

Cyber Security and Contractual Liability

Celebrating Ag Shows NSW 2023

Proprietary & confidential information. All information commercial in confidence and not to be disclosed to other parties.

Agenda

Cyber Security – Lost in Space

1. Let's understand what is Cyber Crime
2. How it affects you and your show
3. Some examples
4. Who has a role to play
5. How can we can mitigate this risk



Agenda

Ensure your Contractual Agreements are Water Tight

1. What contracts are in play
2. What to look out for
3. How does your insurance policy respond
4. How can we help



What is Cyber Crime



Malware

What: Malicious software meant to harm or exploit computer systems

i.e. viruses, worms, ransomware

Perpetration:

- Email attachments
- Malicious websites you may have visited
- Infected Software



Phishing, Spoofing and Social Engineering

What: Trickery into revealing sensitive information. Such as fake emails, deceptive websites, impersonation

Perpetration:

- Emails received
- Phone Calls
- Text Messages



Data Breaches

What: Unauthorised access or disclosure of sensitive information.

i.e stolen passwords, hacking into databases

Perpetration:

- Exploiting software vulnerabilities
- Weak Passwords
- Social Engineering



Identity Theft and Fraud

What: Unauthorised use of personal and financial information

i.e credit card fraud, account takeovers

Perpetration:

- Phishing
- Data breaches
- Social Engineering



And more...

Denial of Service Attacks

System overloads, flooding

Insider Threats

Employee leaks, sabotage

Artificial Intelligence

AI, AGI, SHMI



It will never happen to me

We are all being targeted, directly or indirectly

Why:

1. To seek reward or
2. To on-sell your data to others so they can then target you
 - Credit Card Details - \$1 a record
 - Medical Information -\$7 a record

Some Examples

```
1 1001 01 00
00 01 1001 01 00110
101 00 01 100101 001101 00
01 00 01 1001 01 001101 00 01 100
100101 001101 00 01 1001 01 001101 00 0
00101 001101 00 01 100101 001101 00 01 1001
101 001101 00 01 100101 001101 00 01 1001 01 001
1 100101 001101 00 01 1001 01 001101 00 01 100101 0
1101 00 01 100101 001101 00 01 1001 01 001101 00 01 10
1101 00 01 100101 001101 00 01 1001 01 001101 00 01 10010
101 001101 00 01 1001 01 001101 00 01 100101 001101 00 01 10
01 00 01 100101 001101 00 01 100101 001101 00 01 1001 01 00110
00 01 1001 01 001101 00 01 100101 001101 00 01 100101 001101 00
1 001101 00 01 1001 01 001101 00 01 100101 001101 00 01 100101 0
1 100101 001101 00 01 100101 001101 00 01 1001 01 001101 00 01 10
1 001101 00 01 100101 001101 00 01 1001 01 001101 00 01 100101 001
1101 00 01 100101 001101 00 01 100101 001101 00 01 1001 01 001101 0
00 01 100101 001101 00 01 1001 01 001101 00 01 100101 001101 00 01
001101 00 1001 01 001101 00 01 100101 001101 00 01 100101 001101
00101 001101 00 01 100101 001101 00 01 1001 01 001101 00 01 100101
1101 00 01 100101 001101 00 01 1001 01 001101 00 01 100101 001101 00
0101 00 01 100101 001101 00 01 100101 001101 00 01 1001 01 001101 0
00 01 100101 001101 00 01 1001 01 001101 00 01 100101 001101 00 0
1 001101 00 01 100101 001101 00 01 1001 01 001101 00 01 100101 001
1101 00 01 100101 001101 00 01 100101 001101 00 01 1001 01 001101
00 01 100101 001101 00 01 100101 001101 00 01 1001 01 001101 00 0
01 00 01 100101 0 00 01 1001 01 0011 01 100101 001101 0
01 001101 00 0 1101 00 01 10 00 01 100101
001101 0 01 00 01 10 1 100101 0
00101 00 001101 00 00 01 100
1 100101
100101 00 01101 0
01101
1 00 01 1
100101
01 001101 00 1 00 01 1
101 00 01 1001 1 100101 001
101 00 01 100 01 00 01 0 1 001101 001 01 001101 0
0 01 100101 001101 00 01 1001
1101 00 01 100101 001101 00 01
0101 001101 00 01 100101 00110
01 1001 01 001101 00 01 10010
0 001101 00 01 100101 00110
001101 00 01 1001 01 001
101 00 01 100101 001101
00 01 100101 001101 1 1 01 001101 00 01 100
01101 00 01 100101 001101 00
1 00 01 100101 001101 00 01 1
1101 00 01 1001 01 001101 00
00101 001101 00 01 1001 01 00
101 001101 00 01 1001 01 001
1001 01 001101 00 01 10010
1 00 01 100101 001101
00101 00
```

Example 1

- Call receive from Microsoft advising that the Show bank accounts had been illegally accessed
- Legitimate material and language used
- Added an App to the Show phone enabling the threat actor to monitor keyboard activity. Supported with Telstra phone messaging for updating passwords.
- Instructions received to open bank account on phone and then close it, revealing access codes and passwords
- Three “dummy” withdrawals done, only to track illegal activity

Loss \$28,500

Example 2

- Hacker accessed email account
- Accessed an old invoice and changed the dates, amounts and bank details
- Just so happened that a similar amount to the same supplier was expected to be paid
- Accounts updated the bank details for payment, seconder authorized

Loss \$32,000

Some sobering statistics



**1 in 3
homes**

with computers infected
with malicious software



**65% of
Australian**

who went online ~~received~~ at
least one online scam offer.

Worldwide, consumers



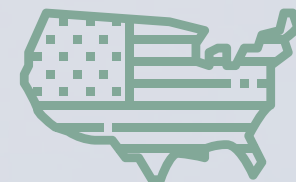
**lost \$358
+21 hours**

on average per year dealing
with online crime.

47%

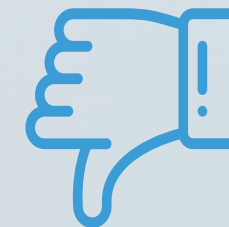
of Australian

adults
have had their personal
information exposed
by cyber criminals



600,000

**Facebook
Accounts**



hacked every single day.

**The #1 cyber crime
is the imposter scam**

with 1 in 5 people
reporting a
financial loss.



Mitigating Cyber Security Risks

- Regularly update software and systems (patches)
- Implement strong passwords – password managers
- Multifactor authentication
- Exercise caution with downloads and email attachments
- Verify requests for sensitive information
- Educate your volunteers re: Cyber Threats / Safe Practices

Mitigating Cyber Security Risks

- Use firewalls, antivirus software, intrusion detection
- Encrypt Sensitive Data
- Implement Access Controls
- Back up your data





Contractual Liability



What is it?

- Simply, it is a Liability assumed by the Show under a contract
- The show therefore accepts full responsibility for personal injury / property damage regardless of the suppliers own negligence. The Show accepts the financial consequences of an associated breach.
- What's your Liability Insurer's Response?

Not Happy Jan



How are they defined?

- Liabilities assumed under Contract
- Obligations imposed on you
- Hold Harmless Clauses

What is the legal position?

- Generally it is not equitable for a contract to expand liability or to create a broader liability than what exists under Common Law
- That is well and good however a dispute can arise which needs to be defended without the support of your insurance policy



How can we better manage contracts entered into?

- We must enforce Proportional Liability
- Limit indemnity to works/service being performed by the Shows under contract
 - Use words such as:
 - Arising in Connection With
 - Caused or Contributed By
- Tap into our free contract review service

