

**Professional Indemnity Insurance On Line Quote System
Proposal Form
for Construction Consultants**



Important Notice

Claims Made Insurance

This is a proposal for a 'Claims Made' policy of insurance. This means that the policy covers you for any claims made against you and notified to the insurer during the policy period. The policy does not provide cover in relation to:

- acts, errors or omissions that occurred prior to the retroactive date (if one is specified) in the policy;
- any claim made, threatened or intimated against you prior to the commencement of the policy period;
- any claim or fact that might give rise to a claim, reported or which can be reported to an insurer under any insurance policy entered into before the commencement of the policy period;
- any claim or fact that might give rise to a claim, noted in this proposal or any previous proposal;
- any claim arising out of any fact you are aware of before the commencement of the policy period;
- any claim made against you after the expiry of the policy period.

However, the effect of Section 40(3) of the Insurance Contracts Act 1984 (Cth) is that where you become aware, and notify us in writing as soon as is reasonably practicable after first becoming aware but within the policy period, of any facts which might give rise to a claim against you, any claim which does arise out of such facts shall be deemed to have been made during the policy period, notwithstanding that the claim was made against you after the expiry of the policy period.

Your 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 (Cth), to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the 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 its business, ought to know;
- 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 their 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.

Privacy Policy

Liberty International Underwriters (LIU) is a trading name of Liberty Mutual Insurance Company, which is a company incorporated in the U.S. It is a member of Boston-based Liberty Mutual Group (LMG). LIU Australia's head office contact details are:

Address: Locked Bag 18, Royal Exchange NSW 1225
Phone: +61 2 8298 5800

LIU is bound by the Privacy Act 1988 (Cth) and its associated Privacy Principles when it collects and handles your personal information.

LIU collects personal information, including from insurance brokers, in order to provide its services and products and for purposes ancillary to its business. LIU passes it to third parties involved in this process such as LIU's related companies, reinsurers, agents, loss adjusters and other service providers. They may include overseas organisations including LIU and LMG entities in the United States, Canada, UK, Singapore, Hong Kong and Malaysia. Your information may be transferred to countries without comparable privacy laws if it is reasonably necessary to provide you with the products or services you seek from LIU. If you do not provide the personal information LIU or other relevant third parties require to offer you specific products or services, LIU may not be able to provide the appropriate type or level of service.

If you wish to gain access to or correct your personal information, make a privacy complaint, or if you have any query about how LIU collects or handles your personal information please write to LIU's Privacy Officer at the address above or by emailing: privacy.officer.ap@libertyiu.com. To obtain a copy of LIU's Privacy Policy go to LIU's website (www.liuaustralia.com.au) or request a copy from LIU's Privacy Officer.

When you give LIU personal or sensitive information about other individuals, LIU relies on you to provide its Privacy Notice to them. If you have not done this, you must tell LIU before you provide the relevant data.



Professional Indemnity Insurance

Important: Please answer all questions fully. All questions will be deemed to be answered in respect of all entities & persons to be insured under this policy. If the space provided is insufficient please include attachments on your company letterhead.

Details of the Proposer

1. Please state the full name of all entities (including any subsidiaries) and persons to be insured (collectively referred to in this form as the "Proposer")

2. Address of the principal office (please provide a street address only)

Street _____ City _____
State _____ Country _____ Postcode _____

3. Contact details

Name _____ Telephone _____
Email _____

4. Company details

Registered company name _____
Country of registration _____
ABN _____
Website address _____

5. Please describe in detail the nature of the business and professional services provided by the Proposer.

Nature of Business

6. a) Please advise the approximate percentage of your fee income generated in the last financial year from the following activities.

Disciplines	% of Fee Income
Architecture	%
Asbestos Inspection (no removal)	%
Building Surveying and Certification	%
Chemical Engineering	%
Civil Engineering – All Other	%
Civil Engineering – Foundations and Underpinning	%
Construction Management	%
Drafting	%
Electrical Engineering	%
Environmental Consulting	%
Environmental Engineering and Environmental Site Assessments	%
Expert Witness	%
Geotechnical Consulting	%
Geotechnical Inspection and Quality Assurance	%
Interior Design	%
Land and Boundary Surveying	%
Land Surveying	%
Landscape Architecture	%
Marine Surveying	%
Mechanical/ Hydraulic Engineering	%
Mining Engineering and Consulting	%
NATA Accredited – All Other	%
NATA Accredited Construction Materials Testing	%
OH&S Consulting	%
Pre-Purchase Inspections	%
Processing Engineering	%
Project Management	%
Quantity Surveying	%
Rail Signalling	%
Structural Engineering	%
Town Planning	%
Other (Please specify below)	%

Total must be **100%**

Professional Indemnity Insurance

6. b) Please advise the approximate percentage of your fee income generated in the last financial year from the following activities.

Type of Work	% of Fee Income
Airports Airside	%
Airports Non-Airside	%
Asbestos Inspection (no removal)	%
Boats and Vessels	%
Bridges	%
Commercial (1 - 3 floors)	%
Commercial (> 4 floors)	%
Construction Materials Testing	%
Contamination and Mining Resource Advice	%
Dams	%
Expert Witness	%
Feasibility Studies	%
Flora and Fauna Reports	%
Geotechnical Consultants	%
Harbours & Jetties	%
Industrial	%
Landscaping	%
Mechanical Plant & Bulk Handling Equipment	%
Mine Infrastructure	%
Mining (other)	%
Mining (processing precious metals)	%
Municipal (hospitals, schools and the like)	%
Oil and Gas Refinery	%
Power Stations	%
Rail (No Tunnelling)	%
Residential High Rise (4 + floors)	%
Residential Low Rise (1 - 3 floors)	%
Retail	%
Roads	%
Silos	%
Sports Complexes	%
Surveys – Not Building Related	%
Town Planning	%
Transmission / Distribution Infrastructure (gas, water, telecoms)	%
Tunnels	%
Waste Water	%
Other (Please specify below)	%

Total must be

100%



Professional Indemnity Insurance

7. Please advise the number of staff in the following categories:

a) Partners or directors

b) Professional / technical staff

c) Administration / support staff

d) Other staff (please specify)

Total

8. When the Proposer was first established? _____

9. Has the Proposer been involved in a merger or acquisition over the last 10 years?

Yes

No

a) If "Yes", are the past liabilities of the other party to be covered under this policy?

Yes

No

b) If past liabilities of the other party are to be covered under this policy please provide further details.

10. a) Please list the actual & estimated fee income:

Location	Last Financial Year	Current Financial Year	Next Financial Year
Australia & New Zealand	\$	\$	\$
USA & Canada	\$	\$	\$
Other	\$	\$	\$
Total	\$	\$	\$

b) If activities are performed outside Australia, please list the country and the services / products provided there:

Country	Services / Products

Professional Indemnity Insurance

11. Please provide a breakdown of the Proposer's fee income generated in the last financial year as follows:

ACT	%	NSW	%	NT	%
QLD	%	SA	%	TAS	%
VIC	%	WA	%	Overseas	%

12. Does the Proposer engage sub-contractors to provide any professional services? Yes No

If "Yes",

a) What percentage of professional services is provided by sub-contractors? _____ %

b) Please specify professional services sub-contracted.

c) Is proof of current professional indemnity insurance obtained from sub-contractors? Yes No

13. a) Does the Proposer always cap their liability with their clients at a figure of less than \$250,000? Yes No

b) Does the Proposer hold ISO or any other third party accreditation for the risk management procedures it utilises? Yes No

If "Yes",

i) which accreditation is held and when was this accreditation obtained?

ii) How often is the accreditation reviewed and by whom is it reviewed?



Professional Indemnity Insurance

c) Are oral reports or advice always confirmed in writing? Yes No

If "No", how are they substantiated?

d) Does the proposer always enter into a written contract with their client? Yes No

e) Does the Proposer always exclude liability for consequential losses in their contracts with clients? Yes No

If "No", please provide details.

Claims History

Please Note: It is critical that you make appropriate enquires of all persons and entities intending to be insured under this insurance before you answer Questions 14 – 17.

14. Has the Proposer ever had any insurance policy cancelled, or any entitlement to indemnity under any insurance policy denied, or otherwise affected due to non-disclosure, misrepresentation or non-payment of premium? Yes No

If "Yes", please provide date and details including outcome.

15. After full enquiry has any partner, director or employee of the Proposer ever been subject to any inquiry or disciplinary proceedings? Yes No

If "Yes", please provide date and details including outcome.



Professional Indemnity Insurance

16. Has a professional liability claim ever been made against the Proposer (or any previous company name used by the Proposer), or any past or present partner, director or employee of the Proposer? (If more than one, please provide details via attachment).

Yes No

If "Yes", please provide details:

Year Notified _____

Status of claim Open Closed

Amount Paid \$ _____

Outstanding Reserve \$ _____

Amount Claimed \$ _____

Details _____

17. Is the Proposer including any of its partners, directors or employees aware of any facts which might give rise to a professional liability claim against any of them? (If more than one, please provide details via attachment).

Yes No

If "Yes", please provide details.

Date Notified _____

Potential Loss amount \$ _____

Details _____

18. a) Does the Proposer currently hold a Professional Indemnity policy?

Yes No

If "Yes", please advise the following:

Insurer _____

Due Date _____

Limit _____

Retroactive date Unlimited
Specific Date Please specify:

Excess \$ _____

Premium \$ _____



Limit of Liability

Please specify the options for Limits of Liability and Excess you would like quotations for.

19. Limit of Liability:

- a) \$ _____
- b) \$ _____
- c) \$ _____

20. Excess:

- a) \$ _____
- b) \$ _____
- c) \$ _____

Optional Extensions

Please Note: If you request any of these extensions, Liberty is not obliged to offer them. If Liberty decides to offer any of these extensions it may charge an additional premium. The below are descriptions of the cover only. To fully understand the cover provided by these extensions you must read the relevant clause in the policy wording and/or seek advice from your insurance adviser.

21. a) **Loss Mitigation & Rectification**

Would you like the policy to be extended to pay for the reasonable direct costs and expenses you incur in taking action to rectify or mitigate the effects of any act, error or omission that would otherwise result in a claim covered under the policy?

Yes No

b) **Reinstatement**

Would you like the policy to be extended so that in the event the limit of liability is exhausted, it is then reinstated once to cover future unrelated claims?

Yes No

c) **Contractual Liability**

Would you like the policy to be extended to provide cover for claims under an indemnity and/or hold harmless term of a client contract (to the extent that such civil liability results from your performance of professional services)?

Yes No



Professional Indemnity Insurance

d) Fidelity

Would you like the policy to be extended to provide cover for losses suffered due to the fraud or dishonesty of an employee?

Yes No

If "Yes" please advise the following

i) Has the Proposer ever suffered a loss due to the fraud or dishonesty of an employee?

Yes No

ii) Is any employee of the Proposer, other than a director or partner able to transfer funds or sign cheques with his/her signature?

Yes No

iii) Please select the Sub-limit the Proposer requires:

\$50,000 \$100,000

\$250,000 Other

Other \$ _____

e) Statutory Liability

Would you like the policy to be extended to provide cover for penalties imposed for contraventions of statutory civil penalty provisions and no fault criminal offences (arising from your performance of professional services)?

Yes No

If "Yes" please advise the following:

i) Has the Proposer ever suffered any civil fines and/or penalties in the last 5 years?

Yes No

ii) Please select the Sub-limit the Proposer requires:

\$250,000 \$500,000

\$1,000,000 \$2,000,000

Other \$ _____

f) Cyber

Would you like the policy to be extended to provide cyber liability, fines and penalties imposed due to privacy breaches, privacy regulatory expenses and mandatory notification costs incurred in respect of privacy breaches (all arising from the performance of professional services) and cyber extortion?

Yes No

If "Yes", what percentage of revenue is generated online?

_____ %



Declaration

(To be signed by a partner or director.)

I, the undersigned, declare and acknowledge:

- that I am, after enquiry, authorised by all persons and entities seeking insurance, to make this proposal;
- that after enquiry, all information supplied in this proposal and any supporting documents attached to this proposal or supplied separately, is true and correct and that until a Contract of Insurance is entered into, I am obliged to inform Liberty International Underwriters of any changes to any information supplied or of any new information that is relevant;
- that I understand Liberty International Underwriters relies on the accuracy of the information and documentation supplied in proposing for this insurance;
- that I have read and understood the Important Notices which form part of this proposal;
- that I understand that no insurance is in force until a Contract of Insurance is entered into, which is upon the Proposers acceptance of an offer by Liberty International Underwriters, if any.

Signed _____

Print Name _____

Title _____

Dated _____

Liberty International Underwriters is a trading name of Liberty Mutual Insurance Company
(ABN 61 086 083 605). Incorporated in Massachusetts, U.S.A.
(The Liability of members is limited)