

Proposal Form



BusinessGuard Multimedia Professional Liability Insurance



Bring on tomorrow



Proposal Form

BusinessGuard™ Multimedia Professional Liability Insurance

An Important Notice

Claims-Made and Notified Insurance

This policy is issued by AIG Australia Limited (AIG), ABN 93 004 727 753 AFSL 381686, on a claims-made and notified basis. This means that the policy only covers Claims (as defined) first made against you during the Policy Period (as defined) and notified to the insurer in writing during the Policy Period. The policy does not provide cover for any Claims made against you during the Policy Period if at any time prior to the commencement of the Policy Period you became aware of facts which might give rise to those Claims being made against you.

Section 40(3) of the Insurance Contracts Act 1984 provides that where you give notice in writing to the insurer of facts that might give rise to a Claim against you as soon as is reasonably practicable after you become aware of those facts but during the Policy Period, the insurer cannot refuse to pay a Claim which arises out of those facts, when made, because it is made after the Policy Period has expired.

This policy contains a "Prior Claims/Circumstances" Exclusion for loss in connection with any claim:

- a. made prior to or pending at the inception of this policy; or
- b. arising out of, based upon or attributable to any circumstance that, as of the inception of this policy, may reasonably have been expected by any Insured to give rise to a Claim.

This policy does not provide cover for Claims arising from any Wrongful Acts which take place before the Retroactive Date.

Your Duty of Disclosure

Before you enter into an insurance contract, you have a duty to tell us anything that you know, or could reasonably be expected to know, may affect our decision to insure you and on what terms.

You have this duty until we agree to insure you.

You have the same duty before you renew, extend, vary or reinstate an insurance contract

You do not need to tell us anything that:

- reduces the risk we insure you for; or
- is common knowledge; or
- we know or should know as an insurer; or
- we waive your duty to tell us about.

If you do not tell us something

If you do not tell us anything you are required to, we may cancel your contract or reduce the amount we will pay you if you make a claim, or both.

If your failure to tell us is fraudulent, we may refuse to pay a claim and treat the contract as if it never existed.

Subrogation

This policy contains provisions which have the effect of excluding or limiting the insurer's liability in respect of a loss where you have prejudiced the insurer's rights of subrogation where you are a party to an agreement which excludes or limits insurer's rights to recover the loss from another party. You are hereby notified of the effect of these provisions.

Privacy Consent and Disclosure

AIG has adopted the National Privacy Principles. The National Privacy Principles apply to any personal information collected by AIG.



Privacy Notice

This notice sets out how AIG Australia Limited (AIG) collects, uses and discloses personal information about:

- you, if an individual; and
- other individuals you provide information about.

Further information about our Privacy Policy is available at www.aig.com.au or by contacting us at australia.privacy.manager@aig.com or on 1300 030 886.

How we collect your personal information

AIG usually collects personal information from you or your agents.

AIG may also collect personal information from:

- Our agents and service providers;
- other insurers;
- people who are involved in a claim or assist us in investigating or processing claims, including third parties claiming under your policy, witnesses and medical practitioners;
- third parties who may be arranging insurance cover for a group that you are a part of;
- providers of marketing lists and industry databases; and
- publically available sources.

Why we collect your personal information

AIG collects information necessary to:

- underwrite and administer your insurance cover;
- maintain and improve customer service; and
- advise you of our and other products and services that may interest you.

You have a legal obligation under the Insurance Contracts Act 1984 to disclose certain information. Failure to disclose information required may result in AIG declining cover, cancelling your insurance cover or reducing the level of cover, or declining claims.

To whom we disclose your personal information

In the course of underwriting and administering your policy we may disclose your information to:

- entities to which AIG is related, reinsurers, contractors or third party providers providing services related to the administration of your policy;
- banks and financial institutions for policy payments;
- assessors, third party administrators, emergency providers, retailers, medical providers, travel carriers, in the event of a claim;
- other entities to enable them to offer their products or services to you; and
- government, law enforcement, dispute resolution, statutory or regulatory bodies, or as required by law.



AIG is likely to disclose information to some of these entities located overseas, including in the following countries: United States of America, United Kingdom, Singapore, Malaysia, the Philippines, India, Hong Kong, New Zealand as well as any country in which you have a claim and such other countries as may be notified in our Privacy Policy from time to time.

You may request not to receive direct marketing communications from AIG.

Access to your personal information

Our Privacy Policy contains information about how you may access and seek correction of personal information we hold about you. In summary, you may gain access to your personal information by submitting a written request to AIG.

