



TYSERS

PROFESSIONAL INDEMNITY

Proposal Form
for
Information Technology

Since 1820



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Authorised & Regulated by the Financial Services Authority Ref. No. 308648

Information:

This is a proposal form for a policy relating to claims made against the Insured during the period of the policy only – i.e. CLAIMS MADE is the date when the claim is received by Tyser & Co Limited, not the date of the alleged claim, that determines the applicable policy. A gap in cover therefore leaves the Insured unprotected.

Please answer all the questions giving full and complete answers. If you have insufficient space to complete any of your answers, please continue on your headed paper. This form must be signed and dated by a Director, Partner or Principal or identified Officer of this firm.

The proposal form must be completed and signed and dated by a person who is of legal capacity and have the authorisation to request this insurance for the Proposer.

This form does not bind the Proposer but will form part of the Insurance contract if taken up.

Should you wish to discuss any questions on the proposal form please do not hesitate in contacting us, we do understand that some of the questions may not be self explanatory.

Duty to disclose material facts

Since an insurance/reinsurance contract is based upon the duty of utmost good faith, it is important that those seeking insurance/reinsurance should provide full disclosure of all material facts to insurers and that this information should be kept updated. The courts will find a fact to be 'material' where it would affect the judgment of a prudent insurer as to whether or not to accept the risk at the particular terms offered.

The practical advice, which we give to clients or producers, is this; if you are in doubt we recommend that you advise the information to insurers. Please note that a renewal is based on the information, which has already been provided to insurers. Therefore if there is a change in such information which has not yet been advised, this must now be advised to insurers.

Please supply the following additional information:

- Company Brochure (If applicable)
- CV's of Principals
- Copy of Standard Contract Terms and Conditions (If applicable)



Instructions

Please provide a full answer to every question. Please ensure that all answers are typewritten or printed in block letters within the spaces provided. A Principal of the practice must sign and date this form and any separate sheets.

1. Your Business

Company Name

(Please include all names under which you practice)

Main Office Address:

Postcode:

Main Office Telephone No:

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Main Office Fax No:

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Contact Email Address:

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Practice Website:

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Date Established:

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List Number of Branch Offices:

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Please list on a separate sheet all branch offices including addresses for which you are seeking cover.

Is cover required for anything other than work undertaken by the above Firm(s)? *This may include a predecessor in business or liability of one of your Partners or Principals relating to work undertaken elsewhere.* Yes No

If 'Yes' please provide details:

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2. Partners/Directors

Please list below details of the Partners/Directors of the Company:

Name	Date of Birth	Qualifications	Years in the Industry	How long as Partner/Director of the Firm(s)

Please provide a CV outlining all relevant experience where the above have been working in the industry for less than 5 years.

Please advise number of:

Partners/Directors

Support Personnel

Managers

Sales & Marketing

Technical Personnel

Other

3. Sub-Contractors

Does the Company/Firm engage or intend engaging in the future any external sub-contractors? Yes No

Do you ensure they hold their own Professional Indemnity Insurance? Yes No



4. Gross Fee Turnover

State the gross fees received for the following years:

	Last Completed Financial Year	Current Year	Estimate Next Year
UK Law Contracts	£	£	£
EU Law Contracts	£	£	£
USA/Canada Law Contracts	£	£	£
Other Law Contracts	£	£	£
Total Gross Fee Turnover	£	£	£

Give details of the five largest contracts commenced during the past three years.

If you are a new company, provide details of the largest contract(s) expected to start in the next 12 months.

Client Name	Clients Business	Nature of Contract	Contract Value	Fees Received

5. Your Business Activity

Your turnover (including fee income) must be separated approximately into the activities listed below so that Insurers can understand what you are doing, in addition Insurers can only cover you for work that you declare.

a) Hardware

- i) Sales of own brand
- ii) Distribution of other brands
- iii) Installation
- iv) Maintenance



b) Software product sales

- i) Shrink wrapped/off the shelf software

 - a) Third Party
 - b) Own Written

- ii) Customisable software

c) Software Services

- i) Installation including configuration
(No code changes)
- ii) Customisation
(Including code changes)
- iii) Developing bespoke applications
- iv) Maintenance

How long is a typical software installation (including configuration and customisation services)?

d) Services

- i) Consultancy
- ii) Provision of contract staff
- iii) Provision of outsourced applications
- iv) Provision of managed services
- v) Training



e) Internet Services

- i) Web Design

- ii) Domain Name Registration

- iii) Web Hosting

Do you only purchase domain names for customers if you are designing a website for that customer? Are procedures and diary systems in place to ensure that domain names are not allowed to lapse without your customers knowledge and consent?

