Uganda Law Society

Professional Indemnity Insurance Programme

Kampala Serena Hotel

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Introduction

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Professional Indemnity Insurance

Uganda Law Society

Who is a Professional?

- **Special skills**
- **Skilled advice and / or service**
- **Established discipline**

The Profession

- **Attorney, Notary or Conveyancer**

- **Attorney acting as Trustee, Insolvent Estate or Liquidator of Companies, and an Executor or Administrator of a deceased estate**

Why Professional Indemnity Insurance?

- Skill and care
- Fiduciary duties
- Statutory provisions
- Errors & mistakes
- Direct financial loss
- Peace of mind

Professional Indemnity Cover

- **Scope of Cover – Wrongful Act**
  - **Professional civil (legal) liability**
  - **Defence costs**

Wrongful Act

- **Actual or alleged breach of duty**
- **Breach of trust**
- **Neglect, error, misstatement, omission**
- **Breach of warranty of authority**
- **Defamation**
- **Any other wrongful act agreed with ULS**

The Claim

- **Any suit or proceeding brought by any person or organisation against an Insured for monetary damages**

- **Any written demand from a person or organisation that it is the intention of such person or organisation to hold one or more Insured responsible for the results of any specified wrongful act**

Defence Costs

Reasonable and necessary fees (including legal fees), costs and expenses incurred with the written consent of Insurers resulting solely from the investigation, adjustment, defence and appeal of any claim against the Insured

Indemnity Limit

- **The total (maximum) liability agreed with the Insurer**
- **For all claims, including claimants' costs, fees and expenses and defence costs**
- **During the Period of Insurance**

What is not covered?

- **The deductible**
- **Misappropriation of money and/or other property**
- **Illegal personal profit not legally entitled**
- **Dishonest or fraudulent act**
- **Fund management in contravention of the Banking Act**
- **Liability governed by the WC Act of Uganda**

What is not covered?

- **Trading losses or trading liabilities**
- **Liability covered by any other insurance**
- **Liability from actions related to fund management**
- **Liability determined in USA, Canada or Australia**

Sources of Liability

- **Missing a Filing**
- **Allowing a statute of limitation to run out**
- **Typographical errors in a will or a contract**
- **Malicious Prosecution**
- **Inadequate representation**
- **Erosion of Privacy**

Cover Trigger Criteria

- **Area of specialization**
- **No. of staff – qualified & unqualified**
- **Previous work history**
- **Annual fees generated**
- **Indemnity limit required**
- **Amount of excess to be borne**

Thank You & End