



Side A difference in conditions (DIC) liability

Product brochure
United States

Overview

Being on a board of directors carries significant exposure to personal assets, particularly in a challenging economic and regulatory environment. CFC's Side A DIC policy provides excess and drop-down coverage for non-profit, private and publicly-traded organizations and is solely available to the individuals covered by the underlying directors and officers insurance policy.



About CFC

CFC is a specialist insurance provider, pioneer in emerging risk and market leader in cyber. Our global insurance platform uses cutting-edge technology and data science to deliver smarter, faster underwriting and protect customers from today's most critical business risks.

Headquartered in London with offices in New York, Austin, Brussels and Brisbane, CFC has over 800 staff and is trusted by more than 130,000 businesses in 90 countries. Learn more at cfc.com and [LinkedIn](#).

Contact



Evan Kislingbury
Management Liability Underwriter

ekislingbury@cfc.com
+44 (0)207 469 1711

Coverage highlights

Policy triggers

The policy responds when indemnification is not available for individual directors and officers, assisting with paying the costs of defending and resolving legal actions against them. Excess insurance coverage responds when the underlying D&O insurance policy has been depleted. DIC insurance coverage responds when a claim is excluded, there are gaps in an underlying policy, or when an organisation withholds indemnification through legal or financial restrictions.

Utilizing a limit profile of up to \$25m CFC can provide clients with the comfort and peace of mind they require when serving on the boards of not for profits, private and publicly-traded companies. This important safety net can help clients attract and retain qualified board members who desire reassurance that their personal assets will not be put at risk.

Policy definitions

Broad definition of a claim to include civil and criminal proceedings, extradition proceedings, Wells Notice receipts, and state, local, and federal investigations
Broad definition of loss to include fines and penalties associated with the Foreign Corrupt Practices Act, Sarbanes-Oxley Act, and Dodd-Frank Wall Street Reform and Consumer Protection Act.

Non-cancellable and non-recindable

This policy is non-cancellable other than for non-payment of the premium. The policy can not be rescinded or voided.

Automatic drop-down in 60 days

Our policy will drop-down to defend a claim in 60 days in the event the primary has denied the claim or has not responded to a notice of claim in that timeframe..

No presumptive indemnification language

There is no presumptive indemnification language within the policy.

Built in reinstatement of limit

Up to full policy limit, built into the wording in the event that the limit of liability is exhausted due to the payment of non-indemnifiable loss or costs and expenses the limit of liability will automatically reinstate.

Appetite

What we like

- NFPs / private companies up to \$250m in revenue*
- Public companies up to \$250m in market capitalization*

**We can consider larger risks on a case by case basis.*

What we consider

Includes, but is not limited to:

- Life science
- Manufacturing
- Mining
- Oil and gas
- Technology

What we ordinarily decline

- California based companies
- Production and / or sale of coal
- Firearms related companies
- Religious / political / advocacy organizations

Pricing

The rating structure is an indication only and subject to change based on the particulars of the risk.

NFPs	\$1,000 - \$1,500 *
Private	\$1,250 - \$3,500 *
Public	\$3,000+ **

**The above rates are based on \$1m limit and revenue / assets below \$10m*

***The above is based on a market capitalization up to \$50m*

Coverage is subject to underwriting and the terms, conditions, and limits of the issued policy.