

# Business Insurance Overview

Business insurance cover can help protect a business against financial loss when unexpected events occur.



The running of a business, or its value, can be severely impacted by unexpected events occurring, such as the death of a key employee or business owner.

### **Business expense insurance**

Business expense insurance is designed to help a business continue operating if the insured person is unable to work due to temporary illness or injury.

This type of insurance may be appropriate for sole traders or small partnerships and may also be available if the business is run through a company.

The insurance will usually cover up to 100% of eligible business expenses in the event the insured person is unable to work due to illness or injury. Not all expenses are covered so it is important to check the wording before taking out a policy. Expenses that are generally covered by a business expense insurance policy include rent or lease payments, interest costs, accountant's fees, telephone and electricity. Expenses that are generally not covered include personal remuneration, cost of goods, salaries for income generating employees and depreciation.

In the event that the business needs to be sold because the insured person is unable to return to work, business expense insurance can help the business retain its value until the sale date.

Premiums for business expense insurance are tax-deductible for the business. In the event of a claim, the proceeds are assessable either to the business or the business owner. Tax advice should be sought to understand the tax implications of business insurance, including how the insurance proceeds are taxed (because this can vary depending on the ownership and who receives the proceeds) and how to structure the insurance policy ownership.

### **Key person insurance**

One of the most valuable assets in any business is the people. The loss of a key person can affect profitability, operational management and goodwill.

Key person insurance protects a business in the event of the loss of a person who makes a significant contribution towards the profitability or stability of the business.

It provides a cash injection into the business to offset the estimated loss caused by the death, disablement or illness of a key person. For example, it may provide the business with a lump sum or income stream that could be used to hire a temporary replacement, cover the cost of training a

new staff member or to compensate the business for a reduction of profit.

Key person insurance may be used for a revenue purpose (to replace lost income) or a capital purpose (such as repaying creditors). The deductibility of premiums and the taxation of proceeds depend on whether the insurance is to be used for a revenue or capital purpose.

### **Debt protection**

Debt protection can provide a business with the ability to satisfy creditors and maintain credit status in the event that a business owner dies or is unable to work due to disablement or trauma.

The insurance cover provides the business with a lump sum which can be used to repay or reduce business debts. Repaying debts helps to free up cash flow can provide clients and suppliers with confidence that the business will continue to trade.

Debt protection cover is generally regarded as capital in nature. Insurance proceeds are generally not subject to income tax however capital gains tax may apply.

### **Insurance to fund buy/sell agreements**

Buy/sell agreements help to ensure a smooth transition of business ownership to remaining owners in the event that one business owner dies or is unable to work again due to illness or disablement. They help to ensure that the remaining owners retain control over the business and that the departing owner receives fair value for the sale of his or her share of the business.

Buy/sell agreements are often funded with insurance policies. There are various options for owning insurance policies and these should be discussed with a financial adviser and/or tax adviser.

To implement a buy/sell agreement, business owners enter into a legally binding agreement setting out the details of the arrangement. This agreement covers issues such as who is to receive the departing owner's share of the business, the trigger events that will result in the transfer (e.g. death, disablement), the formula for determining the value of the business and how the transfer will be funded (e.g. insurance or other monies).

The tax implications of paying premiums and claiming proceeds from an insurance policy will depend on how the policy is owned.

## Other things you should know

- Business insurance should be reviewed regularly, to ensure it continues to meet the changing needs of a business.
- Insurance contracts vary. It is important to check the terms of any contract to ensure the cover meets the needs of the business and the owner.

The information in this fact sheet does not take into account your personal objectives, financial situation or needs. You should consider these factors, the appropriateness of the information and any relevant Product Disclosure Statement (PDS) before making any decisions.

This information includes an interpretation of the current or proposed law and regulatory documents at the current date (which may not be the only, or the correct, interpretation). Laws and their interpretation may change in the future. You should seek independent advice specific to your individual circumstances from an appropriate professional.

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