



ace insurance

ACE Insurance Limited
600 North Bridge Road
#04-02 Parkview Square
Singapore 188778

(65) 6398 8000 tel
(65) 6298 1055 fax

www.aceinsurance.com.sg

Professional Indemnity Insurance Proposal Form for Media Industry Professional Liability

Important Notices to the Applicant

Your Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty under the law to disclose to the insurer every matter within your knowledge that is material to the insurer's decision whether to accept the risk of the 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.

It is important that all information contained in this application is understood by you and is correct, as you will be bound by your answers and by the information provided by you in this application. You should obtain advice before you sign this application if you do not properly understand any part of it.

Your duty of disclosure continues after the application has been completed up until the contract of insurance is entered into.

Non-Disclosure

If you fail to comply with your duty of disclosure, the insurer may have the option of avoiding the contract of insurance from its beginning.

If your non-disclosure is fraudulent, the insurer may also have the right to keep the premium that you have paid.

Change of Risk or Circumstances

You should advise ACE as soon as practicable of any change to your normal business as disclosed in this application, such as changes in business activities, location, acquisitions and new overseas activities.

Subrogation

Where you have agreed with another person or company (who would otherwise be liable to compensate you for any loss or damage which is covered by the contract of insurance) that you will not seek to recover such loss or damage from that person, ACE will not cover you, to the extent permitted by law, for such loss or damage.



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Instructions to the Applicant

- A. This form is intended for publishers, printers, broadcasters, advertising agents, market researchers, graphic designers, public relations, marketing, corporate identity and image consultants and other media industry professionals.
- B. This proposal **must be completed, signed and dated by a Principal, Partner or Director**.
- C. You must answer **all** the questions in this form. If a question is not applicable, state “N/A”. If more space is required to answer a question, continue on your letterhead.
- D. If you are a new business, use the projected figures from your business plan.
- E. If you have any questions concerning this proposal, please contact your insurance broker or adviser to discuss.

Application for Insurance Cover

Period of Insurance	From	To
Limit of Insurance Required	Option 1 \$	Option 2 \$
Excess/Deductible Requested	Option 1 \$	Option 2 \$
Are you requesting cover for Fraud & Dishonesty?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Are you requesting cover for Principals' Previous Business?		Yes <input type="checkbox"/> No <input type="checkbox"/>

1. Details of Applicant

- 1.1 Names and Company Registration Numbers of all firms applying to be covered under this insurance (Referred to as “You” in the rest of this form)

- 1.2 Has your name ever been changed, or have you purchased or merged with any other practice or business? If yes, please attach details. Yes ☐ No ☐

- 1.3 What is your address?

- 1.4 What is your website address?



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1.5 When was your firm established? _____ (day) _____ (month) _____ (year)

1.6 What is the breakdown of the number of your staff by nature of work?

Category of staff	Number	Nature of work

1.7 Which are the foreign countries where you provide your services, and how many staff are located in each?

Country	Number of staff	Country	Number of staff

1.8 What are the qualifications of your Principals, Partners, Directors or other key professional personnel?

Name	Qualifications	Years in the industry	Years as Principal, Partner or Director

1.9 If you have only one Principal, what arrangements do you have in place to ensure continuity of business when that Principal is travelling, on leave, ill or away from the office?

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1.10 Who are your major shareholders?

Name	Percentage shareholding

2. Details of Business

2.1 What percentage of your revenues is from

Type of work	%	Type of work	%
Publishing		Public relations consultancy	
Broadcasting		Graphic design	
Printing		Event management	
Film & media production		Other (specify)	
Advertising agency			
Marketing research & consultancy		Total	100%

2.2 For consultancy work, what is the specific scope of work done or advice given?

2.3 Do you engage in any other business activities other than what is described in this section 2? If yes, please attach details of the type of work and the fee income from these other activities. Yes ☐ No ☐