In some circumstances permitted under the Privacy Act 1988, AIG may not permit access to your personal information. Circumstances where access may be denied include where it would have an unreasonable impact on the privacy of other individuals, or where it would be unlawful.

Complaints

Our Privacy Policy also contains information about how you may complain about a breach of the applicable privacy principles and how we will deal with such a complaint.

Consent

If applicable, your application includes a consent that you and any other individuals you provide information about consent to the collection, use and disclosure of personal information as set out in this notice.



Details of Proposer

1. a) Firm Name _____
- b) Trading Name _____
- c) ABN _____
- d) Contact Person _____
- e) Dun and Bradstreet Number _____
- f) If you intend to claim an Input Tax Credit for the premium paid for this policy, please specify the percentage of the premium you will be claiming: _____ %
- g) How long has the firm continually carried on business? _____

Firm's main office

Street Address _____

Suburb _____ State _____ Postcode _____

Telephone _____ Facsimile _____

Website _____ Email Address _____

2. a) During the past 3 years has the:
 - i) Name of the firm changed? Yes / No
 - ii) Firm acquired, merged or taken over any other firm(s), or been acquired, merged or taken over by any other firm(s)? Yes / No
- b) Is any acquisition, tender offer or merger pending or under consideration by the Firm? Yes / No
- c) Is the Firm aware of any proposal relating to its acquisition by another company? Yes / No

If "Yes" to any of the foregoing, please provide full details (use a separate sheet of your letter headed paper if insufficient room below), including confirmation of the position relating to past liabilities assumed by either party/ firm(s).

3. Please provide details of the current partners/principals/directors of the firm:

Name	Qualification (s)	Year Qualified	How many years as a partner/principal/director	
			This Practice	Previous Practice

Use a separate sheet of your letter headed paper if insufficient room above.



4. To what professional associations does the firm belong?

5. Please provide details of current staff numbers:

- a) Partners/principals/directors _____
- b) Other qualified/technical personnel _____
- c) Administration & clerical personnel _____

6. Is any partner, principal or director of the Firm connected or associated (financially or otherwise) with any other practice or business? Yes / No

If "Yes", please give details of the nature of the connection/association (use a separate sheet of your letter headed paper if insufficient room below).

Details of the Business

7. a) Are any of the Firm's business activities performed outside of Australia or provided to clients based outside of Australia? Yes / No

If "Yes", please give details of the name of the client(s), the country they are located within and what service(s) are provided (use a separate sheet of your letter headed paper if insufficient room below).

b) Does the Firm have any subsidiary or assets within the USA or Canada? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).

8. Is the Firm involved in a joint venture? Yes / No

If "Yes", please give details including the nature of the joint venture, the business activities provided by the Firm and the name(s) of the joint venture partners (use a separate sheet of your letter headed paper if insufficient room below).

9. Does the Firm issue any brochures (or other promotional material), code of ethics, annual report or the like? Yes / No

If "Yes", please attach copies of each.



Claims Information

10. After enquiry of the partners/principals/directors and employees, has there been or is there now pending a claim against the Firm, it's predecessors in business or it's former partners/principals/directors or employees? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).

11. After enquiry of the partners/principals/directors and employees is the Firm aware of any circumstance or incident which may give rise to a claim against the Firm or its partners/principals/directors or employees? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).

12. After enquiry of the partners/principals/directors and employees is the Firm aware of any prosecution (actual or pending) of the Firm or any partners/principals/director or employees under any International, Commonwealth, State or Local statute, legislation, regulation or By Law? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).

13. After enquiry of the partners/principals/directors and employees, has the Firm or any partners/principals/director or employee ever been subject to any disciplinary action, been fined or penalized, or been the subject of an inquiry investigating or alleging professional misconduct? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).



Details of Insurance

14. As at today's date does the Firm have Professional Indemnity Insurance currently in force that has been paid for? Yes / No
- If "Yes", please state*
- | | | |
|----|------------------|-----------------|
| a) | Insurer | |
| b) | Indemnity Limit | |
| c) | Expiry Date | ___ / ___ / ___ |
| d) | Retroactive Date | ___ / ___ / ___ |

15. Has the Firm ever had any Insurer decline a proposal, imposed any special terms, cancelled or refused to renew a Professional Indemnity Insurance Policy? Yes / No
- If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).*
-
-
-

16. What limit(s) of liability do you require quotations for?
- | | | | |
|--------------------------|-------------|--------------------------|--------------|
| <input type="checkbox"/> | \$1 million | <input type="checkbox"/> | \$5 million |
| <input type="checkbox"/> | \$2 million | <input type="checkbox"/> | \$10 million |
| <input type="checkbox"/> | \$3 million | <input type="checkbox"/> | Other: _____ |

17. What limit(s) of self insured retention are you prepared to carry?
- | | | | |
|--------------------------|----------|--------------------------|--------------|
| <input type="checkbox"/> | \$2,500 | <input type="checkbox"/> | \$20,000 |
| <input type="checkbox"/> | \$5,000 | <input type="checkbox"/> | Other: _____ |
| <input type="checkbox"/> | \$10,000 | | |

Optional Extension for Employment Practices Liability

18. a) Would you like a quotation for Employment Practices Liability coverage? Yes / No
- b) If 'Yes' has any Claim arising from employment practices liability ever been made against the Insured or, after enquiry of the partners/principals/directors and employees, is the Firm aware of any circumstances which may give rise to a Claim against the Firm or any its partners/principals/directors or employees? Yes / No
- If "Yes", please supply the relevant details and advise what precautions have been taken to prevent a recurrence (use a separate sheet of your letter headed paper if insufficient room below).*
-
-
-



Broadcasting Services Questions

Please only answer the questions below if they are relevant to the services you are seeking insurance for.

20. Please state the firm's gross income/fees from Broadcasting services:

- a) Previous financial year \$ _____
- b) Current financial year \$ _____
- c) Coming financial year (estimate) \$ _____

21. Please state the percentage of gross / income fees derived from each of the activities specified below:

	<i>Past 12 months</i>	<i>Next 12 months (estimated)</i>
a) Television Broadcasting	_____ %	_____ %
b) Radio Broadcasting	_____ %	_____ %
c) Satellite Broadcasting	_____ %	_____ %
d) Other	_____ %	_____ %
e) Total	_____ 100%	_____ 100%

22. Please specify the Television / Satellite Channel names or the call letters and frequency of the Radio Stations for which insurance is required:

	<i>Channel Name / Call Sign and Frequency</i>	<i>First Air Date</i>	<i>Highest 30 second spot Rate</i>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____

23. For each Television / Satellite Channel / Radio Station, please describe the format or type of programming

<i>Channel (as above)</i>	<i>Format / Programming Type</i>
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____
6.	_____
7.	_____



Risk Management Questions for Broadcasters

24. Are written hold harmless or indemnity agreements executed with sponsors and advertising agencies with respect to the content of commercials? Yes / No

If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).

25. Is "investigative" reporting used for news programs, consumer reports, or any other type of program? Yes / No

If "Yes", please provide details (use a separate sheet of your letter headed paper if insufficient room below).

26. Are talk shows and interview programs pre-taped or pre-recorded? Yes / No

If "No", please provide additional details below (use a separate sheet of your letter headed paper if insufficient room below).

27. Is a delay device used during "call ins" or other live audience participation programming? Yes / No

If "No", please give details (use a separate sheet of your letter headed paper if insufficient room below).

28. Are hidden "mini-cams" or voice recorders used for any programs? Yes / No

If "Yes", please give details (use a separate sheet of your letter headed paper if insufficient room below).

29. Do you produce content used by other broadcasters? Yes / No

If "Yes", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).



30. Are independent producers required to provide you with written hold harmless or indemnity agreements with respect to the programming they offer? Yes / No
If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).

31. Do you pay licensing fees or royalties to any copyright licensing and/or protection organisations for content not produced or commissioned by you? Yes / No
If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).

32. Is all content reviewed by internal or external legal counsel prior to publication? Yes / No
If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).

Publishing Services Questions

Please only answer the questions below if they are relevant to the services you are seeking insurance for.

33. Please state the firm's gross annual sales from Publishing services:

- a) Previous financial year \$ _____
- b) Current financial year \$ _____
- c) Coming financial year (estimate) \$ _____

34. Please specify the make-up of annual sales:

- a) Publishing _____ %
- b) Distribution _____ %
- c) Subsidiary rights _____ %
- Total _____ 100%

35. Please state the percentage of gross / income fees derived from each type of publication published or distributed:

- | | <i>Past 12 months</i> | <i>Next 12 months
(estimated)</i> |
|--------------|-----------------------|---------------------------------------|
| a) Textbooks | _____ % | _____ % |



b) Social/ Political	_____ %	_____ %
c) Classics	_____ %	_____ %
d) Fiction/ Drama	_____ %	_____ %
e) Children's	_____ %	_____ %
f) Poetry	_____ %	_____ %
g) Technical	_____ %	_____ %
h) History	_____ %	_____ %
i) Current Biography/Autobiography	_____ %	_____ %
j) Religious	_____ %	_____ %
k) Magazines and Newspapers <i>(please specify details below and provide sample copies)</i>	_____ %	_____ %
k) Other <i>(please specify details below and provide sample copies)</i>	_____ %	_____ %
Total	_____ 100%	_____ 100%

Risk Management Questions for Publishers

36. Do you have procedures for checking the originality and accuracy of content commissioned by you or published by you? Yes / No
If "No", please provide details (use a separate sheet of your letter headed paper if insufficient room below).

37. Are written hold harmless or indemnity agreements executed with advertisers and advertising agencies? Yes / No
If "No", please provide additional details below (use a separate sheet of your letter headed paper if insufficient room below).

38. Is "investigative" reporting content of any kind published by you? Yes / No
If "Yes", please provide further details (use a separate sheet of your letter headed paper if insufficient room below).

39. Is all content reviewed by internal or external legal counsel prior to publication? Yes / No
If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).



40. Do your standard publishing contracts require indemnification to be provided by authors? Yes / No
If "No", please provide details of why not (use a separate sheet of your letter headed paper if insufficient room below).

Printing Services Questions

Please only answer the questions below if they are relevant to the services you are seeking insurance for.

41. Please state the firm's gross annual sales from Printing services:
- a) Previous financial year \$ _____
 - b) Current financial year \$ _____
 - c) Coming financial year (estimate) \$ _____

42. Please state the percentage of gross / income fees derived from each of the following:

	<i>Past 12 months</i>	<i>Next 12 months (estimated)</i>
a) Business and legal forms, including stationary	_____ %	_____ %
b) Corporate or financial related materials (annual reports, prospectus, stock reports)	_____ %	_____ %
c) Books	_____ %	_____ %
d) Games of chance (i.e. chances, lottery tickets)	_____ %	_____ %
e) Pamphlets and fliers	_____ %	_____ %
f) Discount/rebate coupons	_____ %	_____ %
g) Catalogues	_____ %	_____ %
h) Yellow page directories	_____ %	_____ %
i) Wedding invitations, calling cards, other social announcements	_____ %	_____ %
j) Bindery	_____ %	_____ %
k) Computer graphics	_____ %	_____ %
k) Other <i>(please specify details in the pace provided below):</i>	_____ %	_____ %
Total	100%	100%

Risk Management Questions for Printers

43. Does the applicant perform services in relation to games of chance? Yes / No



If "yes", Please provide details below and attach a copy of procedures and controls employed, and complete details of each type of game printed.

44. Does the applicant engage in the distribution and/or redemption of coupons, rebates or other promotional game tickets? Yes / No

If "Yes", please provide additional details below (use a separate sheet of your letter headed paper if insufficient room below).

45. Does the applicant engage in the design of logos or trademarks for clients? Yes / No

If "Yes", please provide additional details below outlining the number designed each year and the procedures followed in relation to trademarks? (Use a separate sheet of your letter headed paper if insufficient room below).

46. Does the applicant engage in mailing services, including the provision of mailing lists and/or the preparation of bulk mail? Yes / No

If "Yes", please provide further details (use a separate sheet of your letter headed paper if insufficient room below).

47. Does the applicant require clients to formally approve all proof copies in writing before printing? Yes / No

If "No", please provide further details (use a separate sheet of your letter headed paper if insufficient room below).



Stamp Duty Split

48. For the purpose of calculating Stamp Duty please state the number of current staff (including directors/partners, full/part time and casual employees) located in each state:

NSW	VIC	QLD	SA	WA	TAS	ACT	NT	Overseas

Total employees entered above: _____

Declaration and Consent

Please Note: Signing the Declaration does not bind the proposer or the Insurer to complete this insurance.

I declare that I have made all necessary inquiries into the accuracy of the responses given in this proposal and confirm that the statements and particulars given in this proposal are true and complete and that no material facts have been omitted, misstated or suppressed. I agree that should any of the information given by me alter between the date of this proposal and the inception date of the insurance to which this proposal relates, I will give immediate notice thereof to the insurer.

I acknowledge receipt of the Important Notice, Privacy Notice and Disclosure information contained in this proposal and that I have read and understood the content of them.

I consent to AIG collecting, using and disclosing personal information as set out in AIG’s privacy notice in this proposal and the policy.

If I have provided or will provide information to AIG about any other individuals, I confirm that I am authorised to disclose the other individual’s personal information to AIG and also to give the above consent on both my and their behalf.

I confirm that I am authorised by the proposing Firm (and its partners/principals/directors if applicable) to complete this proposal form and to accept the quotation terms for this insurance on behalf of the Firm (and its partners/principals/directors if applicable).

Name: _____
Title: _____
Signature: _____
Date: _____

Head Office

Sydney

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Bring on tomorrow