

IMPORTANT FACTS RELATING TO THIS PROPOSAL

You should read the following advice before proceeding to complete this proposal

1. Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty 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 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 any 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 his 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 its liability under the contract in respect of a claim, refuse to pay the 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.

2. This Professional Indemnity Insurance Policy is issued on a claims made and notified basis

This means that the policy responds to claims first made against you during the policy period and notified to the insurer during that policy period.

The policy does not respond to any claim arising out of facts or circumstances of which you were aware at any time prior to the policy period which would have put a reasonable person in your position on notice that a claim may be made against you. (Some cover may be available under the Continuous Cover extension for innocent non-disclosure of facts and circumstances – but only if you are continuously insured under a professional indemnity policy issued by Allied World Assurance Company, Ltd from the time when you first become aware of such facts or circumstances to the time when you notify a claim arising from those facts and circumstances to Allied World Assurance Company, Ltd.

The policy does not respond to any claim resulting from an act, error or omission occurring or committed by you prior to the retroactive date, where a retroactive date is specified in the policy terms which are offered to you.

Once the policy period has expired, no notification of claims or facts or circumstances can be made on the policy even though:

- (a) the event giving rise to the claim against you may have occurred during the period.
- (b) you may have first become aware of the facts or circumstances giving rise to the claim during the policy period.

3. Completing Your Proposal

When completing your proposal you are obliged to report and provide full details of all facts or circumstances which have become known to you and which would put a reasonable person in your position on notice that a claim may be made against you.

This is important so as to ensure:

- (a) if you are currently insured with Allied World Assurance Company, Ltd, and you notify such facts or circumstances prior to the expiry of the policy, that you are covered under your current policy in respect of any claim arising out of those facts or circumstances; and
- (b) that you make proper disclosure (refer 'Duty of Disclosure' pursuant to the Insurance Contracts Act) in order that your entitlement to full indemnity under your new policy is not placed in jeopardy.

Note:

- Please answer ALL questions and tick boxes whenever appropriate. If there is insufficient space, please provide details on separate sheet and attach to this proposal form.

PART 1 - DETAILS OF APPLICANTS

1. Name of Business / Practice (hereafter referred to as the Proposer), including service, administrative or nominee companies and subsidiaries that you wish to be covered by this policy.

2. Address of All Offices

3. Please state the nature of the profession / business including full details of activities undertaken and any intended change in these. (It may assist to include copies of brochures, written agreements or conditions of contract used in connection with the business)

4. Date of Establishment (DD/MM/YYYY) & Place of Incorporation

PART 2 – MANAGEMENT AND PERSONNEL DETAILS

1. Please provide details below of partners / directors / sole practitioner

Full Name	Qualifications	Date Qualified (DD/MM/YYYY)	Number of Years in this Capacity with the Proposer

Please attach the curriculum vitae or details of previous business experience for each partner/director who has held such position with the Proposer for less than 3 years.

2. State numbers of staff of:

(a) partners / principals / directors	
(b) other qualified engineers	
(c) other qualified architects	
(d) other qualified surveyors	
(e) other qualified staff (please specify)	
(f) other technical staff	
(g) non-technical staff (admin staff)	
(h) site staff (if any)	
what's the duty of site staff?	
(i) other staff (please specify)	
Total staff employed	

PART 3 – DETAILS OF PRACTICE

1. Has any change by way of merger, takeover or change of name occurred?

Yes No

If 'Yes', please provide full details with relevant dates:

2. Does the Proposer or any partner / director act on behalf of or undertake work for any company or business:

(a) which forms part of the same group of companies or businesses as the Proposer (e.g. subsidiary, associate, parent?) or	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) in which the Proposer or any partner / director has a financial interest and is able to take or influence major policy decisions in such company or business?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If 'Yes' in either case, please provide details:

3. Please list the professional bodies or associations to which the Proposer belongs.

4. Please state the approximate percentage of gross fees for the last financial year (if the practice is newly established, state estimated percentage for the forthcoming year) in respect of:

Acoustical Engineering	%	Architecture	%
Chemical Engineering	%	Interior Designing	%
Civil Engineering	%	Surveying (a) Land	%
Electrical Engineering	%	(b) Quantity	%
Electronic Engineering	%	(c) Building	%
Environmental Engineering	%	(d) Marine	%
Geotechnical / Soil Engineering	%	Registered Inspection / Accredited Checking / Authorised Person	%
Heating & Ventilating / Air Conditioning Engineering	%	Drafting	%
Hydraulic / Fire Engineering	%	Project Management	%
Marine Engineering	%	Construction Management	%
Mechanical Engineering	%	Town Planning	%
Mining Engineering	%	Others (please specify):	%
Nuclear Engineering	%		%
Plumbing Engineering	%		%
Structural Engineering	%	Total	100 %

5. Please state the approximate percentage of gross fees received during the last financial years (if the practice is newly established, state estimated percentage for the forthcoming year) for the following types of work.

Home Building	
(a) Individual Dwellings	%
(b) Low Rise Multiple Dwellings (up to floors)	%
(c) High Rise Multiple Dwellings (above 3 floor)	%
(d) Modular Dwelling (involving repetitive design)	%
Engineering Construction	
(a) Highways	%
(b) Bridges or Tunnels (up to 8 metres in length)	%
(c) Bridges or Tunnels (more than 8 metres in length)	%
(d) Dams (more than 6 metres in water depth)	%
(e) Railways, Airports, Harbours and Jetties	%
(f) Sewage or Water Schemes	%
Industrial	
(a) Power Plants	%
(b) Refineries, Chemical and Chemical Installations	%
(c) Manufacturing and all other Mechanical Plant	%
(d) Industrial Building Systems	%
Public Building	
(a) Hospitals and Nursing Homes	%
(b) Schools and Universities	%
(c) Hotels and Recreation Centres	%
(d) Offices and Other Buildings	%

Other Work	
(a) Foundations and Piling	%
(b) Feasibility studies, surveys, reports and similar	%
(c) Other specialist work not listed elsewhere: _____	%
Total	100 %

6. Please provide a breakdown of the Proposer's activities as follows:

Types of Activity	
(a) Feasibility studies, reports where no design is completed	%
(b) Design only, with no construction phase duties	%
(c) Construction only, no design	%
(d) Construction management and project management only	%
(e) Design and Construction (design subcontracted and construction completed by Proposer)	%
(f) Design and Construction (design completed by Proposer and construction completed by Proposer)	%
(g) Others (please specify):	%
Total	100 %

7. Does the Proposer engage consultants, sub-contractors or agents? Yes No

If 'Yes',		
(a) Does proposer insist they carry their own Professional Indemnity Insurance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) Does proposer enter into any hold-harmless agreements or otherwise waive any legal rights or entitlements which may have against such consultants, sub-contractors or agents?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

(c) Please state the approximate percentage of gross fees for the last financial year which for works to sub-consultant / sub-contractor / agent only (if the practice is newly established, state estimated percentage for the forthcoming year) in respect of:

Acoustical Engineering	%	Architecture	%
Chemical Engineering	%	Interior Designing	%
Civil Engineering	%	Surveying (a) Land	%
Electrical Engineering	%	(b) Quantity	%
Electronic Engineering	%	(c) Building	%
Environmental Engineering	%	(d) Marine	%
Geotechnical / Soil Engineering	%	Registered Inspection / Accredited Checking / Authorised Person	%
Heating & Ventilating / Air Conditioning Engineering	%	Drafting	%
Hydraulic / Fire Engineering	%	Project Management	%
Marine Engineering	%	Construction Management	%
Mechanical Engineering	%	Town Planning	%
Mining Engineering	%	Others (please specify):	%
Nuclear Engineering	%		%
Plumbing Engineering	%		%
Structural Engineering	%	Total	100 %

8. Please provide details of the five largest contracts undertaken in the past three years.

Starting and Completion Dates (DD/MM/YYYY)	Total Contract Value	Fees	Name & Type of Contract	Professional Service Provided
From to	HK\$	HK\$		
From to	HK\$	HK\$		
From to	HK\$	HK\$		
From to	HK\$	HK\$		
From to	HK\$	HK\$		

9. Please provide details of the three largest contracts being undertaken in the next twelve months.

Starting and Completion Dates (DD/MM/YYYY)	Total Contract Value	Fees	Type of Contract	Professional Service Provided
From to	HK\$	HK\$		
From to	HK\$	HK\$		
From to	HK\$	HK\$		

10. Does any contact or client represent more than 50% of your annual work or fees? Yes No

If 'Yes', please provide details below:

11. Does the Proposer engage in any actual construction and / or product manufacturing? Yes No

If 'Yes', please provide details below:

12. Does the Proposer envisage any substantial changes in the activities or are there any major new operations contemplated during the next 12 months? Yes No

If 'Yes', please provide details below:

13. Are verbal reports always confirmed in writing? Yes No

If 'No', how does the Proposer substantiate such verbal reports:

14. Do you perform work outside of Hong Kong, or work for clients located overseas? Yes No

If 'Yes', please provide details below:

PART 4 – FINANCIAL POSITION OF THE CORPORATION

1. Please state the dates of the Proposer's financial year

2. Please state gross fees for the recent 3 financial years (including those paid to sub-contractors) payable by clients. If the business is newly established state the estimated gross fees for the forthcoming financial year.

	Previous Financial Year	Last Financial Year	Current Financial Year (Estimate)
(a) In the territory where domiciled	HK\$	HK\$	HK\$
(b) In the USA / Canada or in the territory where domiciled or elsewhere for clients whose address is in the USA / Canada	HK\$	HK\$	HK\$
(c) Overseas / Elsewhere	HK\$	HK\$	HK\$
Total	HK\$	HK\$	HK\$

3. Is the Proposer represented in any way in the USA or Canada? Yes No

If 'Yes', please state how (e.g. by subsidiary company, local office, local representative or by any other person or concern holding a power of attorney on behalf of the Proposer):

4. Please state:

	Previous Financial Year	Last Financial Year	Current Financial Year (Estimate)
(a) Gross fees paid to sub-contractors	HK\$	HK\$	HK\$
(b) Largest fee earned from any client	HK\$	HK\$	HK\$

5. Please provide the approximate percentage of your activities (based on fee income) applicable to each country from which you derive a portion of your income.

Country	Hong Kong	China / Macau	Asia	Australia	Europe	USA / Canada	Other (please specify)
% of Income*	%	%	%	%	%	%	%

*Based on fee invoiced in previous year.

6. Do Gross Fees received include work on aborted projects where no liability accrues to you? Yes No

If 'Yes', state approximate percentage for each financial year.

_____ % - Year _____
 _____ % - Year _____
 _____ % - Year _____

PART 5 – CLAIMS DETAILS

1. (a) Has any claims been made against the Proposer or any partner, director, consultant or employee for neglect, error or omission in relation to professional duties? Yes No

(b) Has the Proposer or any partner, director, consultant or employee incurred any other loss or expense which might be within the terms of the cover? Yes No

If 'Yes' in either case, please provide details separately of the circumstances of each incident including any amounts paid and the estimated potential cost of the incident.

2. Is the Proposer or any principal, consultant or employee, **after enquiry**, aware of any circumstances which might:

(a) give rise to a claim against the Proposer or his predecessors in business or any of the present or former partners or principals? Yes No

(b) result in the Proposer or his predecessors in business or any of the present or former partners or principals incurring any losses or expenses which might be within the terms of the cover? Yes No

(c) otherwise affect the Company's consideration of this insurance? Yes No

If 'Yes', please provide details (by separate note if preferred):

PART 6 – INSURANCE COVER

1. Does the Proposer currently hold any Professional Indemnity Insurance? Yes No

If 'Yes', please state:

Insurer :

Expiry Date (DD/MM/YYYY) :

Limit of Indemnity :

2. Has any insurer in respect of the risks to which this proposal relates ever:

(a) declined a proposal, refused renewal or terminated an insurance? Yes No

(b) required an increased premium or imposed special conditions? Yes No

If 'Yes' in either case, please provide details:

PART 7 – APPLICATION FOR COVER

1. Cover Options

(a) Is cover required for Partners' Previous Business? Yes No

If 'Yes', please state:

Name of Partner	Title of Previous Business	Dates with Previous Business

(b) Please indicate if the following covers are required:

(i) loss of documents Yes No

If 'Yes', does the Proposer keep documents in fire proof cabinets?		
(ii) libel and slander	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(iii) dishonesty of employees	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. What amount of Indemnity is required?	HK\$	
Please state any alternative amounts for which a quotation is required	HK\$	
3. Does the Proposer wish to contribute towards each and every claim?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Note: In many cases a contribution will be compulsory.		
If 'Yes', please indicate the amount required	HK\$	
Please state any alternative amounts for which a quotation is required	HK\$	

PART 8 - REMARKS

Please use this additional space, if required, to answer any questions in this Proposal or to provide any other information which you feel ought to be disclosed.

DECLARATION

I / We warrant that the above statements made by me / us or my / our behalf are true and complete and I / We agree that this proposal together with any other information supplied shall be the basis of and are considered as incorporated within the policy between me / us and the Company. I / We agree to accept a policy in the Company's usual form for this class of insurance.

I do not want to receive any promotion materials or updates on other products, services or offers of Allied World.

SIGNATURE

DATE (DD/MM/YYYY)

ON BEHALF OF (INSERT NAME OF THE COMPANY)

Personal Information Collection Statement

Purpose of Collection

Allied World Assurance Company, Ltd ("Allied World") may collect and use your personal data to enable it to carry on its insurance business and to serve the purposes of:

- Processing your insurance application;
- Arranging a contract of insurance with you and administering the policy issued;
- Claims handling, investigation and analysis;
- Designing products and/or services for customers;
- Promoting, improving and furthering the provision of products and/or services by Allied World and its group companies; and
- Complying with any legal or regulatory requirements applicable to Allied World.

In general it is voluntary for you to provide Allied World with your personal data. However, if you do not provide sufficient information, Allied World may not be able to provide insurance services to you.

Transferee

Data held by Allied World relating to you will be kept confidential but Allied World may, for the purposes set out above, transfer your personal data to:

- Allied World's group companies;
- Reinsurers;
- intermediaries including insurance brokers and insurance agents;
- claims investigators, loss adjusters and other professional advisors;
- Allied World's other appointed service providers, including for the following services: telecommunications, information technology, administration, data processing, payment processing, emergency assistance, legal, and medical;
- any insurance industry association or federation and their respective members; and
- any other person necessary to comply with applicable legal or regulatory requirements, or orders of competent authorities, in each case both within and outside of the Hong Kong Special Administrative Region.

Marketing and Promotion

Treating you as a valued customer, Allied World and its group companies may use the personal data, including name and contact details, collected from you for the purposes of direct marketing of Allied World and its group companies' general insurance products, services or offers and for sending you the promotional materials or updates of such products, services or offers when they become available.

Allied World may not use your personal data for direct marketing if you have indicated objection to such use by ticking the box next to the statement above the proposer's signature block in the proposal form. You may also, at any time, request Allied World to cease the use of your personal data for direct marketing purposes, by informing Allied World's Compliance Officer at the contacts set out below.

Access Requests and Corrections

You have the right to obtain access to and to request correction of any personal information concerning yourself held by Allied World. Requests can be made to the Compliance Officer of Allied World Assurance Company, Ltd, by mail to 22/F One Island East, Taikoo Place, 18 Westlands Road, Quarry Bay, Hong Kong or fax to +852 2968 5111, or email to hkcompliance@awac.com.