

TAX PROTECTION

(a) Full Enquiries or Aspect Enquiries

Negotiating on your behalf and representing you in any appeal proceedings in respect of a full or Aspect Enquiry carried out by HM Revenue and Customs. A £200 excess applies for Aspect Enquiries and there is an inner limit of indemnity of £2,000.

(b) 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 and Customs.

(c) VAT Disputes

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

IMPORTANT EXCLUSIONS

- Legal costs incurred without or prior to the consent of DAS.
- Claims reported more than 180 days after the insured incident.
- Civil claims which do not have a reasonable prospect of success.

HELPLINE SERVICES

We provide these services 24 hours a day, 7 days a week during the period of insurance. To help us check and improve our services, we record all calls.

Commercial Legal Advice including EuroLaw

We will give the policyholder confidential legal advice over the phone on any commercial legal problem affecting the business including problems that affect businesses under the laws of the member countries of the European Union, the Isle of Man, the Channel Islands, Switzerland and Norway.

Tax Advice

We will give the policyholder confidential advice over the phone on any tax matters affecting the business under the laws of the United Kingdom.

Business Assistance

In the event of an unforeseen emergency affecting the policyholder's business premises which causes damage or potential danger, we will contact a suitable repairer or contractor and arrange assistance on behalf of the policyholder. All costs of assistance provided are the responsibility of the policyholder.

To contact the above services, phone us on 0117 934 0551.

Counselling Helpline

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

To contact the counselling helpline, phone us on 0117 934 2121. These calls are not recorded.

We will not accept responsibility if the Helpline Services fail for reasons we cannot control. Please do not phone us to report a general insurance claim.

REPORTING A CLAIM

Send your claim to: Legal Claims Centre,
DAS Legal Expenses Insurance Company Limited,
DAS House, Quay Side,
Temple Back, Bristol BS1 6NH.

If you require a claim form you can phone us on **0117 934 2000**.

DAS Legal Expenses Insurance Company Limited.
Head and Registered Office:
DAS House, Quay Side, Temple Back,
Bristol BS1 6NH England.
Registered in England and Wales No. 103274.
DAS is a member of the Association of British Insurers and is authorised and regulated by the Financial Services Authority

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Commercial Legal Protection

Summary of Cover



Did you know that ...

- A successful Employee unfair dismissal claim can cost your business over £50,000.
- Employee Race or Sex discrimination claims have no compensation award maximum. Recent successful claims include award payouts of £150,000 and £175,000.
- Employment Tribunal cases have risen over 140% in the past ten years, in 2001/2 over 112,000 tribunal applications were received and the average compensation award is now approaching over £10,000.
- Contractual disputes – the estimated value of customer/contractual disputes in the UK is in excess of £85 million.
- Tax investigation – since the introduction of self-assessment HM Revenue and Customs has authority to conduct random investigations of taxpayers' business and personal affairs, without having to show any reasons.

How at risk is your business?

You insure your business against catastrophes such as fire, flood and theft but are you protected against the threat and often crippling high cost of litigation?

In an increasingly litigious and legislated commercial environment, it can be hard to keep up to date with all the changes affecting a business. Few companies can afford the luxury of an in-house lawyer and many do not have dedicated HR personnel specialising in employment law.

With Towergate Commercial Legal Protection you get comprehensive cover for your business with the benefits of legal advice and representation without the financial burden.

Cover at a glance

- The policy will cover legal costs and expenses of up to £100,000
- Comprehensive cover, comprising:

Employment dispute protection

Legal Defence (including prosecutions from the Health and Safety Executive)

Tax Investigation (Limit £2000, in respect of Aspect Enquiries)

Contractual dispute protection in respect of the sale or purchase of goods or services

Property Protection and **Bodily Injury** including nuisance and trespass

Helpline Services

- 24 hour 'Multi Assistance' Legal, Tax, Business Assistance and Counselling Helplines.
- Online Employment Manual – a comprehensive employment procedures reference guide available to all clients.

Commercial Legal Protection Summary of Cover

This summary, by necessity, merely outlines the cover which is provided by DAS Legal Expenses Insurance Company Limited. For further information, please refer to the policy wording.

What we pay

The policy will pay legal costs up to £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.

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.

(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 Practice and Procedures in Employment, 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.

EMPLOYMENT MANUAL

The Employment Manual offers comprehensive, up to date guidance on rapidly changing employment law. To view it, please visit the insurer's 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.

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.

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 is between £250 and £5,000.

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.