

Media – Professional Indemnity Insurance Proposal Form

Important Notes –

Please read before completing this form:

- a) If you are unsure whether this proposal is suitable for your business or require assistance in its completion, please seek advice from your insurance adviser.
- b) A principal, partner director or member of the business must complete the proposal and make all the necessary enquiries of their fellow partners, directors, members and employees
- c) Whenever we ask questions in this proposal about you or your business we mean the principal, partners, directors, members or employees or any former principal, partners, directors, members or employees of any business or firm for which cover is required under this insurance. You should include details of any predecessor businesses where cover is required.
- d) Wherever we refer to partners, we include where applicable, members of the business (individuals forming a Limited Liability Partnership (LLP) are known as members).
- e) Please provide a copy of
 - any brochures, handouts and any other technical or marketing material in which you describe your professional services
 - your terms of business contracts
- f) Cover is provided on a “claims made” basis:
 - the insurance covers claims first made against you, and/or circumstances that may lead to a claim, notified to us during the period of insurance
 - claims or circumstances which might give rise to a claim must be notified to us in writing as soon as possible and during the period of insurance

Next Steps

- please answer every question fully. If you do not have enough space attach separate sheets with information which can be incorporated into your proposal
- please complete in ink using BLOCK CAPITALS, and tick boxes as appropriate
- answer the General Questions on pages 2 – 9
- sign and date the Declaration on page 10 and state your authority to sign e.g. Principal, Director, Partner

Proposal

1 GENERAL INFORMATION

a Name of Insured

b Address of Principal Office

c Postal Address

d Date of establishment

e Website address

f Please list all additional business entities (whether or not currently trading, including year of establishment and year of cessation if applicable)

g Please list addresses of all other offices currently trading

h Is/are the firm(s) or any principal, partner or director a member of a consortium, joint venture, single project partnership or group practice?

YES NO

If "YES", please supply details:

i Does the firm(s) or any principal, partner or director carry out any work on behalf of any other business in which they have a controlling or financial interest (other than as a shareholder in a public quoted company)?

YES NO

If "YES", please supply details:

2 STAFF AND PARTNERS

Name	Date of Birth	Relevant Qualifications	Year became Partner/Director

b Please give details of number of permanent staff in current business:

	Full Time	Part Time
Principals/Partners/Directors		
Professionally Qualified		
All Others		

c Does the firm(s) use specialist designers, consultants or sub-contractors?

YES NO

If "YES", please answer the following:-

i Please state what proportion of the firm(s) business involves the subcontracting of work to others?

%

ii Does the firm(s) insist that the specialist designers / consultants/ sub-contractors maintain their own PI cover?

YES NO

iii What services does the firm(s) use the specialist designers / consultants / sub-contractors for?

iv How does the firm(s) select and manage the specialist designers / consultants / sub-contractors?

3 ACTIVITIES

a Please state your total gross income for the last 5 years plus an estimate for the forthcoming year:

Year Ending	UK	USA/Canada	Elsewhere	Total
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£

Estimate for forthcoming year

/ /	£	£	£	£
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If any income is derived from any office domiciled overseas for which coverage is required, please complete the income breakdown in the **Tax Form** at the back of the proposal form.

b Please provide a clear description of the business activities of the firm(s):

3 ACTIVITIES

continued

b Please give the percentage split of total gross fees/turnover received in the last complete financial year:

Advertising – TV (Turnover)	<input type="text"/>	%	List broking (Fee)	<input type="text"/>	%
Advertising – Non-TV (Turnover)	<input type="text"/>	%	Media Buyer – TV (Turnover)	<input type="text"/>	%
Broadcasting – TV (Turnover)	<input type="text"/>	%	Media Buyer – Non TV (Turnover)	<input type="text"/>	%
Broadcasting – Radio (Turnover)	<input type="text"/>	%	Marketing/PR Consultancy (Fee)	<input type="text"/>	%
Broadcasting – Satellite (Turnover)	<input type="text"/>	%	Multimedia Consultancy (Fee)	<input type="text"/>	%
Corporate Identity/Branding (Fee)	<input type="text"/>	%	Printing (Turnover)	<input type="text"/>	%
Conference/Event Organisation (Turnover)	<input type="text"/>	%	Promotional Materials (Turnover)	<input type="text"/>	%
Direct Marketing/Mailing (Fee)	<input type="text"/>	%	Publishing (Turnover)	<input type="text"/>	%
Distribution (Turnover)	<input type="text"/>	%	Subsidiary Rights (Turnover)	<input type="text"/>	%
Game/Competition Design (Fee)	<input type="text"/>	%	Other	<input type="text"/>	%
Graphic Design (Fee)	<input type="text"/>	%	Total	<input type="text"/>	%

Please supply details of Other work:

d Does the work split above represent the make up of the firm(s) over the past three years? YES NO

e Are any substantial changes in the percentage amounts shown above anticipated during the next 12 months? YES NO

If "YES", please provide an explanation:

Broadcasting Section

a Please provide a percentage split of your broadcasting programmes:

Consumer Programmes	<input type="text"/>	%
Documentaries	<input type="text"/>	%
Investigative/Exposes	<input type="text"/>	%
Live/Unscripted	<input type="text"/>	%
Current Affairs/News	<input type="text"/>	%
Films	<input type="text"/>	%
Light Entertainment (inc Sports/Comedy)	<input type="text"/>	%
Religious/Political	<input type="text"/>	%
Other	<input type="text"/>	%
Total	<input type="text"/>	%

Please supply details of Other work:

3 ACTIVITIES

continued

- b** What percentage of your broadcasts are via the Internet? %
- c** What is the percentage of programmes produced by a third party? %
- d** Are all News broadcasts sourced from a third party? YES NO
- e** Does the firm(s) ensure that a delay device is used for all live/ unscripted broadcasts? YES NO
- f** Does the firm(s) always refer potentially contentious material to lawyers prior to broadcasting? YES NO

Publishing Section

a Please provide a percentage split of your publications / distributed material:

Advertising	<input type="text"/> %
Business/Trade	<input type="text"/> %
Financial	<input type="text"/> %
Local Newspapers	<input type="text"/> %
Autobiographies/Biographies	<input type="text"/> %
Children's	<input type="text"/> %
Lifestyle	<input type="text"/> %
Medical/Technical/Scientific	<input type="text"/> %
National Newspapers	<input type="text"/> %
Religious/Political	<input type="text"/> %
Other	<input type="text"/> %
Total	<input type="text"/> %

Other work – please state publication type:

- b** What percentage (approximately) of your turnover comes from advertising revenue? %
- c** What percentage of your turnover comes from contract publishing? %
- d** What percentage of your publications are via the Internet? %
- e** Confirmation publications are reviewed by:
 Outside lawyers In-House lawyers
 Other (please specify)

3 ACTIVITIES

continued

f Please complete the table below:

Name of Publication	Publishing Format (e.g. magazine, book, newspaper)	Approx. Annual Circulation (weekly, monthly)	Territories Where Distributed

- g Does the firm(s) have procedures in place for checking the accuracy, originality and content of work – including title clearance? YES NO
- h Does the firm(s) have procedures in place to ensure all intellectual property rights have been acquired prior to publication? YES NO
- i Does the firm(s) always refer potentially contentious material to lawyers prior to publication? YES NO

General Section

a Please give details of the 3 largest mailshots / direct marketing contracts undertaken in the past 3 years or anticipated if a new practice:

Name of Client	Business of Client	Size of Mailing	Total Contract Value	Income to You
			£	£
			£	£
			£	£
			£	£
			£	£

- b Does the firm(s) always work to a written specification for each contract including campaign details, volume, quality, timing and sign-off procedures? YES NO
- c Please give details of the 3 largest promotional contracts undertaken in the past 3 years or anticipated if a new practice:

Name of Client	Nature of the Contract	Total Contract Value	Income to You
		£	£
		£	£
		£	£
		£	£
		£	£

- d Does the firm(s) always obtain final client sign off before going to print?
- e Does the firm(s) engage in the design of logos or trade marks? YES NO
- If "YES", please explain procedures in place to prevent any intellectual property infringement ?

- f Does the firm(s) engage in the distribution and/or redemption of coupons, rebates or other promotional games tickets? YES NO

3 ACTIVITIES

continued

g Are any substantial changes in the percentage amounts shown above anticipated during the next 12 months? YES NO

If "YES", please provide an explanation:

4 RISK MANAGEMENT

a Does the firm(s) always use standard written contract conditions? YES NO

If "NO":

i What percentage of contracts are in the non-standard form %

ii What are the procedures for the sign-off / approval of a non-standard contract?

b In respect of all contracts the firm(s) enters into, do they always include:

i an outline of the scope of services to be provided? YES NO

ii Limitation of liabilities? YES NO

iii Direct, Consequential and Economic Loss Exclusion YES NO

iv Indirect, Consequential and Economic Loss Exclusion YES NO

v Force Majeure YES NO

vi Guarantees YES NO

vii Warranty Disclaimers YES NO

viii Hold Harmless Agreement YES NO

ix Arbitration Agreement YES NO

c Does the client always sign the contract? YES NO

d Does the firm(s) have standard procedures for the regular review of ongoing contracts internally and with the client? YES NO

e Does the firm(s) provide advice or services which fall outside of the scope of the contract? YES NO

f Does the firm(s) always require satisfactory references or only when engaging senior employees?

Always

Senior appointments only

g Is any employee allowed to sign cheques on his/her signature alone for values exceeding £5,000? YES NO

h How frequently are checks carried out on all entries in the cash book with paying-in books, receipts, counterfoils and vouchers, and reconciled with bank statements (including the balance of cash and unrepresented cheques), independently of employees receiving or banking monies in respect of monies belonging to the firm as well as in trust on behalf of others?

Weekly Monthly Quarterly Other (please specify)

5 CLAIMS INFORMATION

a Has the firm(s) sustained any loss through the fraud or dishonesty of any person? YES NO

If "YES", please supply details:

5 CLAIMS INFORMATION

continued

b Is the firm(s) aware of any allegation or occurrence of fraud or dishonesty at any time committed by any past or present partner, director or principal or employee?

YES NO

If "YES", please supply details:

c After enquiry, have any Professional Indemnity claims ever been made against the firm(s) and/or predecessors of the firm(s) and/or your current and/or retired partners, directors or principals, either individually or otherwise for any negligence, errors, omission, breach of professional duty or the like, whether successful or not?

YES NO

If "YES", please supply details:

Date of Claim	Claimant	Details of Claim including any payments made or reserves held
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		

d After enquiry, are any of the partners, directors or principals aware of any pending claims and/or circumstances existing which may give rise to a Professional Indemnity claim against the firm(s) and/or predecessors of the firm(s) and/or your current and/or retired partners/directors/principal? YES NO

If "YES", please supply details:

Date of Circumstance	Claimant	Details of Circumstance
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		

6 PREVIOUS INSURANCE

a Has the firm(s) previously been insured for Professional Indemnity insurance?

YES NO

If "YES", please supply details:

Renewal Date	Limit of Liability	Premium	Retention (Excess)	Insurer
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£
/ /	£	£	£	£

Retroactive Date: / /

Number of years cover has been continually in force:

b In respect of Professional Indemnity insurance, has any Insurer ever declined a proposal, declined to pay a claim, refused renewal, cancelled such insurance or imposed special conditions?

YES NO

If "YES", please supply details:

7 LIMIT OF LIABILITY AND RETENTION (EXCESS) REQUIRED

Please select the Limit of Liability and Excess you require:

a Limit of Liability

£100,000 £250,000 £500,000 £1,000,000 £2,000,000 £4,000,000 £5,000,000

Other £

b Retention (Excess)

£500 £1,000 £2,500 £5,000 £7,500 £10,000 Other £

c when do you want your insurance to start? (the policy is annually renewable) / /

Declaration

1 I/We declare that to the best of my/our knowledge and belief:

- A the above statements and particulars, whether written by me/us or by others on my/our behalf, are true and complete;
- B any statement or particulars which have been given separately by me/us or by others on my/our behalf are true and complete; and
- C I/We have not withheld any material fact*

2 I/We wish to modify the above statements in the following respects:

3 I/We agree that this proposal and declaration and any particulars given separately shall be the basis of the contract between the Insurer and myself/ourselves.

4 I/We agree to accept the Insurer's standard form of policy for this type of insurance.

5 I/We understand that the Insurer reserves the right to decline any proposal.

6 I/We understand that Insurers share information with each other, credit reference agencies and other information agencies with regard to credit agreements, policies and claims, primarily to help assess risks, handle claims and prevent fraud. I/We consent to this.

Authorised Signature

Date

Position in company

Important:

***Material facts are those facts which are likely to influence the Insurer in the acceptance or assessment of this proposal and it is essential that you disclose them. If you are in doubt about whether a fact is material, you should disclose it, since failure to do so could invalidate your policy.**

Your Records

You should keep a record (including copies of letters) of all information you supply to the Insurer about this proposal.

Data Protection Act

We may use the personal and business details you have given us or which are supplied by third parties including any details of directors, officers, partners and employees to provide you with a quotation; deal with your policy; to search credit reference and fraud agencies who may keep a record of the search; to share with other insurance organisations to help offset risks, to help administer your policy and to handle claims and prevent fraud; to support the development of our business by including your details in customer surveys, and for market research and compliance business reviews which may be carried out by third parties acting on our behalf. You agreed when you applied for the policy that your directors, officers, partners, and employees have consented to our using their details in this way. We may need to collect data relating to Insured Persons, which under the Data Protection Act is defined as sensitive (such as medical history of Insured Persons) for the purpose of evaluating the risk or administering claims which may occur. You must ensure that you have explicit verbal or written consent from the insured persons to such information being processed by us and that this fact is made known to the insured persons.

If your policy provides Employers Liability cover information relating to your insurance policy will be provided to the Employers Liability Tracing Office (the "ELTO") and added to an electronic database, (the "Database") in a format set out by the Employer's Liability Insurance: Disclosure by Insurers Instrument 2010.

The Database assists individual consumer claimants who have suffered an employment related injury or disease arising out of their course of employment in the UK for employers carrying on, or who carried on, business in the UK and who are covered by the employers' liability insurance of their employers, (the "Claimants"):

- to identify which insurer (or insurers) was (or were) providing employers' liability cover during the relevant periods of employment; and
- to identify the relevant employers' liability insurance policies.

The Database and the data stored on it may be accessed and used by the Claimants, their appointed representatives, insurers with potential liability for UK commercial lines employers' liability insurance cover and any other persons or entities permitted by law.

The Database will be managed by the ELTO and further information can be found on the ELTO website www.elto.org.uk

By entering into this insurance policy you will be deemed to specifically consent to the use of your insurance policy data in this way and for these purposes.

We may share your details with other companies within the Allianz group of companies or pass them to third parties so that we may tell you by telephone, email or post of products and services which we think may be of interest you.

If you do not want to know about these products and services, please write to: Customer Satisfaction Manager, Allianz Insurance plc, 57 Ladymead, Guildford, Surrey, GU1 1DB to let us know. Your details will not be kept for longer than is necessary.

Under the Data Protection Act 1998 individuals are entitled to a copy of all the personal information Allianz Insurance plc holds about them. Please contact the Customer Satisfaction Manager at the address above.

Personal details may be transferred to countries outside the EEA. They will at all times be held securely and handled with the utmost care in accordance with all principles of English law.