Do you use a third party to do all hosting?

f) Others – please specify

Is the failure of any of your products or services liable to result in any of the following outcomes, or do you work on any systems which could cause:

- 1) Loss of life or injury to a person? Yes No

- 2) Destruction or damage to physical property? Yes No

- 3) Significant financial loss? Yes No

If you have answered 'Yes' to any of the above then please explain below:

Do you only carry out work under contracts drafted by legal professionals and signed by your clients? Yes No

If 'No' please explain on what basis you enter into contracts:



Are you responsible for, or do you provide advice in relation to any of the following:

- 1) Full project implementation of IT or other systems? Yes No
- 2) Live trading or mission critical systems? Yes No
- 3) Internet Service Provision (ISP services), Application Service Provision (ASP), Games Development or financial transaction web site design? Yes No
- 4) Fully outsourced or managed services? Yes No
- 5) Design of security systems (other than installing off the shelf software), full implementation of Enterprise Resource Planning (ERP) or customer Relationship (CRM) systems? Yes No
- 6) Financial trading or manufacturing process control systems? Yes No
- 7) Hosting of e-commerce websites Yes No

If 'yes to any of the above areas, please provide full details on a separate sheet of your services and describe in detail the 3 largest contracts you have been involved in.

6. Claims

Has the Company/Firm suffered any loss or indentified any potential loss during the past five years through fraud or dishonesty of any employee, Director or Principal? Yes No

If 'Yes' state date, circumstances, amount and steps taken to prevent recurrence:

Have any claims in respect of liabilities to be covered by the proposed insurance (successful or otherwise) been made against the Company/Firm or its present and/or past Partners/Directors? Yes No

If 'Yes' give full details including amounts involved:

Have all claims been notified to Insurers?

Yes No

What measures have been taken to prevent a recurrence of the situation which gave rise to any claim?

Are any of the Partners, Directors or employees **After Enquiry**, aware of any circumstances, allegations or incidents which may give rise to a claim against the Firm(s) or its predecessors in business or any of its present or former Partners/Directors?

Yes No

If 'Yes' give full details of circumstances and amounts involved:

7. Insurance Cover

Has any proposal for similar insurance made on behalf of the Firm(s) or their predecessors in business or any of the present or former Partners/Directors ever been declined or has any such insurance cover been cancelled or renewal refused?

Yes No

If 'Yes' please provide details.

Please advise details of your present insurance:

Renewal Date:	
Insurer:	
Broker:	
Limit of Indemnity:	£ any one claim/aggregate (please advise)
Excess:	£
Premium:	

Please advise your requirements:

Option 1

Option 2

Option 3

Limit of Indemnity:	£	£	£
Excess:	£	£	£



CONFIRMATION

Disclosure of Material Facts

It is essential that every Proposer or Insured when seeking a quotation, taking out or renewing an insurance, reveals to the prospective Insurers any material facts or information (including any material circumstances or change in circumstance) which might influence the judgment of Insurers in fixing the premium or in determining whether they will accept the risk. Failure to do so may render the contract of insurance voidable from inception at the option of the Insurers and enable them to repudiate liability thereunder. If you have any doubt as to what constitutes a material fact or circumstance, seek our advice.

DECLARATION

I/We declare that (a) this proposal form has been completed after proper enquiry; (b) its contents are true and accurate and (c) all facts and matters which may be relevant to the consideration of our proposal for insurance have been disclosed.

I/We undertake to inform you before any contract of insurance is concluded, if there is any material change to the information already provided or any new fact or matter arises which may be relevant to the consideration of our proposal for insurance.

I/We understand that non-disclosure or misrepresentation of a material fact or matter will entitle Insurers to void this insurance.

I/We agree that this proposal form and all other written information which is provided are incorporated into and form the basis of any contract of insurance.

Signature of Principal/Partner/Director

Date

A copy of this proposal form should be retained for your own records.