2.4 Are you or any of your Principals, Partners or Directors connected or associated with any other practice or business? If yes, please attach details. Yes ☐ No ☐

3. Financial Details

3.1 When does your Financial Year end? _____ (day) _____ (month)

3.2 What is your total turnover or fee income for the

	Year	Singapore	Foreign	Total
Coming year (est)		\$	\$	\$
Current year (est)		\$	\$	\$
Past year		\$	\$	\$



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3.3 What percentage of your turnover or fee income is derived from work in

Singapore	Other Asia	Australia/ NZ	Europe	USA/ Canada	Others	Total
%	%	%	%	%	%	100 %

3.4 What are your five largest projects or contracts during the past five years?

Client name	Service performed	Location	Fees
			\$
			\$
			\$
			\$
			\$

4. Publishing Section

4.1 What percentage of your publishing turnover is from

Type of work	%	Type of work	%
Publishing		Subsidiary rights	
Distribution		Total	100%

4.2 What percentage of your publishing turnover is from

Type of publication	%	Type of publication	%
Newspapers		Fiction	
Current affairs & politics		History & social sciences	
Business, finance & investments		Entertainment, leisure & hobbies	
Biographies & autobiographies		Religion	
Professional, technical & scientific		Other (specify)	
Educational		Total	100%

4.3 For newspapers and periodicals, attach details of the titles published by you as follows:

- name of publication
- type of publication (magazine, newspaper, journal etc.)
- type of content (current affairs, entertainment, music, etc.)
- frequency
- territories where the publication is distributed
- circulation
- whether the publication is placed on the internet/world wide web



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- 4.4 What standard procedures do you have in place to check the accuracy, originality or content of work, including title clearance?

- 4.5 Is a solicitor consulted in respect of media law? If no, how do you handle legal compliance? Yes ☐ No ☐

- 4.6 Are letters to the editor edited or vetted? Yes ☐ No ☐

- 4.7 Do you engage in investigative reporting or exposes? If yes, how do you document your sources of information? Yes ☐ No ☐

- 4.8 Do you execute written hold harmless or indemnity agreements in favour of your printers for the content of your publications? Yes ☐ No ☐

- 4.9 Do your authors provide a standard level of indemnification in your favour through publishing contracts? Yes ☐ No ☐

- 4.10 Do you require your advertisers and advertising agents to execute written hold harmless or indemnity agreements in your favour for the content of advertisements? Yes ☐ No ☐

If no to 4.9 or 4.10, how do you protect your interests?



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5. Printing Services Section

5.1 What percentage of your printing revenues is from

Type of work	%	Type of work	%
Newspapers		Wedding invitations, calling cards, social announcements	
Magazines & periodicals		Bindery	
Books		Computer graphics	
Forms & stationery		Games of chance e.g. lottery tickets, scratch cards	
Corporate & financial materials e.g. annual reports, prospectuses		Discount or rebate coupons	
Catalogues		Security documents e.g. passports, cheques, certificates	
Directories e.g. Yellow Pages		Other (specify)	
Pamphlets & flyers		Total	100%

5.2 Do you require your clients to provide you with written hold harmless or indemnity agreements in your favour for the content of publications and printed material? If no, how do you protect your interests? Yes ☐ No ☐

6. Broadcasting Section

6.1 What percentage of your broadcast revenues is from

Type of work	%	Type of work	%
Television		Other (specify)	
Radio			
Satellite		Total	100%

6.2 What percentage of your broadcast revenues is from

Type of programme	%	Type of programme	%
News, current affairs & politics		Documentaries & educational	
Investigative & exposes		Cartoons & children's	
Business, finance & investments		Movies, drama series & sitcoms	
Sports		Other (specify)	
Music		Total	100%



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6.3 Attach details of all **radio** stations owned or operated by you as follows:

- name of station
- FM frequency
- location & territories broadcast
- type of content (e.g. news, music)
- first air date
- advertising rate

