



Product: Commercial Cyber – Data Protection & Network Interruption

Manufacturer Information
Product information
<p>The Commercial Cyber insurance product is a commercial insurance product suitable for businesses of all sizes, including micro-enterprises, SMEs, and other larger entities, wishing to insure against cyber-related liabilities including business interruption, destruction of digital assets and data, reputational harm, cyber extortion, incident response expenses and other core coverages (social engineering, crime, cyber physical damage etc).</p> <p>Core Covers (can include but are not limited to):</p> <ul style="list-style-type: none"> • Business Interruption Financial loss arising from privacy breach, security breach, administrative error or power failure impacting the insured's computer system. • Contingent Business Interruption Financial arising from privacy breach, security breach or administrative error impacting the insured's outsource service providers computer system. • Digital Asset Destruction of data, computer programs and electronic documents incurred as a direct result of a privacy breach, security breach, administrative error or power failure. • Reputational Harm Financial loss and crisis management costs incurred as a result of an adverse media event arising from a privacy breach, security breach or administrative error. • Cyber Extortion expenses and ransom demand payments to avoid a privacy or security breach incurred directly as a result of a cyber extortion threat. • Incident Response Expenses incurred as a result of a privacy breach or security breach. • Loss of Funds incurred directly as a result of a hack of the insured's computer System. • Physical Damage following cyber-attack • Cyber Crime / Social Engineering • Non-Tech Contingent Business Interruption • Incident Response (outside of the limit) • Defence Costs (outside of the limit)
Target market
<p>This product is suitable for businesses of all sizes, types and professions, including micro-enterprises, SMEs, and other larger entities, that are at risk of being victims of cyber-crime or suffering a data breach from malicious or non-malicious causes.</p>
Types of customer for whom the product would be unsuitable
<p>This product would not be suitable for:</p> <ul style="list-style-type: none"> • individuals; • commercial entities seeking to secure cover on a direct basis or without a broker; and/or • commercial entities not at risk of being victims of cyber-crime or suffering a data breach from malicious or non-malicious causes. <p>The product is not currently permitted to be distributed to customers in the United Kingdom.</p>
Any notable exclusions or circumstances where the product will not respond
<p>Limitations:</p> <ul style="list-style-type: none"> • Any incurred loss during the waiting period as stated in the schedule will be uninsured. • Incidents to be reported as soon as reasonably practicable. • Insured to not make and payments, assume any obligations, incur expenses, enter onto any settlement without TMKS written consent. • Accurate and complete information must be supplied as requested. <p>Amounts which the Insured is legally obliged to pay:</p> <ul style="list-style-type: none"> • Security and Privacy Liability damages and defence costs as a result of a claim arising from a security breach or privacy breach. • Regulatory Fines and Penalties and Defence Expenses as a result of a claim arising from a Security Breach or Privacy Breach.

- Multimedia Liability damages and defence expenses as a result of a claim arising from multimedia activities.
- Payment Card Industry Fines, Assessments and Expenses as a result of a Claim arising from a Security Breach or Privacy Breach.

Exclusions include but not limited to:

- Bodily injury
- Betterment
- Breach of contract, warranty, guarantee or promise and assumed liability.
- Loss of funds
- Terrorism
- Use of illegal or unlicensed programs or software
- War or uprising
- Insured misconduct

Limits of Liability:

- Stated in the schedule.

Retention Amount

- Stated in the schedule.

Other information which may be relevant to distributors

This product is permitted for sale with up to 4 distributors in the chain e.g.

- Lloyd's Broker;
- A delegated authority arrangement with a coverholder
- Wholesale broker;
- Retail/ producing broker.

No further distributors in the chain are permitted without TMKS' approval. Any such approval will include consideration of their impact on product value.

This product can be sold with or without advice in line with FCA regulations or local regulations if distributor is not regulated by the FCA.

All distributors are expected to fully understand the eligibility criteria, covers and exclusions of the product.

Sales journeys must identify customer eligibility and ensure that key information and choices to be made are presented to customers in a way that supports a customer through the process of understanding core cover and configuring optional elements of insurance to suit their specific demands and needs.

This product can be sold face to face, via telephone, online rating engine or electronic communication or a mix of these methods, as long as customers are provided with sufficient information to make an informed decision regarding the suitability of the product.

Where Distributor 1 sells this Product via multiple other distributors (via sub-delegation or sub-brokering), it is their responsibility to ensure all distributors have been provided this document, have reviewed it and understand the content. If there is any additional remuneration, including commissions, fees or other 'non-standard' remuneration charged to the customer by other distributors, it is the responsibility of Distributor 1 to inform TMK of these details accurately and in full.

Commission & Fees

If there is a coverholder in the chain, they are expected to ensure that maximum commission rates do not exceed those stipulated within the Binding Authority Agreement.

The coverholder is expected to maintain oversight of all broker commissions (where applicable) and, where there may be a risk to product value, remedial action should be taken immediately including notification to Tokio Marine Kiln.



Brokers are reminded of their own regulatory obligations in relation to remuneration under PROD 4.3.6 as well as the requirements to make all necessary disclosures to the customer.

Where there are any fees charged by any member of the distribution chain these should be:

- commensurate with the service provided by the distribution.
- not have an adverse impact on customer value; and
- distributor should ensure that TMKS is made aware of the fee amount and/ or method of calculation.

How value is assessed

Value is assessed based on a number of metrics, including underwriting, claims and complaints information as well as through broker and coverholder engagement.

Remuneration paid as set out in our agreements with distributors has been considered as part of the product review.

If additional add-ons (including premium finance) are sold alongside this product or additional remuneration is charged, this may affect the value for the customer.

Further information on our product approval processes can be obtained on request.

Date Product Review completed	February 2024
Expected date of next assessment	February 2025