MARINE CARGO CYBER EXCLUSION WITH PHYSICAL THEFT CONFIRMATION ENDORSEMENT

1 Subject only to paragraphs 3 and 4 below, in no case shall this insurance cover loss, damage, liability or expense directly or indirectly caused by or contributed to by or arising from the use or operation, as a means for inflicting harm, of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system.

2 Subject to the conditions, limitations and exclusions of the policy to which this clause attaches, the indemnity otherwise recoverable hereunder shall not be prejudiced by the use or operation of any computer, computer system, computer software programme, computer process or any other electronic system, if such use or operation is not as a means for inflicting harm.

3 Where this clause is endorsed on policies covering risks of war, civil war, revolution, rebellion, insurrection, or civil strife arising therefrom, or any hostile act by or against a belligerent power, or terrorism or any person acting from a political motive, paragraph 1 shall not operate to exclude losses (which would otherwise be covered) arising from the use of any computer, computer system or computer software programme or any other electronic system in the launch and/or guidance system and/or firing mechanism of any weapon or missile.

4 Where this clause is endorsed on policies covering the risk of physical loss or physical damage by theft of insured goods, paragraph 1 shall not operate to exclude physical loss or physical damage (which would otherwise be covered) where any computer, computer system or computer software programme or any other electronic system is used to facilitate access to the insured goods, provided that further physical human intervention is subsequently required to commit the actual physical theft.

5 In no case shall this insurance cover loss or damage to any electronic data in any form and wherever stored.

6 Notwithstanding any Other Insurance wording in this insurance, if there is other collectible insurance covering the risks outlined in paragraphs 3 or 4 above, this policy will cover as excess insurance and will not contribute with such other insurance.

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