Chung Kuo Commercial General Liability Insurance
Sudden and Accidental Pollution Damage Clause

107 年 11 月 23 日兆產備字第 1074300746 號函備查

It is agreed that this policy is extended to cover the Insured's _____ liability in respect of bodily injury or property damage in consequence of the sudden and accidental discharge, emission, spillage or leakage upon or into the seas, waters, land or air. Provided always that the Insured establishes that the discharge, emission, spillage or leakage giving rise to liability hereunder meets all of the following conditions:
1. it was sudden and was unintended and unexpected by the Insured;
2. it first commenced at a specific time and date during the policy period
3. it became known to the Insured within _____ hours of its commencement; and
4. it was reported in accordance with the notice requirement of this Policy within _____ days after having become known to the Insured.

But under no circumstance shall this insurance cover
- Any fines, penalties, punitive or exemplary damages howsoever described or the cost of removing, nullifying or cleaning-up pollutants.
- Any liability arising out of gradual pollution and/or contamination and/or seepage and/or leakage.

If the Insured and the Insurer should   disagree to when a discharge, dispersal   or other release became evident, the burden of proving that all four enumerated conditions are met rests with the Insured, at the Insured's own expense. Until such proof is accepted by the Insurer, the Insurer may, but is not obliged to, defend any claim.

The limit of liability provided under this clause shall apply inclusively to the insurance and not increase the limits stated in the DECLARATION.

Subject otherwise to the Terms, Conditions and Exceptions of the Policy.