

MARSH

Marsh Delta®

Directors and officers (D&O) liability protection for Marsh clients

The risk landscape for companies and executives can be daunting and uncertain.

Enforcement agencies are under pressure to successfully prosecute corporate wrongdoing, legislation is evolving, and companies are being incentivised or required to investigate and self-report corporate conduct.

D&O insurance needs to contemplate a broader range of risks than ever before, and as part of our continuing effort to address the concerns of our clients, we have launched our latest Marsh Delta v4 D&O. Marsh Delta provides proprietary and innovative cover crafted to respond to today's risks.

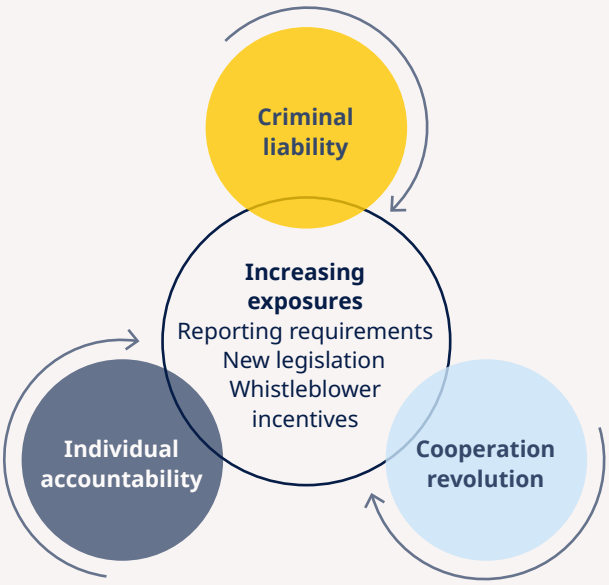
Evolving risk landscape

Innocent executives

- Falsely accused.
- Participated in longstanding customary conduct later attacked as illegal.
- Criticised conduct, but persuaded to withdraw those criticisms.

Companies

- Pressure to show commitment to lawfulness.
- Increased role in investigation and enforcement.
- Potential conflicts with individuals.



How Marsh Delta responds

Individuals

Internal investigations

Marsh Delta provides cover for the costs of responding to an investigation which is conducted by the company, including in response to a derivative claim or to determine whether a self-report to a regulator is required.

Formal investigations

Marsh Delta provides cover for the costs of responding to a formal investigation, including a regulatory or criminal investigation, into an individual or into the affairs of the company once such individual or company is identified as the target of such investigation.

Informal investigations

Marsh Delta provides cover for the costs of responding to an initial, informal investigation conducted by a regulatory authority into the affairs of an individual or the company which may involve being asked to produce documents or attend interview.

Proceedings (including securities claims)

Marsh Delta provides cover for the costs of responding to a civil, criminal, or regulatory proceeding, or other form of alternative dispute resolution proceeding, which is brought against an insured person for a wrongful act which is committed while acting in their insured capacity, as well as any damages, settlements, or fines that may be incurred as a result.

Companies

Derivative investigation costs

Marsh Delta provides cover for the costs incurred by a company in carrying out an investigation and determining whether to bring legal proceedings against an individual following a shareholder derivative demand.

Securities claims

Marsh Delta provides cover for the costs incurred by the company in responding to a civil proceeding alleging violation of any regulation, law, or rule governing the purchase, sale, or offering of the securities of the company, as well as any damages or settlements that may be incurred as a result.



Further benefits[1]

No loss of cover when moving to Marsh Delta D&O

Marsh Delta D&O provides "difference in conditions" cover to a prior policy, meaning that if you would have been entitled to greater recovery for a claim under the terms of your prior policy, the terms of that policy will apply.

1| This is a summary of the Marsh Delta policy. For the full policy terms and conditions, please refer to the actual policy. Underwriters review each client's risk individually. Exact coverage will depend on insurer and policy wording. Insurers may vary the offering, apply additional restrictions, or restrict or withdraw optional coverages for individual clients based on their review of that client's underwriting submission.

Extensions to coverage

Additional coverage is provided for:

- Costs of an Insured Person in the event of a claim resulting from any IPO preparation activities, or failure to complete an offering of securities.
- Costs of an individual or company to mitigate or reduce a potential claim or investigation where the individual or company reasonably believes a circumstance may develop into a claim or investigation.
- PR costs of a company in responding to a crisis event which materially impacts a company's ability to trade.
- Defence or investigation costs incurred without insurer consent where it has not been possible to obtain insurer consent in a timely manner.
- An additional limit for the public relations costs of an individual to address or mitigate reputational damage caused by a claim or investigation or caused by allegations of a wrongful act being committed, including on social media.
- Costs of an individual to obtain tax advice or engage counselling services as a result of a claim or investigation against them.
- Costs of an individual where their identity is stolen as a result of having to provide personal information to another party due to their acting as a director or officer.
- Costs of an individual to cover essential living expenses in the event that an individual's assets are frozen.

Comprehensive financial insurance covers aiming to deliver competitive prices.

- Marsh Delta is a suite of financial lines insurance offerings for Marsh clients.
- Marsh Delta products are underwritten by a panel of insurers specifically selected for their quality of service, strong credit rating, claims capability, and ability to offer extensive cover at competitive rates.
- Cover is provided on the basis of a proprietary, and innovative Marsh Delta policy wording.
- To ensure that you receive competitive terms, each panel insurer is offered the opportunity to compete for each submission (unless you instruct us otherwise).

Key Facts

Who is Marsh Delta intended for?

Marsh Delta is available to Marsh's private, publicly traded, and private equity-owned UK and international clients sitting outside the FTSE 100 (or geographical equivalents), including those that have level one American Depository Receipt (ADR) programmes. Marsh Delta is not available for companies that are domiciled in the US, directly listed on US exchanges, or companies that have level two or three ADR programmes.

Capacity available

Limits can be purchased in excess of 100 million GBP.

Insurers underwriting Marsh Delta

Marsh Delta is exclusively underwritten by a panel of leading insurers with strong credit ratings.

Claims

Marsh has a dedicated financial and professional lines claims team. Marsh clients, including those purchasing Marsh Delta, have access to this specialist claims team.



This is a marketing communication.

The information contained herein is based on sources we believe reliable and should be understood to be general risk management and insurance information only. The information is not intended to be taken as advice with respect to any individual situation and cannot be relied upon as such. Statements concerning legal, tax or accounting matters should be understood to be general observations based solely on our experience as insurance brokers and risk consultants and should not be relied upon as legal, tax or accounting advice, which we are not authorised to provide.

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About Marsh

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