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# PROFESSIONAL INDEMNITY

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**RENEWAL FORM**



**DUTY OF FAIR PRESENTATION**

1. Before this insurance contract is entered into, the Insured must make a fair presentation of the risk to the Insurer, in accordance with Section 3 of the Insurance Act 2015. In summary, the Insured must:
  - a. Disclose to the Insurer every material circumstance which the Insured knows or ought to know. Failing that, the Insured must give the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances. A matter is material if it would influence the judgement of a prudent insurer as to whether to accept the risk, or the terms of the insurance (including premium);
  - b. Make the disclosure in clause (1)(a) above in a reasonably clear and accessible way; and
  - c. Ensure that every material representation of fact is substantially correct, and that every material representation of expectation or belief is made in good faith.
  
2. For the purposes of clause (1)(a) above, the Insured is expected to know the following:
  - a. If the Insured is an individual, what is known to the individual and anybody who is responsible for arranging his or her insurance.
  - b. If the Insured is not an individual, what is known to anybody who is part of the Insured's senior management; or anybody who is responsible for arranging the Insured's insurance.
  - c. Whether the Insured is an individual or not, what should reasonably have been revealed by a reasonable search of information available to the Insured. The information may be held within the Insured's organisation, or by any third party (including but not limited to subsidiaries, affiliates, the broker, or any other person who will be covered under the insurance). If the Insured is insuring subsidiaries, affiliates or other parties, the Insurer expects that the Insured will have included them in its enquiries, and that the Insured will inform the Insurer if it has not done so. The reasonable search may be conducted by making enquiries or by any other means.

LMA9117

16 March 2016



**PROPOSER'S DETAILS**

It is a requirement to capture information about every company and subsidiary company that is to be covered by the policy. As "associated" companies do not fall within the subsidiaries definition they must arrange their own cover to comply with regulations. If you are an individual or partnership, please state your full names including any trading style.

1. Company Name (including list of partners if not a limited company)

2. Are the Name (s) and Address (es) shown in your current Policy Schedule still accurate? Yes No  
If "No" please include any changes to be made:

3. Have there been any changes to the list of partners, directors or principals within the past year? Yes No  
If "Yes" please list any new appointments:

|      |                |                |     |                              |
|------|----------------|----------------|-----|------------------------------|
| Name | Qualifications | Date Qualified | Age | Number of years in this role |
|------|----------------|----------------|-----|------------------------------|

4. Please state the total number of staff: Full-time Part-time

Principals/directors/partners

Qualified staff

Other

5. Gross turnover/fees

a. State the actual and estimated gross turnover for the following periods

|                | Last completed year | Two years ago | Current year (est.) |
|----------------|---------------------|---------------|---------------------|
| UK work        | £                   | £             | £                   |
| Europe (ex UK) | £                   | £             | £                   |
| USA/Canada     | £                   | £             | £                   |
| Other overseas | £                   | £             | £                   |
| <b>TOTAL</b>   | <b>£</b>            | <b>£</b>      | <b>£</b>            |

b. What is the end date of your financial year? Day Month

c. Do you have declared fees for USA or Canada? Yes No

If "Yes" please confirm which law the contracts are subject to English USA or Canada



6. If you are a **Contractor**, please provide details of turnover/professional fee income:

|  |                 | Past financial year | Current financial year |
|--|-----------------|---------------------|------------------------|
| i. <b>Turnover</b> where the firm designs and constructs/ installs from their <b>own</b> design and provides full technical supervision                                | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |
| ii. <b>Turnover</b> where the firm constructs/ installs from <b>others'</b> design performed on behalf of the firm (i.e. where there is a contingent design liability) | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |
| iii. <b>Professional Fees</b> where the firm provides:   |                 |                     |                        |
| a) Design and technical services <b>only</b> (i.e. <b>no</b> construction /installation is undertaken by the firm)   | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |
| b) Project management or supervision of construction/ installation services <b>only</b> (i.e. <b>no</b> construction/installation is undertaken by the firm)           | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |
| iv. <b>Turnover</b> where the firm constructs/installs from <b>others'</b> design and <b>others'</b> technical supervision <b>not</b> performed on behalf of the firm  | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |
| v. <b>Turnover</b> not mentioned above-these activities will <b>not</b> normally be covered by this proposed insurance   | <b>UK</b>       | £                   | £                      |
|  | <b>Overseas</b> | £                   | £                      |

If you have completed v. above, provided details below

7. Has your area of business or type of projects/specialism changed materially within the past year?  
(changed materially, means the percentage changing by more than 15% within the past year)  
If "Yes" please provide full details.

Yes No

8. a. Please provide details of the largest contract in the past year:

| Client | Start date | Services to be provided | Total contract value | Your fees | Approx. complete date |
|--------|------------|-------------------------|----------------------|-----------|-----------------------|
|        |            |                         | £                    | £         |                       |

b. Please provide details of the largest contract that is due to commence in the next 12 months:

| Client | Start date | Services to be provided | Total contract value | Your fees | Approx. complete date |
|--------|------------|-------------------------|----------------------|-----------|-----------------------|
|        |            |                         | £                    | £         |                       |



9. Other changes.

Has there been any material change within the past year concerning:

- |                                      |     |    |
|--------------------------------------|-----|----|
| a. Use of subcontractors?            | Yes | No |
| b. Joint ventures/related companies? | Yes | No |
| c. Risk management procedures?       | Yes | No |

If "Yes" please provide details:

10. Fraud/dishonesty and general

- |  |     |    |
|--|-----|----|
| a. Have you sustained any loss through the fraud or dishonesty of any person?  | Yes | No |
| b. Are you aware of any allegation or occurrence of fraud or dishonesty in the last 5 years committed by any past or present partner, director or employee?    | Yes | No |
| c. Has any person for whom insurance is now sought been the subject of any admonishment by any Authority within the past 5 years?                              | Yes | No |
| d. Is there any other material information which may be relevant to the insurer's consideration of the risk that has not been declared elsewhere in this form? | Yes | No |

If the answer to any of the above is "Yes" provide full details below

11. Have your Professional Indemnity Insurance requirements changed since last year? Yes No

If "Yes" please provide details:



**GENERAL QUESTIONS**

Please answer question a. in relation to this business or any previous business in which the proprietor, partners or directors have traded, in this or any other name:

- a. Have any insurers in the last five years declined to insure any of you or your businesses, cancelled or refused to renew any insurance or imposed special terms? Yes No

Please answer questions b. to e. in relation to the proprietor, partners or directors of this business.

**Convictions or cautions do not have to be declared if they have become spent under the Rehabilitation of Offenders Act 1974. Reference to the Rehabilitation of Offenders Act 1974 is a reference to it as it is in force for the time being, taking into account any amendment, extension or re-enactment, and includes any subordinate legislation for the time being in force made under it.**

- b. Have any of you in the last five years been declared bankrupt or insolvent, in connection with this or any other business in this or any other name, or been disqualified from being a company director or been involved as owner, proprietor, partner or director with any company which went into receivership, administration or liquidation? Yes No
- c. Have any of you in the last six years been the subject of any County Court Judgment and/or been cited in any unsatisfied court judgments (or the Scottish equivalent) and/or have any court judgments pending? Yes No
- d. Have any of you been convicted or charged (but not yet tried) with any criminal offence other than a motoring conviction? Yes No
- e. Have any of you committed any offence to which you have admitted and for which you have received an official police caution? Yes No

If the answer to any question is "Yes" please provide full details on the 'Additional Information' sheet at the end of the proposal form.

**CLAIMS AND CIRCUMSTANCES**

- a. Have any claims, whether successful or not, been made against you (including any predecessors in business) or any present or former partner/principal/director in the last 5 years? Yes No
- b. Is any partner/principal/director aware, AFTER ENQUIRY, of any circumstance or occurrence which may give rise to a claim against you (including any predecessors in business) or any present or former partner/principal/director? Yes No

If the answer to either of the above questions is "Yes" provide full details below (please use 'Additional Information' sheet, if necessary)

| Date of Claim   | Cause of claim | Damages claimed | Defence costs | Reserves held by insurers |
|---|----------------|-----------------|---------------|---------------------------|
| i.  |                | £               | £             | £                         |
| ii.   |                | £               | £             | £                         |
| iii.  |                | £               | £             | £                         |
| c. What measures have been taken to prevent a similar claim(s) or occurrence(s) (please use 'Additional Information' sheet, if necessary) |                |                 |               |                           |

(Please note that this question is for underwriting purposes only. It does **NOT** constitute notification of a claim or possible claim. You are required to make a separate notification to the current insurer in accordance with their policy terms and conditions, prior to expiry of the current policy)

**DECLARATION**

I/we declare that I/we have made a fair presentation of the risk, by disclosing all material matters which I/we know or ought to know or, failing that, by giving the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances.

Signature Please print name

Date Position



