



**To all Reference Committee Members of the CB&MUA**

**MINUTES OF MEETING**

A Reference Committee Members' Meeting of The Canadian Boiler & Machinery Underwriters' Association was held on Tuesday September 21, 2021 by Microsoft Teams, to consider the following agenda:

**Attending:**

- AVIVA (Iain Stewart)
- BI&I/HSB (Kathleen Henry) joined at 1:44 pm
- Chubb (Julie Grenier)
- CNA (Robert McGregor)
- Northbridge (Mark Rolfe)- Chair
- RSA (Harvey Kenworthy)
- Sovereign (Andrea Powell)

**Regrets:** Allianz, Intact and Travelers,

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**ITEM 1. Welcome and Meeting Call to Order:**

Mark Rolfe (Chairperson) welcomed the attendees. The Reference Committee Members' meeting of the CB&MUA was called to order at 1:10 p.m..

**ITEM 2. Attendance and any Change to the list of Representatives / Alternates:**

Seven (7) Committee Members were in attendance. Three members declined the meeting.

**ITEM 3 Reading and/or Acknowledgement of the Antitrust Statement:**

All the attendees (as shown above), were made aware of the CB&MUA Antitrust Statement. The Antitrust Statement wasn't read for the attendees but was however verbally and individually acknowledged by all the attendees.

**ITEM 4. Approval of this Notice of Meeting / Agenda:**

A motion was made by Harvey Kenworthy and seconded by Julie Grenier, to approve the Notice of Meeting/Agenda with the corrected minutes attached. All in favour, the motion carried unanimously. (Copy attached).



CBMUA - Reference  
Committee - NoM-Ag

**ITEM 5. Approval of the Minutes of the Reference Committee Members' Meeting held on July 27, 2021:**

A motion was made by Andrea Powell and seconded by Iain Stewart,



to approve the Minutes of Meeting held on July 27, 2021 with minor edits. As all were in favour, the motion carried unanimously. (Copy attached).



CB&MUA Reference  
Committee-MofM-July

#### **ITEM 6. Review of status of Cyber Loss Exclusion**

As stated in the previous meeting, the Wordings Working Group has been working with the counterpart IBC Commercial Property Wordings Working Group to develop a consistent approach to excluding silent cyber. With CB&MUA members' valuable advice, IBC adopted some of the recommendations and a harmonized advisory exclusion was developed (there remain differences between IBC liability, IBC property and CB&MUA where it must be different for the forms to which it applies). 2 words have since been added to a definition since this exclusion was last presented to this committee on July 27<sup>th</sup>. IBC amended the definition of "computer system" to add 2 words "...or microprocessors" to item (v) after "microcontrollers".

IBC's advisory exclusion has been escalated to their Commercial Lines Standing Committee for review, and will then undergo Claims-Scenario testing (hopefully on an expedited process). If any further changes arise, the CB&MUA Wordings Working Group will be advised of such changes and discuss if our advisory exclusion requires further changing (i.e. to adopt the changes to harmonize).

Iain Stewart, seconded by Mark Rolfe, motioned to send the attached wording as final draft to the Executive Committee, for review at their October 7, 2021 meeting. All were in favour and the motion passed.

#### **ITEM 7. Final Review and Approval of Phase 2 Declarations page and Wording**

The Executive Committee has been given until the next upcoming meeting (Thursday, October 7<sup>th</sup>) to review the phase 2 advisory Declarations Page and wording and provide feedback on any desired changes (bearing in mind that they had previously approved all items that were submitted to them). See document attached (updated with those 2 wordings added to the Cyber Loss Exclusion referenced in Item 6 above).



CBMUA WWG  
wording at Sept 16 21

#### **ITEM 8. Phase 3 Advisory Wording Updates**

The Wordings Working Group has requested approval of the following for the "phase 3 light" next iteration of the advisory wording:



- Move all the definitions into a new Definitions section. Sequence alphabetically (as opposed to “order of occurrence”).
- Create a Coverage Extensions section to:
  - move certain Special Provisions into (e.g. those that provide coverage such as ammonia contamination, water damage, expediting expenses)
  - embed commonly added Endorsements (e.g. professional fees, hazardous substances, by-laws)
  - add a submit to by-laws
- Keep Electronic Equipment, Data/Media and E&O as endorsements
- Update the Dec to show a sublimit for these instead of embedding these amounts in the wording (note some already are listed on the Dec)
- Consideration will be given for adding a sublimit on DICC.
- Create an advisory endorsement for Solar Storm Exclusion Endorsement
- We are currently reviewing our “future task” items to determine if there are any other items...
- Note that “phase 3 light” would still be Direct Damage only and not incorporate any Time Element / Indirect / Business Interruption. As such, all the Coverage Extensions are Direct Damage only for this phase.

If all items are agreed to, the Wordings Working Group will estimate a completion date for this phase.

Iain Stewart moved that this summary be presented to the Executive Committee for approval. It was seconded by Kathleen Henry. As all were in favour, the motion carried.

#### **ITEM 9. Additional Business**

The Engineering Subcommittee is looking for some guidance on the Blanket Group wording review and help with the documentation in Word. It was agreed, based upon availability, Mark Rolfe and Robert McGregor will attend the next Engineering meeting to help get group focused and answer any questions. A priority list of definitions was given to the group in 2019 and will be resubmitted to the current Chair.

#### **ITEM 10. Next Meeting Date: TBA (depending upon work to submit)**

#### **ITEM 11. Closing Remarks and Motion to Adjourn**

Mark Rolfe, the Chairperson, thanked everyone for their participation. Robert McGregor, seconded Harvey Kenworthy by motioned for the adjournment of the meeting. As all were in favour, the meeting adjourned at: 2:50 pm.



Respectfully submitted,

**Mark Rolfe,**  
**Chairperson of the Reference Committee**  
**Canadian Boiler & Machinery Underwriters' Association**

**Jo-Anne Burns**  
**Secretary to the Canadian Boiler and Machinery Underwriters' Association**