

OBF

INSURANCE GROUP



ASSOCIATIONS

PROFESSIONAL INDEMNITY
PROPOSAL FORM

Coverholder at

LLOYD'S

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OBF Insurance Group Ltd. is regulated by the Central Bank of Ireland. Registered in Ireland No. 39988. Brokers Ireland Member.

IMPORTANT NOTICE

- This is a proposal for a contract of insurance, in which 'proposer' or 'you/your' means the individual, company, partnership, limited liability partnership, organisation or association proposing cover.
- This is a proposal form for a policy relating to claims made against the Insured during the period of the policy only – CLAIMS MADE.
- OBF Insurance Group Ltd. draws your attention to the importance of answering all questions honestly and with reasonable care. The answers you give us must be true and complete. This is for your protection because, if you do not give us full and complete information, a claim under your policy could be declined or your cover cancelled. You should also advise us of any material changes in your circumstances which might alter the subject matter of the policy or the nature of the risk being insured. If you do not advise us of such changes, cover under the policy may be lost.
- The proposal form must be fully completed, signed and dated by a person who is of legal capacity and has the authorisation to request this insurance for the Proposer.
- This form does not bind the Proposer but will form part of the Insurance contract if taken up.

'Directors' shall refer to all Directors, Officers and Trustees (if the Association is a Charity) proposing for this insurance.

'Association' shall refer to all Associations, Institutes, Charities or similar entities proposing for this insurance.

Please supply the following additional information:

- Association's latest Financial Report & Accounts

DETAILS OF THE PROPOSER

1. Name of the Association (including any subsidiaries requiring coverage):

2. Date of Establishment:

3. Main Operating Address:

4. Any operating addresses outside Republic of Ireland:

5. During the last ten years, has the Association changed its name, been part of an amalgamation or merger or in any way had any material change to its activities?

Yes

No

If Yes, please provide full details:-

6. Website Address:

(It is understood and agreed that material in the Association's website is not deemed to form part of this proposal form apart from any information attached in hard copy form to the proposal form)

7. Do the Directors anticipate any material changes to the Association or to its activities in the forthcoming twelve months?

Yes

No

If Yes, please provide full details:

8. Please give a full description of the Association's activities (including any activities undertaken in the last six years not currently undertaken and any new activities planned for the next twelve months):

9. Please state total number of:

Directors:

Volunteers (not already accounted for as a Director):

Employees (not already accounted for as a Director):

10. Please provide financial information for the Association as follows (all in EUR unless otherwise stated):

	Last Financial Year / /	Current Financial Year / /	Estimate for Next Financial Year / /
Total Income			
Total Assets			
Expenditure By Region:			
Republic of Ireland			
UK & Channel Isles			
EU (excluding Irl. & UK)			
Africa			
Asia			
USA/Canada			
Elsewhere			
Total Expenditure			

11. a) Does the Association provide (or plan to provide in the next twelve months) any professional services to third parties whether for a fee or not?

Yes No

b) Has the Association ever provided such professional services in the past ten years?

Yes No

If Yes to either a) or b) above, please provide answers to sections c) to h) below.

c) A full description of each professional service including fees (Annual Gross Income) earned in each case (all in EUR unless otherwise stated):

Professional Service Provided (Please provide description in each case)	Last Financial Year (or last relevant year in respect of b) above)	Current Financial Year	Estimate for Next Financial Year
Total Income Earned			

d) Please state the Association's total fees (Annual Gross Income) derived from c) above for clients domiciled in each region below:

Region	Last Financial Year	Current Financial Year	Estimate for Next Financial Year
Republic of Ireland			
UK & Channel Isles			
EU beyond (a) and (b) above			
Africa			
Asia			
USA / Canada			
Elsewhere			
Total Income			

e) If any income is declared under b, c, d, e, f, or g, please provide details of each professional service as follows:

Client Name	Territory	Date	Details of Work	Income Earned €	Jurisdiction of Contract

f) In respect of professional services provided, does the Association enter (or has the Association ever entered) into any tied agency agreements between itself and any insurance company, insurance intermediary, Lloyds Syndicate, building society, bank (or other such financial institution), investment manager, stockbroker, investment intermediary, or any other such company?

Yes No

If Yes, please provide full details including any hold harmless agreements in place protecting the Association against liability:

(g) In respect of professional services provided, has any client represented more than 30% of the Association's income in any of its last three financial years or the current financial year?

Yes No

If Yes, please provide details:

Client Name	Territory	Date	Details of Work	Income Earned €	Jurisdiction of Contract

(g) In respect of professional services provided, does the Association always agree terms of engagement which have been signed off by a solicitor who is acting independently of the Association's client?

Yes No

If No, please advise under what circumstances this would not happen:

12. a) Does the Association (or has the Association in any of the last ten years or expect to in the next twelve months):

Undertake clinical trials?

Yes No

Provide healthcare services such as would be given by surgical, medical and dental practitioners, nurses and midwives, professions allied to medicine, ambulance personnel and paramedics, laboratory staff, relevant technicians or by others acting under the control of or supervision of such persons?

Yes No

Administer drugs, medicines or give medical advice of any kind?

Yes No

Lease or rent out land or buildings to third party users?

Yes No

Undertake environmental or pollution work of any kind?

Yes No

Undertake asbestos surveying activities?

Yes No

If Yes, to any of the above, please advise:

Client Name	Service Provided	Date	Income Earned €	Sub Consultants Used (if any)	Director Responsible

b) Does the Association (or has the Association in any of the last six years or expect to in the next twelve months):

Provide certification, examination, licensing or insurance?

Yes No

Provide legal, actuarial, accountancy or financial services advice?

Yes No

Offer financial products of any kind?

Yes No

Provide care for vulnerable people (e.g. Special needs, elderly or sick)?

Yes No

Provide care, training or supervision to children under the age of 16?

Yes No

Act as a recruitment consultant or place staff with third parties?

Yes No

Act as project manager or project co-ordinator on construction related projects?

Yes No

Undertake valuation of property or other assets?

Yes No

Undertake work for clients in the petrochemical or nuclear sectors?

Yes No

Advise on terrorist related exposures or have a direct exposure to terrorist acts?

Yes No

Undertake work for clients related to aviation or marine?

Yes No

If Yes, to any of the above, please provide full details:

Client Name	Territory	Start Date	End Date	Details of Work	Proposer Income	Total Contract Value

c) Does the Association offer, sell, supply, make, install, maintain, repair, alter or treat any goods or products to third parties (or has the Association in any of the last ten years or expect to in the next twelve months)?

Yes No

If Yes, to any of the above, please advise:

Product	Association's Role	Date	Income Earned €	Protection (Y/N) *	Director Responsible

* Please advise whether the Association has purchased adequate products liability or products guarantee insurance in respect of each item listed or is protected under a hold harmless or contractual guarantee arrangement with the manufacturers or suppliers.

d) Does the Association undertake research and development work for Industry and Commerce (e.g. Pharmaceuticals)?

Yes No

If Yes, please advise:

Client Name	Service Provided	Date	Income Earned €	Sub Consultants Used (if any)	Director Responsible

How does the Association ensure that it does not infringe or breach any third party intellectual property rights in respect of such research and development?

e) Does the Association ensure that all documentation (e.g. brochures) and website material it produces are satisfactorily reviewed by a solicitor prior to release into the public domain to limit the chance of any civil liability actions (e.g. Libel)?

Yes No

If No, please provide details of what checks the Association undertakes:-

13. a) Have the Directors set up a clearly defined management committee or executive to manage and control the activities of the Association?

Yes No

If Yes, please provide details:

If No, please provide details of how the Association is controlled and managed:

b) Does such management committee, executive or the like meet at least quarterly?

Yes No

If No, please advise how often it meets:

c) Does the Association keep current, accurate and proper records of its financial status to comply with the Companies Act 1985 or other such relevant legislation?

Yes No

If No, please provide reasons why not:-

(d) Does the management committee, executive or the like review at least quarterly the Association's budget forecast and financial performance?

Yes No

If No, please advise how often such review is undertaken:-

e) Is there a clearly defined control mechanism in place to ensure that Association expenditure is in line with budgeted expenditure and in line with the Association's governing document (e.g. Trust Deed, Constitution or Memorandum and Articles of Association)?

Yes No

If No, please provide reasons why not:

f) Is there a clearly defined control mechanism in place to minimise the risk of theft of the Association's assets by any of its own employees or Directors?

Yes No

If No, please provide reasons why not:

g) Are all cheques and money transfers paid by the Association in excess of €5,000 subject to at least two authorised signatures?

Yes No

If No, please provide reasons why not including details of sole signature limit and authorised sole signatories:

h) Is there a clearly defined control mechanism in place to ensure that any money and gifts donated to the Association are recorded, banked and reconciled independently within at most seven days of receipt?

Yes No

If No, please provide reasons why not:

i) In respect of any fund raising activities, do the Directors provide all volunteers with clearly defined rules as to their conduct and provide them with adequate identity papers where appropriate in line with the Association's responsibilities under statutory regulations governing public collections.

Yes

No

If No, please provide reasons why not :

j) Do the Directors review at least annually all internal control mechanisms relating to questions c) to i) above?

Yes No

If No, please advise how often such review is undertaken:-

14. a) Do the Directors ensure that full records are kept in respect of the Association's investments and that they are kept in a secure place?

Yes No

If No, please provide reasons why not:

b) Do the Directors review at least annually the investment policy and investment performance of the Association?

Yes No

If No, please advise how often such review is undertaken:

c) Do the Directors review at least every third year, the appointment of professional investment advisors and auditors?

Yes No

If No, please advise how often such review is undertaken:

d) Do the Directors review at least every five years the Association's governing document (e.g. Trust Deed, Constitution or Memorandum and Articles of Association)?

Yes No

If No, please advise how often such review is undertaken:

e) Are all new Directors instructed to read and understand the Association's governing document (e.g. Trust Deed, Constitution or Memorandum and Articles of Association)?

Yes No

If No, please provide reasons why not:

f) Does the Association have a defined policy on retaining records related to its operation and does such policy include the requirement that all such documents are retained securely for at least 6 years?

Yes No

If No, please provide reasons why not:

15. a) Please provide details of the Association's current Professional Indemnity Insurance policy:

Insurer	Expiry Date	Limit	Excess	Retro-Active Date (if any)	Premium

b) Has the Association ever been refused similar insurance, or had any policy cancelled or voided at any time?

Yes No

If Yes, please provide full details:

16. a) Does the Association have a subscribing annual membership?

Yes No

If Yes, please provide answers to b) to o) below:

b) Total current membership:

Total annual income generated by membership subscriptions:

c) Does the Association provide the membership with guidance documentation, information, instructions or directives in the form of circulars, periodicals or other such literature?

Yes No

If Yes:

Is all such information satisfactorily reviewed by a solicitor prior to release?

Yes No

If No, please provide details of what checks the Association undertakes:

d) Does the Association provide a regulatory function?

Yes No

e) Can the Association impose fines or penalties on its members, or restrict the members' ability to trade in any way?

Yes No

If Yes, to either d) or e), please answer f) to k) below:

f) Does the Association publicise such member non-compliance?

Yes No

g) How many members in the last five years have been fined, penalised or restricted in any way as described under 16(e) above by the Association?

h) Is there a clearly defined appeal process in place and is such process advised to all members?

Yes No

If No, please provide reasons why not:

i) Does the Association have a disciplinary committee which meets at least every quarter?

Yes No

j) Is any regulatory or discipline related decision involving members sanctioned by at least three Directors of the Association prior to actioning such decision?

Yes No

If No to h), i) or j) please provide reasons why not:

k) Has the Association's regulatory and disciplinary procedures been reviewed and approved by a solicitor?

Yes No

If No, please provide reasons why not:

l) Are all members provided with up to date Rules and Regulations as soon as they are made reasonably available?

Yes

No

If No, please provide reasons why not:

m) Does the Association review at least every five years its Rules and Regulations?

Yes

No

If No, please provide reasons why not:

n) Does the Association recommend or refer their members to third parties?

Yes

No

If Yes, please provide full details:

o) Does the Association provide a written statement to its members of the extent of its role, duties and benefits with regard to its members and does such written statement make it clear that the Association will not be liable beyond such role, duties and benefits?

Yes

No

If No, please provide reasons why not:

17. a) Does the Association (or has it in any of the last six years or plan to in the next twelve months) engage sub-consultants, or undertake any contracts where they become contractually responsible for the services of any sub-consultant?

Yes

No

If Yes, please answer b) and c) below:

b) Is there a clearly defined procedure in place to ensure that any such sub-consultant is:
Engaged on contractual terms that are at least as onerous as the contractual terms under which the Association has been engaged?

Yes

No

Professionally competent to undertake the work in question?

Yes

No

Adequately insured to cover any liability that is likely to arise in respect of the work in question?

Yes

No

If No, to any of b) above, please answer the following question:

What procedures are in place to manage and control the appointment of sub-consultants by the Association?

c) What is the minimum Professional Indemnity Insurance limit that the Association accepts for its sub-consultants?

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Professional Indemnity Insurance is underwritten on a 'claims made' basis and the Underwriters will exclude any claim and/or circumstance which may give rise to a claim, which is known by the Directors prior to the inception date of the policy. Please provide answers to the following questions after making full enquiry of all Directors and Employees.

18. a) Have any civil liability claims ever been made against any Director, whether successful or otherwise? Yes No
- b) Have any civil liability claims ever been made against the Association, whether successful or otherwise? Yes No
- c) Have any claims for dishonesty ever been made against any Director or employee, whether successful or otherwise? Yes No
- d) Have any claims for dishonesty ever been made against the Association, whether successful or otherwise? Yes No
- e) Have any complaints or investigations ever been made or undertaken against any Director, employee or the Association? Yes No
- f) Has any Director of the Association ever had a document relating to the Association's activities unintentionally destroyed, damaged, lost or mislaid? Yes No
- g) Has any Director or the Association ever suffered any losses due to dishonesty of any employee, Trustee or any other person or organisation? Yes No
- h) Has any Director or the Association ever been subject to judicial review (or similar review) of the lawfulness of any enactment, decision, action or failure to act? Yes No
- i) After full enquiry is the Association or any Director aware of any circumstances relating to the questions 18(a) to 18(h) above which may give rise to a potential claim or request for indemnity under the professional liability policy? Yes No

If Yes, to any of the above, please provide full details below:

Detail Of Claim/ Circumstance	Incident Date	Amount Claimed €	*Insurer Reserve/ Paid EUR	Excess EUR	Closed (Y/N)**

* Includes damages (or amount paid in settlement of a claim for damages), claimant's costs, costs paid to any other party, and defence/investigation costs.

** Please advise whether the Underwriters closed their file in each case.

DATA PROTECTION

OBF Insurance Group Ltd. recognise that protecting personal information including sensitive personal information is very important and we recognise that you have an interest in how we collect, use and share such information. Our Data Protection Policy is in line with the requirements under the General Data Protection Regulations (GDPR) which are effective from 25 May 2018.

Please read the following carefully as it contains important information relating to the information that you give us or has been provided to us on your behalf. If you provide information relating to anyone other than yourself, you are responsible for obtaining their consent to the use of their data in the manner outlined below.

Full details of how we collect, use, store and protect your data can be found in our Data Privacy Notice, a copy of which is available on request or via our website, www.obf.ie.

What does OBF Insurance Group Ltd. do with your personal data?

Information you provide will be used by OBF Insurance Group Ltd. for the purposes of processing your application and administering your insurance policy. OBF Insurance Group Ltd. may need to collect sensitive personal data relating to you (such as medical or health records) in order to process your application and/or any claim made.

All information supplied by you will be treated in confidence by OBF Insurance Group Ltd. and will not be disclosed to any third parties except (a) to our agents, sub-contractors and reinsurers (b) to third parties involved in the assessment, administration or investigation of a claim (c) where your consent has been received or (d) to meet our legal or regulatory obligations. In order to provide you with products and services this information will be held in the data systems of OBF Insurance Group Ltd. or our agents or subcontractors. The data is held on servers with multiple layers of security. Please note that some servers which may hold your data are located outside the EU.

We will hold data collected from you for the duration of our business relationship with you and for six years after that. This is a requirement under the Central Bank's Consumer Protection Code 2012. Your data may be used for the purposes of automated decision making but will not be used for profiling purposes.

OBF Insurance Group Ltd. may pass your information to other companies for processing on its behalf. OBF Insurance Group Ltd. will ensure that its transfer of data is lawful and that your information is kept securely and only used for the purpose for which it was provided.

Calls to and from OBF Insurance Group Ltd. are recorded for quality assurance or verification purposes.

Your Rights under our Data Protection Policy

You have the right to :

- Access the data we hold about you
- Have the data we hold about you transferred to another person or organisation
- Have inaccurate data about you corrected
- Have information about you erased (this could affect our ability to process your business)
- Object to direct marketing from us
- Restrict the processing of your data (this could affect our ability to process your business)
- Make a complaint to us about the implementation of our data protection policy and procedures.

To access the data we hold about you, you will need to complete and submit a Data Access Request Form, available on request or via our website.

Data Breaches

In the event of a data breach which results in your personal data being compromised, we will advise the Data Protection Commissioner within 72 hours at most, unless the data was encrypted or anonymised. Were there is a high risk to your rights, as set out in the GDPR, we will also advise you of the details of the breach and the steps we have taken to rectify it and prevent its recurrence.

Fraud Prevention, Detection and Claims History

In order to prevent and detect fraud as well as the non-disclosure of material information, and in addition to comply with money-laundering legislation, OBF Insurance Group Ltd. may at any time:

- Share information about you with companies or organisations outside OBF Insurance Group Ltd. including, where appropriate, private investigators and public bodies including An Garda Síochána
- Check your details with fraud prevention agencies as well as databases and other sources of information including, but not limited to, the insurance industry claims database known as InsuranceLink. For information on the functioning of InsuranceLink, please visit insurancelink.ie.

DECLARATION

The undersigned authorised person declares that all questions in this Proposal Form have been answered honestly and with reasonable care and that no information which we requested has been withheld or misrepresented. He/she understands that non-disclosure of material information could result in a claim under the policy being declined. The undersigned agrees that, should any material information change between the date of this proposal and the inception date of the insurance to which this proposal relates, they will advise us thereof. The undersigned agrees that this proposal, together with any other material information supplied to us, shall form the basis of any contract of insurance effected thereon.

Signature:

Name:

Position:

Date: