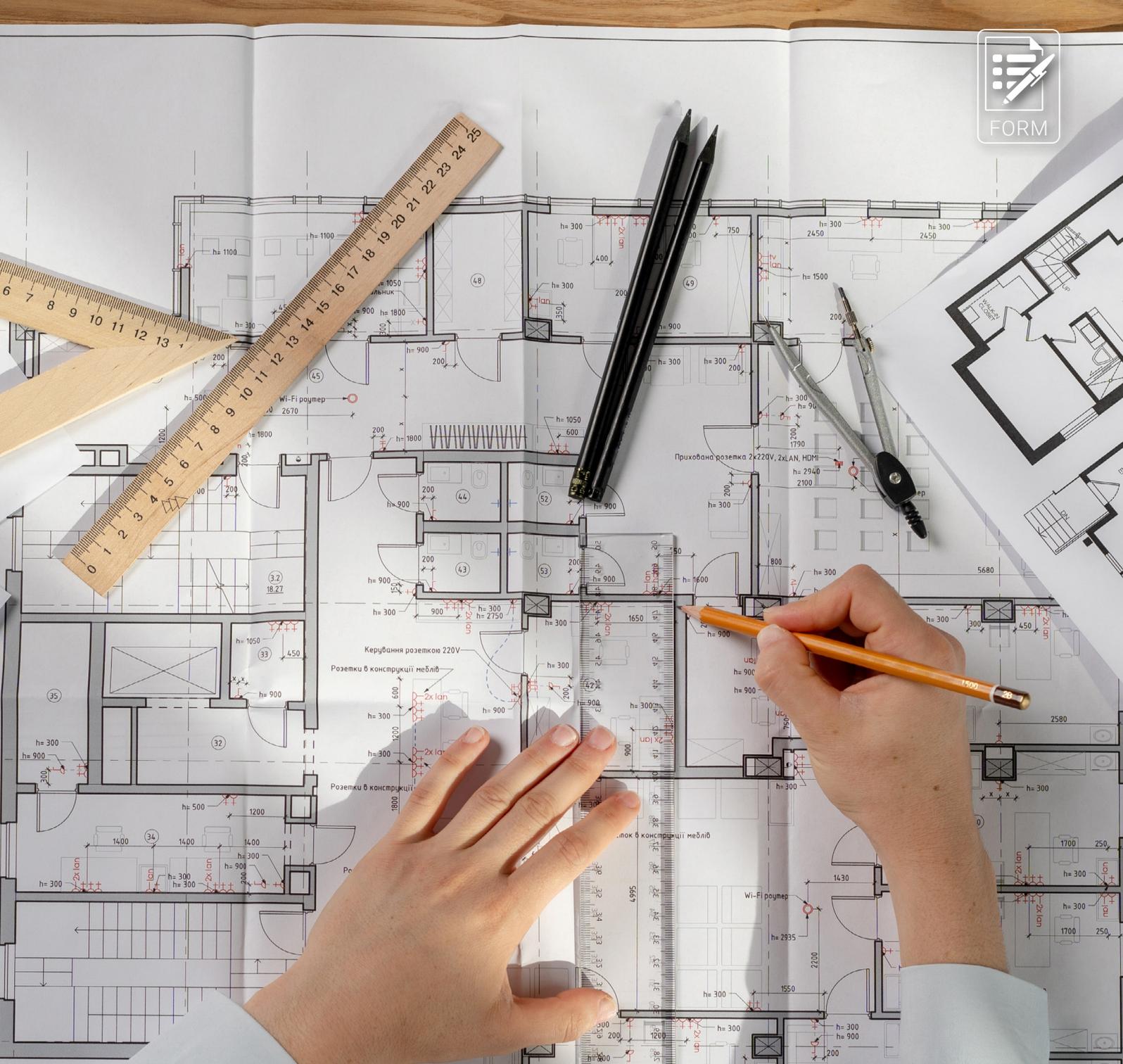




FORM



 **PRORISK**

Design Professionals

Proposal Form

План розташування електрообладнання 3-го

IMPORTANT NOTICES

CLAIMS MADE POLICY

This Proposal is for a policy issued by ProRisk, which includes coverage on a claims made and notified basis. This means that the policy provides cover for claims first made against you during the insurance period. The policy does not provide cover for any claims made against you during the insurance period if at any time prior to the commencement of the insurance period you were aware of facts which might give rise to those claims being made against you.

Section 40(3) of the Insurance Contracts Act 1984 provides that where the insured gives notice in writing to the insurer during the insurance period of facts that might give rise to a claim against the insured, the insurer cannot refuse to pay a claim which arises out of those facts, by reason only that the claim is made after the insurance period has expired.

YOUR DUTY OF DISCLOSURE:

Section 21 of the Insurance Contracts Act 1984 provides that 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 the insurance and, if so, upon 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 of disclosure 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 or may cancel the contract. If your non-disclosure is fraudulent, the insurer may also have the option of avoiding the contract from inception.

RETROACTIVE LIABILITY

The policy is limited by a retroactive date. The policy does not cover any liability arising from your conduct prior to the retroactive date.

ALTERATION TO RISK AND DEREGISTRATION

The policy requires you to notify the insurer within thirty days of any material change in the nature of your organisation, or any act of insolvency or bankruptcy. The policy requires you to give immediate notice of the cancellation, suspension, termination or imposition of conditions in respect of your statutory registration. Claims arising

following the cancellation, suspension or termination of your statutory registration are excluded from indemnity under the policy.

LIMITED LIABILITY

The policy provides that if a payment greater than the limit of indemnity is required to dispose of a claim, the insurer's liability for costs and expenses will be limited to the proportion that the limit of indemnity bears to the payment required to dispose of the claim.

POLICY CANCELLATION

In the event of policy cancellation by the insured, ProRisk's cancellation rates will apply.

WAIVER OF RIGHTS OF SUBROGATION

The policy provides that you must not, without our prior written consent, enter into any contract or agreement which excludes, limits or prejudices a right of recovery in respect of any claim covered under the policy. Further, you must not do anything or fail to do anything which excludes, limits or prejudices our rights of subrogation.

PRIVACY STATEMENT

ProRisk is bound by the obligations of the Privacy Act 1988 (as amended) regarding the collection, use, disclosure and handling of personal information. We will protect the privacy of your personal information.

We collect personal information about you to enable us to provide you with relevant products and services, to assess your application for insurance and, if a contract is entered, to enable us to provide, administer, and manage your policy, and to investigate and handle any claims under your policy. We may disclose your information to third parties (who may be located overseas), such as the insurer, lawyers, claims adjusters, and others appointed by ProRisk or by the insurer to assist us and them in providing relevant products and services. We may also disclose your information to people listed as co-insured on your policy and to your agents. By providing your personal information to us, you consent to us making these disclosures.

If you do not provide all or part of the information required, we may not be able to provide you with our products and services, consider your application for insurance, administer your policy, assess or handle claims under your policy, or you may breach your Duty of Disclosure.

When you provide us with personal information about other individuals, we rely upon you to have made them aware of that disclosure, and of the terms of the ProRisk Privacy Statement, and to obtain their consent.

A copy of our Privacy Statement is available from our website www.prorisk.com.au. To request access to or update your personal information, contact the Privacy Officer at ProRisk by email: enquiries@prorisk.com.au or by mail at the address shown on this Proposal.

IMPORTANT NOTICE:

- Please answer all questions in full. Where appropriate, please tick the yes or no box that best indicates your reply.
- If there is insufficient space, please provide further details on your letterhead.
- All attached documents form part of this Proposal.

Applicant's Details

1. Name(s) of the Proposed Policyholder.
(Please include the name of all entities, businesses and trading names, which are not subsidiaries of the ultimate of the proposed Policyholder. References to the Applicant are references to the Proposed Policyholder throughout)

2. ABN

3. Website address(s)

4. Principal business address
 State Postcode

5. Other business locations

6. Date of commencement of business

7. Names and Qualifications of principals / directors

NAME	AGE	QUALIFICATIONS AND DATE QUALIFIED; OR DETAIL EXPERIENCE	PERIOD AS PRINCIPAL	
			THIS PRACTICE	PREVIOUS PRACTICE

Please attach CV where the Applicant has been established less than 3 years and/or where any individual has no relevant qualifications.

8. Staff numbers

STAFF	NUMBER
Principals / Directors	
Qualified professionals	
Other technical	
Admin and non-technical	
Voluntary workers, secondees and interns	
Total	

9. Is the Applicant connected or associated (financially or otherwise) with any other entity or business? No Yes
10. a) Has the name of your business ever changed? No Yes
- b) Have you ever carried on your business under a different corporate entity? No Yes
- c) Has any other business or practice amalgamated or merged with your business? No Yes
- d) Have you purchased any other business or practice? No Yes

If Yes to any of 10 a), b), c) or d) please provide details in an attachment.

Your Business

11. Does the Applicant sell or supply any goods or products?..... No Yes

If Yes, please provide details.

12. Does the Applicant provide construction, repair, installation or maintenance services?..... No Yes

If Yes, please provide details below.

13. Is the Applicant involved in any real estate development?..... No Yes

If Yes, please provide details below.

14. Has the Applicant ever taken an equity stake in a project, or does the Applicant anticipate taking an equity stake in a project that they also provide a professional or construction service for?..... No Yes

If Yes, please provide details below.

15. Is the Applicant required to be licensed or accredited in order to carry out the business? No Yes
 If **Yes**, does the Applicant hold the relevant qualifications?..... No Yes

If Applicant does not hold the qualifications, please explain why.

16. Please provide the Applicant's total **turnover** from all activities for each financial year from client's based in:

	LAST FINANCIAL YEAR	CURRENT FINANCIAL YEAR (PLAN)	NEXT FINANCIAL YEAR (PROJECTION)
Financial year ended	□ /20□	□ /20□	□ /20□
Australia			
USA / Canada			
Elsewhere			
Total fee income			

17. If fee income declared from "elsewhere" please provide a list of the countries / locations.

18. What is the Applicant's largest fee earned from one client, and the average fee per client for the last year?

Largest fee \$ Average fee \$

19. Please list the Applicant's five largest contract assignments undertaken in the last five years.

	TYPE OF SERVICE	CONTRACT VALUE	YOUR FEES	DATE COMMENCED	DATE COMPLETED
1					
2					
3					
4					
5					

20. Does the Applicant engage outside consultants / sub-contractors? No Yes

If **No**, are you seeking cover for them under this policy? (please provide full details) No Yes

If **Yes**, does the Applicant ensure they hold their own Professional Indemnity policy?..... No Yes

a) How does the applicant ensure sub-contractors hold their own professional indemnity policy?

b) What percentage of fees, over the last 3 years, have been paid to sub-contractors? %

Activity

21. Please provide a detailed description of your business in the space below.

Attach any relevant brochures, capability statements, or other documentation to describe your activities.

22. Please provide a breakdown of your activities and percentage of income this relates to:

BUSINESS ACTIVITY (EG; ARCHITECTURE)	% OF GROSS FEE INCOME
	%
	%
	%
	%
	%
	%

23. For the last financial year, please provide a percentage breakdown of gross revenue by state:

VIC	<input type="text"/>	%	NT	<input type="text"/>	%	QLD	<input type="text"/>	%	Overseas	<input type="text"/>	%
SA	<input type="text"/>	%	ACT	<input type="text"/>	%	TAS	<input type="text"/>	%	Total	<input type="text"/>	%
NSW	<input type="text"/>	%	WA	<input type="text"/>	%						

24. Please provide a breakdown of your fee income derived from the following professional activities:

TYPE OF ACTIVITY	% OF FEE INCOME DERIVED	% PERFORMED BY OUTSIDE CONSULTANTS
Acoustic Engineering	%	%
Aerospace Engineering	%	%
Architecture	%	%
Building Design	%	%
Chemical Engineering	%	%
Civil Engineering	%	%
Construction Management (excl. Project management)	%	%
Drafting	%	%
Electrical Engineering	%	%
Environmental - Engineering	%	%
Environmental - Surveys, Audits & Impact assessments	%	%
Façade Engineering	%	%
Feasibility Studies	%	%
Fire Engineering	%	%

TYPE OF ACTIVITY	% OF FEE INCOME DERIVED	% PERFORMED BY OUTSIDE CONSULTANTS
Fire Protection Consulting	%	%
Geotechnical Engineering	%	%
Hydraulic Engineering (plumbing)	%	%
Inspection Services - Pre-purchase/ pest or Mould	%	%
Inspection Services - other	%	%
Interior Design - Non-structural	%	%
Interior Design - structural	%	%
Management Consulting	%	%
Marine Engineering/Surveying	%	%
Mechanical Engineering - Bulk Handling Equipment, Automation or Process Control	%	%
Mechanical Engineering - other	%	%
Mining Engineering	%	%
Nuclear Engineering	%	%
Oil & Gas Engineering	%	%
Project Management (excl. Construction management)	%	%
Structural Engineering	%	%
Surveying - Building	%	%
Surveying - Land	%	%
Surveying - Quantity	%	%
Surveying - Traffic	%	%
Town Planning	%	%
Other (please provide details below)	%	%
Total		

If **Other**, please provide details:

25. Please provide a breakdown of your **turnover** derived from the following, including the turnover from activities sub-contracted to third parties. The table should equal the total turnover as declared in question 23 above.

“Professional Services” shall mean: Design or specification, feasibility study, surveying, inspection, project management and construction management, but excluding supervision of construction, erection or installation services performed by you.

	LAST FY TURNOVER	CURRENT FY TURNOVER
Date of Financial Year End	<input type="text"/> /20 <input type="text"/>	<input type="text"/> /20 <input type="text"/>
Full Design and Construction		
Contracts where the Applicant is the principal contractor who is responsible for the professional services* as well as the construction		
Carry out Professional Services Only		
a) Contracts involving a fee for design (no construction works, or supervision of construction undertaken)		
b) Contracts involving a fee for project management only (no construction works, or supervision of construction undertaken)		
Professional Services Sub-contracted		
a) Contracts where professional services* are undertaken in addition to construction works, but the professional services* are sub-contracted to a third party with their own PI policy		
b) Contracts where professional services* are undertaken in addition to construction works, BUT the professional services* are sub-contracted to a third party WITHOUT their own PI policy		
Construction Only		
Contracts where only construction works are undertaken (no professional services*)		
Sales only		
Turnover from the Sales of Products only (no professional services*)		
Other		
Other Turnover not allocated above (please provide commentary)		

If **Other**, please provide details below.

26. Please provide a breakdown of your **turnover** derived from the following areas:

INDUSTRIES	% OF FEE INCOME DERIVED	% PERFORMED BY OUTSIDE CONSULTANTS
Acoustics & Noise Prevention	%	%
Airports	%	%
Automation control, PLC, SCADA	%	%
Appliances & Homewares (Furniture & Whitegoods, etc)	%	%
Bio-tech or Research and Development	%	%
Bridges or Tunnels	%	%
Dams or Reservoirs	%	%
Environmental Assessments	%	%
Foundations, Footings, Pylons and Underpinning	%	%
Geotechnical, geological activities & soil testing	%	%
Harbours, Jetties, Sea walls, Piers, Docks, Wharfs, Offshore platforms	%	%
High Density Housing (Townhouses: over 20 units in a single project)	%	%
High Rise buildings (over 10 floors)	%	%
Hospitals, Medical Facilities & Medical Centres	%	%
Heating, Ventilation, Air conditioning, Hydraulics or Plumbing	%	%
Individual Dwellings	%	%
Industrial - Manufacturing, Warehouses & Processing	%	%
Internal Fit-out/refurbishment including Commercial Fit-out	%	%
Land Remediation	%	%
Low Density Housing (Townhouses: up to 10 units in a single project)	%	%
Low Rise buildings (up to 3 floors)	%	%
Mechanical Plant & Bulk Handling Equipment	%	%
Medium Density Housing (Townhouses: 10 - 20 units in a single project)	%	%
Mid-rise buildings (3 - 10 floors)	%	%
Mine Process Control equipment or systems	%	%
Oil & Gas Pipelines	%	%
Petrochemicals, Refineries, Chemicals, Fertilisers	%	%
Power Transmission	%	%
Railways (including signalling, stations, rolling stock, and tracks)	%	%
Residential, Commercial or Industrial Sub-divisions	%	%
Roads	%	%
Schools, Municipal Buildings & Recreation centres	%	%

INDUSTRIES	% OF FEE INCOME DERIVED	% PERFORMED BY OUTSIDE CONSULTANTS
Security or Control Engineering	%	%
Sewerage or Wastewater Systems	%	%
Shopping Centres	%	%
Silos & Cooling towers	%	%
Sporting Fields / Ovals (Including Golf Courses)	%	%
Structures at Fairs, Shows, Amusement parks	%	%
Swimming pools or Ponds	%	%
Telecommunications	%	%
Waste Treatment, Disposal or Management	%	%
Other - please advise below	%	%

If **Other**, please provide details below.

