

BMS Canada Risk Services Ltd (BMS)

825 Exhibition Way, Suite 209
Ottawa, ON K1S 5J3
Toll Free: 1-844-294-2717
Email: ospe.insurance@bmsgroup.com
Web: www.ospe.bmsgroup.com

Ontario Society of Professional Engineers (OSPE)

4950 Yonge Street, Suite 502
Toronto ON M2N 6K1
Toll free: 1-866-763-1654

More information

This brochure is a summary of coverage and is for information purposes only. Full terms and conditions of the policy, including all exclusions and limitations are described in the policy wordings, a copy of which can be obtained from BMS Canada Risk Services Ltd (BMS). For more information on the coverage please contact us.