

AVIATION RADIOACTIVE CONTAMINATION EXCLUSION CLAUSE

(1) This Policy does not cover

- (a) loss or destruction of or damage to any property whatsoever or any loss or expense whatsoever resulting or arising therefrom
- (b) any legal liability of whatsoever nature directly or indirectly caused or contributed to by or arising from ionising radiations or contamination by radioactivity from any source whatsoever.

(2) Loss, destruction, damage, expense or legal liability which, but for the provisions of paragraph (1) of this Clause, would be covered by this policy, and is directly or indirectly caused or contributed to by or arises from ionising radiations or contamination by radioactivity from any radioactive materials in course of carriage as cargo under International Air Transport Association regulations, shall (subject to all the other provisions of this policy) be covered, provided that:

- (a) it shall be a condition precedent to the liability of the Underwriters that the carriage of any radioactive materials shall in all respects comply with the current regulations issued by the International Air Transport Association relating to the carriage of restricted articles by air;
- (b) this policy shall only apply to any claim made against the Insured arising out of any accident or incident occurring during the period of this insurance and such claim by the Insured against the Underwriters or by any claimant against the Insured shall have been made within three years after the date of the occurrence giving rise to the claim;
- (c) in the case of any claim by virtue of this paragraph (2) under the Hull section of this policy, the level of contamination shall have exceeded the maximum permissible level set out in the following scale;-

<u>Emitter</u>	<u>Maximum permissible level</u>
(IAEA Health and Safety Regulations in accordance with the current ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air)	<u>of non-fixed radioactive surface contamination</u> <u>(Averaged over 300 cm²)</u>
Beta, gamma and low toxicity alpha emitters	Not exceeding 4 Bequerels/cm ² (10 ⁻⁴ microcuries/cm ²)
All other alpha emitters	Not exceeding 0.4 Bequerels/cm ² (10 ⁻⁵ microcuries/cm ²)

(d) the cover afforded by this paragraph (2) may be cancelled at any time by the Underwriters giving seven days' notice of cancellation.

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