27. If income is generated in NSW, please answer the following additional questions:

- a) Is the proposer a Capital Gains Tax small business entity (within the meaning of section 152-10(1AA) of the Income Tax Assessment Act 1997 (Cth))?..... No Yes
- b) Is the proposer a small business individual, partnership, company and/or trust, which is carrying on a business, and the business has an aggregated turnover of less than \$2,000,000?
 (Aggregated turnover is your Australia wide annual turnover plus the annual turnovers of any business entities that are your affiliates or are connected with you)..... No Yes

Risk Management

28. Is the Applicant a member, in good standing, with any relevant industry body? No Yes

If **Yes**, please give details.

29. Does the Applicant have an accredited risk management / quality control system? No Yes

Please advise what form of diary or record keeping system the Applicant uses.

30. If the Applicant is a sole trader, please describe procedures they have in place to ensure service standards in the event of sickness or holiday?

31. Does the Applicant have a formal evaluation and approval process in place to engage new clients or accept new projects? No Yes

If **No**, please give details below.

32. Does the Applicant always use standard written contracts that clearly outlines the scope or services to be provided and contains appropriate limitations of liability? No Yes

If **No**, please give details below.

33. Does the Applicant operate any quality assurance systems, utilise risk management programs, or belong to any limitations of liability scheme? No Yes

Please give details below.

34. Has the Applicant been involved in any Joint Venture in the last 10 years, or plan to be involved in any Joint Venture projects in the next 12 months? No Yes

If **Yes**, please give details below.

35. Does the Applicant enter into contracts where liability for consequential or indirect loss is accepted? No Yes

If **Yes**, please give details below.

36. Does the Applicant ever agree to hold harmless any third party for claims arising from their services, or enter into contracts to limit other parties' liability? No Yes

If **Yes**, please give details below.

37. Does the Applicant ever agree to contract out of proportionate liability legislation? No Yes

If **Yes**, please give details below.

Claim History

38. After making appropriate enquiries, are there any facts or circumstances of which you, or any other principal, employee or consultant are aware that may give risk to a claim against you, or any of you, including your predecessors in business? No Yes
39. After making appropriate enquiries, has any principal, employee or consultant ever been subject to external disciplinary proceedings, including your predecessors in business? No Yes
40. After making appropriate enquiries, are there any claims of which you, or any other principal, employee or consultant are aware that may give risk to a claim against you, or any of you, including your predecessors in business? No Yes

If Yes to question 39, please provide details of all professional indemnity claims against you, your principals, employees, or consultants in the last 5 years.

YEAR	INSURER	AMOUNT PAID	AMOUNT OUTSTANDING	TOTAL INCURRED	DESCRIPTION
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	

If matters are listed, a claims report on Insurer letterhead must be provided with the submission.

41. Please state what steps or actions have been taken to prevent a recurrence of the situation which gave rise to each claim listed in question 39.

Declaration

After making appropriate enquiries, I declare that:

- I am authorised on behalf of the Applicant to complete this Proposal.
- I have read and understood the Important Notices accompanying this Proposal.
- Where I have provided information about another individual, I declare that the individual has been made aware of that fact and of the ProRisk Privacy Statement.
- I authorise ProRisk to collect or disclose any personal information relating to this insurance to or from other insurers or insurance or credit reference services.
- I confirm that the statements and information in this Proposal are true and complete.
- I understand that, until a contract of insurance is entered into, I am under a continuing obligation to immediately inform ProRisk of any change to the information contained in this Proposal.
- I acknowledge that, if a contract of insurance is entered into, this Proposal and any accompanying documents will form the basis of the contract.

Name:

Position:

Signature:

Date: