

华泰财险附加罢工、暴乱及民众骚乱条款（CB-H 版）

兹经双方理解并同意：

- (a) 除非本附加条款第 2 条除外责任另有约定，保险人同意扩展承保本附加条款所述承保范围，被保险人需支付相应额外保险费；
- (b) 不论任何法律法规对本附加条款术语有任何相反定义，本附加条款所有以斜体印刷的术语均以本附加条款第 3 条定义所述含义为准。

1. 责任范围

本保单扩展承保：

因以下单个或多个风险导致保险标的和/或保险利益受到的直接物质损失：

- 1.1 暴乱；
- 1.2 罢工；
- 1.3 停工；
- 1.4 恶意行为；
- 1.5 上述 1.1 至 1.4 条风险相关的预防措施；
- 1.6 民众骚乱。

因以下风险导致保险标的和/或保险利益受到的直接物质损失：

- 1.7 暴乱中发生的抢劫事件；

前提条件是上述风险并未通过连续事件发展成为单个或多个除外风险。

2. 除外责任

本扩展条款不负责承保因以下单个或多个风险导致的直接或间接的损失：

- 2.1 叛乱/起义、夺权、革命、谋反、军事行动、侵略、内战、战争和战争状态、颠覆行为、恐怖活动和破坏行为。在任何诉讼、行动或其他程序中，如果保险人主张损失是由本批单除外的单个或多个风险直接或间接导致的，应由保险人负责证明该等损失是除外的；

2.2 全部或部分工作停止，或任何过程或操作延迟、中断或停止；

2.3 因任何合法机关或主体没收、征收或征用，或任何人非法占有，而导致财产被永久或暂时剥夺；

2.4 营业中断或任何间接损失。

3. 定义

不论任何法律法规对本批单术语有任何相反定义，本附加条款所有以斜体印刷的术语均以以下含义为准：

3.1 **暴乱**指 12 个以上个人组成的团体，为实现其共同目标而引起的公共骚乱，并对他人的财产造成侵害的行为；

3.2 **罢工**指 12 个以上或一半以上工人（工人总数小于 24 人的）组成的团体，拒绝像往常一样工作，试图强迫雇主接受他们的要求，或对雇主施行的雇佣条件提出抗议；

3.3 **停工**指 12 个以上或一半以上工人（工人总数小于 24 人的）组成的团体，反对其同事被雇主解雇或停职的故意损害行为；

3.4 **恶意行为**指任何个人出于报复、仇恨、愤怒或故意破坏的目的，故意损害他人财产的行为，或任何盗窃、抢劫或抢夺的行为，但被保险人的雇员或经由被保险人授权的人员为维护或保存该等财产实施的行为除外；

3.5 **预防措施**指任何合法机关或主体为预防或防止任何承保风险的发生或为将任何该等风险的后果最小化而采取的措施；

3.6 **民众骚乱**指大群民众行为引起公共骚乱并对大量财产造成侵害的行为，其特征为某一城市的区域、学校或公共交通在骚乱前、骚乱中或骚乱后连续中断 24 小时以上；

3.7 **叛乱/起义**指一国的都城或省内 3 个或 3 个以上都城的多数民众于 12 天内，在法律上或事实上，要求政府变更的起义行为或公开对抗政府但不构成 *谋反* 的行为；

3.8 **夺权**指已有秩序被非法推翻或替代，并由该等非法政府制定行为规则与确保规则的执行；

- 3.9 *革命*指民众通过起义的方式彻底改变当前国家公共管理系统或颠覆已有政府但在法律上或事实上不构成 *谋反* 的行为；
- 3.10 *谋反*指以取代或颠覆为目的，有组织地通过武装手段反抗已有政府的行为，且威胁到了该等已有政府的存在；
- 3.11 *军事行动*指由境内或境外 30 个以上武装人员组成的团体，使用武力企图颠覆已有政府或引起公共骚乱的行为；
- 3.12 *侵略*指一国武装力量侵入或侵略他国领土，企图永久或临时地占有或控制该等领土的行为；
- 3.13 *内战*指一国领土内不同地区或政治派系之间为争夺合法的执政权力而发生的武装冲突；
- 3.14 *战争和战争状态*指两个或多个国家之间的大范围武装冲突或战争状态（不论是否宣战），包括一国的单独军事行动或多国的联合军事行动；
- 3.15 *颠覆行为*指任何组织在法律上或事实上从事颠覆政府的活动或通过恐怖活动、破坏行为或暴力行为以影响该等政府的，该等组织的代表或与之相关的个人实施的行为；
- 3.16 *恐怖活动*指任何个人使用武力引起公众恐慌的行为，且该等行为在公众看来具有政治目的；
- 3.17 *破坏行为*指任何个人破坏财产、阻碍工作进程或引起工作价值降低的破坏行为，且该等行为在公众看来具有政治目的；
- 3.18 *抢劫*指任何个人（包括被保险人的雇员或受被保险人控制的人员）以永久占有为目的，非法占有他人财产的行为；

Strike, Riot and Civil Commotion Clause

It is hereby declared and agreed that:

- a) Unless otherwise excluded in item 2 Exclusions of this Endorsement and subject to payment of additional premium, the Insurer agrees to extend this insurance as provided in this Endorsement;
- b) notwithstanding anything which may be defined in any laws or regulations to the contrary, for the purpose of this Endorsement, all terminology printed in italics shall be deemed to mean as defined in item 3 Definitions of this Endorsement.

1. Extensions

This insurance is extended to cover :

Physical damage to the property and/or interest insured directly caused by one or more of the following perils :

1.1 *Riots;*

1.2 *Strikes;*

1.3 *Locked-out workers;*

1.4 *Malicious Acts;*

1.5 *Preventive Acts* related to perils 1.1 up to and including 1.4;

1.6 *Civil Commotions*

Physical loss of the property and/or interest insured directly caused by:

1.7 *Looting* occurring during *Riots;*

provided that any of these perils does not develop in an uninterrupted chain of events into one or more of the excluded perils.

2. Exclusions

This extension does not cover Loss directly or indirectly caused by or contributed to by or arising from or in consequence of one or more of the following perils:

2.1 *Insurrection/Popular Rising, Usurped Power, Revolution, Rebellion, Military Power, Invasion, Civil War, War and Hostilities, Subversive Act, Terrorism and Sabotage* In any action, suit or other proceedings, where the Insurer alleges that Loss is directly or indirectly caused by one or more of the excluded perils under this section, the burden of proof that such Loss is excluded shall be on the Insurer.

2.2 Total or partial cessation of works or retarding or interruption or cessation of any process or operation.

2.3 Permanent or temporary dispossession resulting from confiscation, commandeering or requisition by any lawfully constituted authority or body, or unlawful occupation by any person.

2.4 Business interruption or any kind of consequential loss.

3. Definitions

Notwithstanding anything which may be defined in any laws or regulations to the contrary, for the purpose of this Policy, all terminology printed in *italics* shall be defined as follows:

- 3..1 *Riot* is an act of a group of at least 12 (twelve) persons who in the execution of their common purpose cause public disturbance tumultuously with violence and damage to the property of others.
- 3..2 *Strike* is a deliberate act of damage by a group of workers of at least 12 (twelve) persons or one half of the entire workforce (if the total number of workforce is less than twenty four persons), refusing to work as usual in an attempt to force the employer to accept their demands or to protest against any terms of employment enforced by the employer.
- 3..3 *Locked-out Workers* is a deliberate act of damage by a group of workers of at least 12 (twelve) persons or one half of the entire workforce (if the total number of workforce is less than 24 persons) to protest against any termination or suspension of a fellow employee by the employer.
- 3..4 *Malicious Act* is an act of any person(s) deliberately causing damage to the property of others driven by vengeance, hatred, anger or vandalistic, except such acts done by the employee(s) of the Insured or any person(s) entrusted by the Insured to maintain or keep such property, or by thieves/robbers/looters.
- 3..5 *Preventive Act* is an act of any lawfully constituted authority or body in an attempt to prevent or suppress the occurrence of any of the insured perils or to minimize the consequences of any such perils.
- 3..6 *Civil Commotion* is an act of large number of people acting together disrupting public peace and disturbance tumultuously with violence and a chain of destruction of a large number of properties, indicated by the cessation areas or schools or public transportation in one city for at least 24 (twenty four) consecutive

hours commencing immediately before, during or after the event.

- 3..7 *Insurrection/Popular Rising* is an uprising of a majority of the people in the capital city of the country, or in three or more capital cities of the provinces within 12 (twelve) days demanding a change in the government, de jure or de facto, or open resistance against the government de jure or de facto not amounting to a *rebellion*.
- 3..8 *Usurped Power* is a situation where the established order has been overthrown and replaced by some illegal authority which is in a position to lay down rules of conduct and also ensure that the rules are obeyed.
- 3..9 *Revolution* is an uprising of the people with force to make a radical change to the current public administration system of the country or to overthrow the established government de jure or de facto not amounting to a *rebellion*.
- 3..10 *Rebellion* is a state of organized resistance against the established authority with the object of supplanting or overthrowing it with force using fire arms which threatens the existence of such authority.
- 3..11 *Military Power* is an act by a group of home or foreign armed forces personnel consisting of at least 30 (thirty) persons using force with the intention to overthrow the established authority or to cause public disorder and disturbance.
- 3..12 *Invasion* is an act by the military power of one country to penetrate or invade the territory of another with the object of permanently or temporarily occupying and taking control over such territory.

- 3..13 *Civil War* is an armed conflict between regions or political factions within the territorial limits of a country with the object of gaining legitimate power.
- 3..14 *War and Hostilities* is a widespread armed conflict (whether or not war has been declared) or a warlike situation between two or more countries, including military exercise of a country or joint military exercise between countries.
- 3..15 *Subversive Acts* is an act by any person on behalf of or in connection with any organization with activities towards the overthrow by force of the government de jure or de facto or to the influencing of it by *terrorism* or *sabotage* or violence.
- 3..16 *Terrorism* is an act by any person using force to create public fear in an attempt to achieve a goal which according to public opinion has a political background.
- 3..17 *Sabotage* is a destructive act against property or the obstruction of work process or causing the reduction in value of work, by any person in an attempt to achieve a goal which according to public opinion has a political background.
- 3..18 *Looting* is the appropriation of property belonging to another by any person (including those employed by or under the control of the Insured), with the intention of permanently depriving the other of it.