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Uncapped Liability Has No Ceiling

Without a liability cap, your exposure can exceed the contract value many times over.

- [x] **No limit on what you may owe the client**
- [x] **A single failure can exceed your annual revenue**
- [x] **Your policy limit may fall well short of the exposure**

An uncapped clause is a blank cheque.

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Indemnities That Cover the Client's Own Losses

Some indemnities ask you to pay for losses the client causes itself.

You indemnify the client for losses it creates

The clause can cover losses beyond your control

Many policies exclude liability you have contractually assumed

Read indemnities for who causes the loss, not just who pays.

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Guarantees Are Promises You Must Keep

Warranties on uptime or performance turn service levels into legal obligations.

Guaranteed uptime or performance levels

Breaches can trigger claims even without negligence

Policies often respond only to negligence, not guarantees

A guarantee is a promise, whether or not you were at fault.

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Penalties, Credits, and Regulatory Fines

Some clauses shift fixed penalties or the client's regulatory fines onto you.

Liquidated damages set in advance, regardless of loss

Service credits that reduce your fees automatically

Liability for the client's regulatory fines

Fines and penalties often fall outside cover.

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Review the Terms Before You Sign

Continuum reviews the liability terms in your contracts against what your policy will actually pay.



Your contract can promise more than your policy covers. The difference is paid by the business.

www.continuuminsure.com/riskadvisory