



PROPOSAL FOR ERRORS AND OMISSIONS INSURANCE

DUTY OF DISCLOSURE

Before you enter into a contract of general insurance with an Insurer, you have a duty, under the Insurance Contracts Act, 1984, to disclose to the Insurer every matter that you know is relevant to the Insurer's decision whether to accept the risk of insurance and, if so, on what terms.

You have the same duty to disclose those matters to the Insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty, however, does not require disclosure of matter:

- that diminishes the risk to be undertaken by the Insurer;
- that is of common knowledge;
- that your Insurer knows or, in the ordinary course of business, ought to know; or
- as to which compliance with your duty is waived by the Insurer.

NON-DISCLOSURE

If you fail to comply with your duty of disclosure the Insurer may be entitled to reduce his liability under the contract in respect of a claim or may cancel the contract.

If your non-disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

AGREEMENT AFFECTING SUBROGATION

If you have entered into any agreement which excludes or limits a right which you may have to recover damages from any person other than us, then - subject to the Insurance Contracts Act, 1984 - we will not be liable for any claim under the proposed insurance to the extent of such exclusion or limitation.

In accordance with the provisions of the Corporations Act, 2001 (Chapter 7), Pacific Underwriting Corporation Pty Limited hereby gives notice that this contract will be effected under an Authority, given to Pacific Underwriting Corporation Pty Limited by the Insurance Companies named in the Policy. Pacific Underwriting Corporation Pty Limited will effect the Contract as an agent of the Insurance Companies and not an agent of the Insured.



PROPOSAL FOR ERRORS AND OMISSIONS INSURANCE

In order to calculate the premium, we take various key factors into account. These key factors include the limits of indemnity, the scope of cover, annual wages/salaries, your previous insurance history and the nature of your business activities.

Please answer all the following questions carefully. In order to avoid delay it is important no blank spaces are left. Answers may be continued on a separate sheet of paper if designated space proves insufficient.

GENERAL

Full name of Proponent:

Business Address:

Web Site Address:

Please provide a **full** description of your business/activities and **attach** any relevant brochure(s) or copy of your latest Annual Report

If your business description has undergone any changes please describe previous operation(s)

INSURANCE HISTORY

Are you at present insured, or have you ever been insured, in respect of the classes of insurance now proposed?
If so please state the name of insurer:

Has any insurer ever declined your proposal, cancelled or declined to renew your policy or imposed special terms?
If so please provide full details.

ADVICE, DESIGN OR SPECIFICATION

Do you provide any advice, design or specification to third parties

- (a) for a fee
- (b) for no fee

Yes No

Yes No

If yes, please provide details:

Is any advice given on you product(s) by anyone other than you own employees:
If yes, please provide details:

Yes

No

Do you maintain strict guidelines for advice given by employees or others?
What type of advice is given and by whom?

Yes

No

Do you design you own product(s)

Yes

No

Do you have a Design Team or Research and Development Team?
If yes, please advise number of staff and professional qualifications

Yes

No

LIMIT OF INDEMNITY

Please state the limits of indemnity required:

\$ _____ in the aggregate during any one Period of Insurance

ANNUAL WAGES AND SALARIES (including earnings of principals, directors and partners)		
	Within Australia	Outside Australia
Clerical and Managerial (non-manual)	\$	\$
Manufacturing	\$	\$
Installation	\$	\$
Other	\$	\$
Total	\$	\$

PRODUCTS - Please give details of all products in respect of which insurance is required and <i>attach</i> any product brochure(s) or other descriptive documents	Function or end use of product	
Is the design of these products frequently changing If Yes, please provide details:	Yes	No
Do you plan to manufacture/supply or introduce any new products in the next 12 months? If Yes, please provide details:	Yes	No
Please give details of any past or discontinued products:		
QUALITY CONTROL		
Do you have ISO9000 / AS3900 accreditation	Yes	No
If no, please complete the following:		

Do you have a quality control/recording system

Yes

No

When was the program last reviewed/updated?

Do you have a separate Quality Control Division within the company

Yes

No

If yes, who is the Manager and what is his/her qualifications and experience?

Do your products undergo formal testing/evaluation process either in-house or by external testing authorities:

Yes

No

If yes, please specify:

Are all products subject to Quality Control procedures?

Yes

No

Is there a formal product design/manufacture/safety review process?

Yes

No

If yes, please provide details:

What specific Quality Control procedures do you utilize to ensure that correct designs/advice/representations/warranties are used?

What inspections or tests are carried out on your products or product samples?

CONTRACTUAL LIABILITY

Please give full details and attach copies of all agreements where you assume liability or hold any other party harmless under contractor agreement:

CLAIMS HISTORY during past five (5) years

Please indicate details of all claims (whether insured or not)		Claims					
		Paid		Outstanding		Total	
Year	Total Turnover	No	Amount	No	Amount	No	Amount

Please supply any further information you may feel may be of use on a separate sheet of paper including details of any other matters to fulfil your Duty of Disclosure

DECLARATION

I/We hereby declare that the above statements and particulars which We/I have read over and checked are true and that no information has been withheld which might increase the risk or influence acceptance by the Insurers and that should the above particulars alter in any way I/We will advise the Underwriters immediately. I/We have not suppressed, misrepresented or mis-stated any material fact and have fairly estimated our Wages and Salaries expenditure and Turnover and agree that this proposal shall hold promissory and form the basis of the contract between me/us and the Insurers. I/We understand that failure to disclose any material facts which would be likely to influence the acceptance and assessment of the proposal may result in the Insurers refusing to provide indemnity or voiding the policy in every respect

Signature of Proponent

Full Name (please print)

Title

Date of Proposal:

PRIVACY STATEMENT AND CONSENT CLAUSES

Pacific Underwriting Corporation Pty Limited is committed to protecting the privacy of the personal information you provide to us.

We will use the personal information requested on this form to consider your application for public and products liability insurance. The information will also be used if you lodge a claim under your policy and to determine the premium. We may request additional information from you in connection with your application.

If you do not provide us with the information in this form or any additional information we request, we may not be able to process your application or offer you insurance cover.

We may disclose your personal information we collect on this form and any additional information that you provide to us in connection with this application:

- to our relevant staff and contractors involved in delivering our services;
- if a broker collects this form from you, to that broker;
- to the Insurance Companies named in the Policy;
- to any finance company, bank or other party with an interest in the business or property;
- to insurance reference bureaus or credit reference bureaus;
- to reinsurers or reinsurance brokers (which may include reinsurers located outside Australia);
- to facilitators such as legal firms, accountants, actuaries, engineers, valuers and others;
- to agents engaged by us; and
- if required to do so by a law enforcement body or by law.

We may be required to provide your personal information to others for purposes of public safety and law enforcement.

You may request access to your personal information, and where necessary, correct any errors in this information (some restrictions and costs may apply).

By completing and returning this application form and/or providing us with any additional information in connection with your application, you agree to us using and disclosing your information as set out above.

This consent to the use and disclosure of your personal information remains valid unless you alter or revoke it by giving us written notice.

If any of your personal information changes in the future, please notify us of these changes so we can ensure that the information we hold about you is accurate, complete and up-to-date.