6.4 Attach details of all **television** stations or channels owned or operated by you as follows:

- name of channel
- location & territories broadcast
- type of content (e.g. news, movies, sports)
- first air date
- advertising rate

6.5 What licensing bodies are you a member of?

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6.6 Are your newsmen familiar with current defamation law? Yes ☐ No ☐

6.7 Is a solicitor consulted in respect of media law? If no, how do you handle legal compliance? Yes ☐ No ☐

--

6.8 Do you engage in investigative reporting or exposes? If yes, how do you document your sources of information? Yes ☐ No ☐

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6.9 Are your “action reports” or similar consumer programmes broadcast or telecast live? If yes, how is broadcast information vetted? Yes ☐ No ☐

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6.10 Are talk shows and interview programmes pre-taped or pre-recorded? Yes ☐ No ☐

6.11 Do you use a delay device during “call in” or other live audience participation programmes? Yes ☐ No ☐

6.12 Do your television stations use “mini-cams”? Yes ☐ No ☐



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6.13 Do you require your sponsors and advertisers to execute written hold harmless or indemnity agreements in your favour for the content of advertisements? Yes ☐ No ☐

6.14 Do you require independent media producers and content providers to provide you with written hold harmless or indemnity agreements in your favour for the programming they offer? Yes ☐ No ☐

If no to 6.13 or 6.14, how do you protect your interests?

6.15 Do you require independent media producers and content providers to provide evidence of liability insurance for the content of their programmes? Yes ☐ No ☐

7. Film & Media Production Section

7.1 Do you produce programmes used by stations you do not own or operate? Yes ☐ No ☐

7.2 Attach details of all film & media productions undertaken in the past year as follows:

- title
- type of content or theme
- territories where the title is distributed
- number of episodes
- programme time

7.3 Do you always obtain the rights for the use of the names or likenesses of any person in your productions from the individuals or their estates or legal representatives? Yes ☐ No ☐

7.4 Do you always obtain the rights for the use of film clips? Yes ☐ No ☐

7.5 Do you always obtain the rights for the use of music? Yes ☐ No ☐

8. Risk Management - for All Applicants

8.1 Do you do any work for related parties or entities? If yes, please describe the scope of work done, for whom, and the fee income. Yes ☐ No ☐

8.2 Do you provide services involving games of chance? If yes, please attach a copy of the procedures and controls employed, and complete details of each type of game printed. Yes ☐ No ☐



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- 8.3 Do you engage in the distribution or redemption of coupons, rebates or other promotional game tickets? If yes, please attach details of such work and how you limit your liability. Yes ☐ No ☐
- 8.4 Do you engage in the design of logos or trademarks for clients? If yes, please attach the number designed each year and the procedures you have in place for copyrights and trademarks. Yes ☐ No ☐
- 8.5 Do you engage in the obtaining or providing of mailing lists to clients? Yes ☐ No ☐
- 8.6 Do you prepare bulk mailings for clients? Yes ☐ No ☐
- 8.7 Do you require clients to approve and sign off all proof copies before printing? Yes ☐ No ☐
- 8.8 What procedures, processes, check & balances do you have in place to minimise breach of intellectual property rights?

- 8.9 What procedures, processes, check & balances do you have in place to minimise defamation claims?

Client contracts

- 8.10 Do you execute a written contract, agreement or engagement letter for services with every client? Yes ☐ No ☐
- 8.11 Are these client contracts reviewed by a law firm experienced in your profession? If no, how do you review and approve client contracts? Yes ☐ No ☐



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8.12 Do these contracts contain

- Specific description of services that you provide? Yes ☐ No ☐
- Guarantees or warranties of your services? Yes ☐ No ☐
- Limitation of your liability to your clients? Yes ☐ No ☐
- Hold harmless or indemnity agreements to your benefit? Yes ☐ No ☐
- Hold harmless or indemnity agreements to your client's benefit? Yes ☐ No ☐
- Disclosure of actual or potential conflicts of interest? Yes ☐ No ☐

8.13 Are all changes to your contracts confirmed in writing? Yes ☐ No ☐

8.14 Are verbal reports or advice always confirmed in writing? Yes ☐ No ☐

Subcontractors

8.15 What percentage of your professional services is subcontracted to others? _____ %

8.16 What services are subcontracted?

8.17 Does your subcontractor contractually agree to hold you harmless for liability caused by the subcontractor's acts? Yes ☐ No ☐

8.18 Do you contractually agree to waive any legal rights you may have against your subcontractors, consultants or agents? Yes ☐ No ☐

8.19 Do you ask for verification that the subcontractor carries professional liability or media liability insurance? Yes ☐ No ☐

9. Insurance History

9.1 Do you currently have similar insurance? If yes, please provide details Yes ☐ No ☐

Period of Insurance	Insurer	Policy Limit	Excess	Retroactive Date
		\$	\$	

9.2 Has any application for similar insurance been refused, or has any similar insurance ever been rescinded or cancelled? If yes, please provide details Yes ☐ No ☐



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10. Claims Experience

- 10.1 Have any claims ever been made, or lawsuits been brought against you, your predecessors in business, or any current or former Principals, Partners, Directors, employees, or any other person or entity applying to be insured under this proposed contract of insurance? Yes ☐ No ☐
- 10.2 Are any of the Principals, Partners, Directors or employees aware, **after inquiry**, and as of the date of signing this application, of any errors, omissions, offences, circumstances or allegations which might result in a claim being made against you or any person or entity applying to be insured under this proposed contract of insurance? Yes ☐ No ☐
- 10.3 Have you, your predecessors in business, or any current or former Principals, Partners, Directors, or employees ever been the subject of disciplinary action or investigation by any authority or regulator or professional body? Yes ☐ No ☐

If Yes to any of the questions in this section, please **provide full details** and the **status** of each claim, lawsuit, allegation or matter, including:

- the date of the claim, suit or allegation
- the date you notified your previous insurers
- the name of the claimant and the project
- the allegations made against you
- the amount claimed by the claimant
- whether the status is outstanding or finalised
- the amounts paid for claims and defence costs to date

Additional Information to Send with Your Application

Attach a copy of the following:

Included?

- | | |
|---|--|
| Corporate profile, brochures, pamphlets, or other marketing material describing your operations and services | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Latest financial statements or annual report | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Standard contracts or service agreements with clients | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Standard contracts or service agreements with advertisers | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Standard contracts or service agreements with subcontractors, authors, printers, media producers & content providers | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Resumes or CVs of all your Principals, Partners or Directors | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| For publishers , details of your publications as requested in 4.3 | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| For broadcasters , details of your stations as requested in 6.3 & 6.4 | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| For film & media producers , details of your productions as requested in 7.2 | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| For new businesses , your business plan with projections of business | Yes <input type="checkbox"/> No <input type="checkbox"/> |



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Declaration

- We have read and understood the Important Notices contained in this application.
- We agree that this proposal, together with any other information or documents supplied, will form the basis of any contract of insurance.
- We acknowledge that if this application is accepted, the contract of insurance will be subject to the terms and conditions as set out in the policy wording as issued or as otherwise specifically varied in writing by ACE.
- We declare, **after inquiry**, that the statements, particulars and information contained in this application and in any documents accompanying this application are true and correct in every detail and that no other material facts have been misstated, suppressed or omitted.
- We undertake to inform ACE of any material alteration to those facts before completion of the contract of insurance.

Section 25(5) of the Insurance Act - Statutory Warning

If you do not fully and faithfully give the facts as you know them or ought to know them, you may receive no benefits from the policy.

This form **must** be reviewed, signed and dated by a duly authorised Principal, Partner or Director.

Signed, Principal/Partner/Director:

Name of signatory:

Date: