

## IT&T Liability Short Form Proposal Form

Acting as Underwriting Agent for Allianz Insurance Limited

### Duty of Disclosure

#### Important information

##### What is This Proposal?

This proposal tells us information, which we need to know in order to decide whether to offer you insurance, the premium to be charged, and any deductibles to apply to any claim and whether any special conditions should be imposed on the policy.

#### How to complete this proposal

1. Read the important notices below (in particular the duty of disclosure notice) before completing this proposal.
2. Before completing this proposal, you should ask each entity or person to be insured under this insurance about the questions and declarations to be completed on their behalf.
3. Where provided, please tick the box that indicates your response. Answer each question in the proposal fully, accurately and clearly. Where there is insufficient space to answer a question please answer on an attached separate sheet.
4. Please keep a copy of the completed proposal for your records.

#### Your Duty of Disclosure

Before you enter into an insurance contract with us, the Insurance Contracts Acts 1984 requires you to provide us with the information we need to enable us to decide whether and on what terms your proposal for insurance is acceptable and to calculate how much premium is required for your insurance. The Act imposes a different duty the first time you enter into the policy with us to that which applies when you vary, renew, extend, reinstate or replace your policy. We set these two duties out below.

##### Your duty of disclosure when you enter into this policy with us for the first time.

You will be asked various questions when you first apply for this policy. When you answer these questions, you must:

- Give us honest and complete answers
- Tell us everything you know, and
- Tell us everything that a reasonable person in the circumstances could be expected to tell us.

##### Your duty of disclosure when you renew, vary, extend, reinstate or replace your policy

When you renew, vary extend, reinstate or replace the policy your duty is to tell us before the renewal, variation, extension, reinstatement or replacement is made, every matter known to you which:

- You know, or
- A reasonable person in the circumstances could be expected to know, is relevant to our decision whether to insure you and whether any special conditions need to apply to your policy.

##### What you do not need to tell us for either duty

You do not need to tell us about any matter:

- That diminishes our risks
- That is of common knowledge
- That we know or should know as an insurer, or
- That we tell you we do not need to know

##### Who do the above two duties apply to?

Everyone who is insured under the policy must comply with the relevant duty.

##### What happens if you or they do not comply with either duty?

If you or they do not comply with the relevant duty, we may cancel the policy or reduce the amount we pay if you make a claim. If fraud is involved, we may treat the policy as if it never existed and pay nothing.

#### Claims-Made Insurance

This policy is issued by Allianz Australia Insurance Limited on a **claims-made** basis. This means that this policy only covers Claims (as defined) first made against you during the Policy Period (as defined) and notified to Allianz in writing during the Policy Period if at any time prior to the commencement of the Policy Period you became aware of facts which might give rise to those Claims being made against you.

#### Privacy Act 1988 – Information

We collect your personal information directly from you where reasonably practicable or if not, from other sources. We collect it to prove our various services and products ( e.g. to market, arrange and administer insurance and to handle and settle claims) and to conduct market or customer research. We also use it to develop and identify services of our related companies and alliance partners that may interest you (but you can opt out of this by calling the Allianz Direct Marketing Privacy Service Line on 13 2664 EST 8am – 6pm, Monday to Friday or indicate your decision in the appropriate area of the Privacy section of our website at [www.allianz.com.au](http://www.allianz.com.au)). If you do not provide the information we require we may not be able to provide you with this service.

We disclose information to third parties who assist us in the above, (e.g., Insurers, Insurance Intermediaries, Insurance Reference Bureaus, Related Companies, Our Advisers, Persons involved in Claims, External Claims Data Collectors and Verifiers, Your Agents and other persons where required by law). We prohibit them from using it for purposes other than those we supplied it for. Where you provide us with information about another person for the above purposes, you must tell us if you haven't got their consent to this. If you wish to gain access to your personal information (including to correct or update it), have a complaint about a breach of your privacy or you have any query on how your personal information is collected or used, or any other query relating to Privacy, contact us on 13 2664 EST 8am – 6pm, Monday to Friday.

1. Insured's Business Name and ABN

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2. Your Revenue:

Country	Total Revenue for Last Financial Year	Estimated Revenue for the Current Financial Year
Australia & New Zealand	A\$	A\$
USA / Canada	A\$	A\$
UK / Europe	A\$	A\$
Asia & Pacific	A\$	A\$
Other – Please Specify _____	A\$	A\$
<b>Total</b>	A\$	A\$

3. For the purpose of calculating Stamp Duty, please confirm the percentage of Revenue earned in each State and Territory (must add up to 100%)

NSW	QLD	ACT	VIC	NT	SA	WA	TAS	O/S (inc New Zealand)

4. Please advise total number of your Employees: .....

5. Please define the Product or Services provided or supplied by the Insured as a **Percentage** breakdown

Application Service Provider	
Data Communication Services	
Data Storage, Data Processing and Data Warehousing	
E-Commerce Application Development	
Enterprise Resource Planning (ERP) Application Services	
Facilities Management, Co-location and Hosting Services	
Graphic Design (Website Related Only)	
Hardware Maintenance, Installation and/or Repair	
Hardware Manufacture and Sales	
Hardware Reselling	
Hosting Application Service Provider	
Internet Security Provider	
Internet Service Provider	
IT&T Consultancy Services	
IT&T Contracting Services	
IT&T Education and/or Training	
IT&T Help Desk and Support Services	
IT&T Project Management	
IT&T Recruitment and Placement Services	
IT&T Security Systems and/or Consulting	
LAN and WAN Providers	
Multimedia Services (Website Related Only)	
Network Design, Development, Installation and Support Services	
Public Key Infrastructure Applications	
SCADA/PLC Services	
Software Development, Design, Analysis, Programming, Testing and Sales	
Software Maintenance Services	
Software Reselling	
Systems Analysis	

Systems Integration Services	
Telecommunication Services	
Value Added Reselling	
Website Design and Development	
Website Hosting Services	
Other, please specify:	
<b>Total:</b>	<b>100%</b>

6. Limits Required

Professional Indemnity Limit of Liability Required	Public and Products Limits of Liability Required
<input type="checkbox"/> \$1,000,000	<input type="checkbox"/> \$Nil
<input type="checkbox"/> \$2,000,000	<input type="checkbox"/> \$5,000,000
<input type="checkbox"/> \$5,000,000	<input type="checkbox"/> \$10,000,000
<input type="checkbox"/> \$10,000,000	<input type="checkbox"/> \$20,000,000
<input type="checkbox"/> \$20,000,000	<input type="checkbox"/> Other, please specify:
<input type="checkbox"/> Other, please specify:	

7. Does the Proposer provide any of the following Products or Services?

- a) Online Gaming and/or Gambling Applications?  Yes  No
- b) Online and Real Time Funds Transfers (excluding credit card authentication systems)?  Yes  No
- c) Any Medical Technology that impacts directly or indirectly with the Diagnosis and/or Treatment of any illness?  
*This does not include administration and/or business management systems*  Yes  No
- d) Defence Technology that impacts directly or indirectly with respect to weapons or combat systems?  
*This does not include administration and/or business management systems*  Yes  No
- e) Production Line or Manufacturing Systems including SCADA and/or PLC Systems?  Yes  No
- f) Internet Service Provider?  Yes  No
- g) Avionics or Marine Applications?  Yes  No
- h) Encrypting or Decrypting Software Products (where the Proposer is the Product Designer or Manufacturer of such Product)?  
*This does not include advice, consultancy or the resale of encryption products.*  Yes  No
- i) Public Key Infrastructure Software Products (where the Proposer is the Product Designer or Manufacturer of such Product)?  Yes  No
- j) Undertake any Welding or Hot Work?  Yes  No
- k) Undertake any Underground Digging or Trenching?  Yes  No

*If "Yes," to any of the above, please give details*

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8. Please answer the following questions after making reasonable enquiries:

1. During the past ten (10) years, has any Claim been made against:
  - (a) The Insured or  Yes  No
  - (b) Any previous Business or prior Corporate Entity or  Yes  No
  - (c) Any Partner or Director of You, any previous Business or any prior Corporate Entity?  Yes  No
2. Have any Circumstances been notified by any of (a)-(c) which may result in a Claim?  Yes  No
3. Are there any Circumstances not notified to any Insurer which may give rise to a Claim against any of (a)-(c)?  Yes  No
4. Have the Insured or any previous Business or prior Corporate Entity been involved in any Dispute or has any Client refused to pay The Insured's fees?  Yes  No

*If "Yes," to any of the above, please give details*

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**DECLARATION**

I / We declare and acknowledge that:

- I / We have made due inquiry of the Applicant and its Principals, Partners, Directors and Employees concerning the questions asked within this Proposal and have authority to sign this Proposal on their behalf;
- I / We have read and understood the Duty of Disclosure - Important Information Section of this Proposal;
- The statements and particulars in this Proposal are true and correct;
- This Proposal along with any other information supplied by Me /Us shall form the basis of any Policy entered into;
- I / We understand that up until the Policy is entered into, We must notify any change in the matters disclosed in this Proposal; and
- I / We will notify any material alteration to the matters disclosed in this Proposal occurring after completion of the Proposal.

Name of Applicant: ..... Date: ..... / ..... / .....

Signature of Applicant: ..... **Partner, Principal or Director (please circle)**