



W.R. Berkley Insurance Ireland

ESTATE AGENTS/AUCTIONEERS/SURVEYORS

PROFESSIONAL INDEMNITY

PROPOSAL FORM

IMPORTANT NOTICE TO THE PROPOSER TO COMPLETION OF THIS PROPOSAL FORM

1) Disclosure

- Any “material fact” must be disclosed to Insurers.
- A “material fact” is any information which may alter the judgement of an Insurer in assessing the risk.
- Any “material change” must be disclosed to Insurers.
- A “material change” is any information which may alter the judgement of an Insurer that has not previously been disclosed as a material fact.

Failure to provide all “material facts” and/or notify all “material changes” may cause the contract of insurance to be void and may result in Insurers repudiating liability entirely.

2) Presentation

- This Proposal Form must be completed in ink by an authorised individual, a partner, principal or director of the Proposer.
- All questions must be answered.
- If there is insufficient space to provide answers additional information should be provided on the Proposers letter headed paper.
- Where available brochures, standard contract conditions, conditions, agreements and letters of appointment should be provided.

Failure to present Insurers with information in an appropriate manner may adversely influence the ability of Insurers to offer terms.

3) Guidance

- If in doubt as to the meaning of any question contained within this proposal form or the issues raised in 1) Disclosure and/or 2) Presentation advice should be sought from an insurance advisor in the first instance.

SECTION 1 – GENERAL DETAILS

1) Please provide the following details:

| Name of Proposer(s) to be covered (to include predecessors in business) | Date Established |
|---|------------------|
| | |

2) Main address of the Proposer and any overseas addresses (specifying the name and position of the individual responsible at each location including web and e mail addresses):

E mail address

Web address

3) Individual, partner, principal, director, consultants under a contract of service details:

| Name | Age | Qualifications | Date (s) Qualified |
|------|-----|----------------|--------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Attach CV where the Proposer has been established less than 5 years and/or where any individual has no relevant qualifications.

4) Number of employees split between the following:

Qualified

Administrative

Other (specify)

5) Is the Proposer connected or associated (financially or otherwise) with any other entity?

Yes/No

If yes please provide full details including nature of the work undertaken and income derived

6) During the past 6 years has the Proposers name been changed, has any other business been purchased and/or has any merger or consolidation taken place?

Yes/No

If yes please provide details.

SECTION 2 – CLAIMS INFORMATION

After full enquiry:

- 1) has the Proposer sustained any loss through the fraud or dishonesty of any person? Yes/No
- 2) is the Proposer aware of any fraud, dishonesty, bankruptcy or administration order applicable to any past or present principal, partner, director or employee? Yes/No
- 3) is the Proposer aware of any criminal conviction, or criminal charge pending but not yet tried, against any past or present principal, partner, director, or employee (other than motoring offences)? Yes/No
- 4) has past or present principal, partner, director, employee, or other fee earner at the Proposer’s firm or practice ever faced disciplinary proceedings by the R.I.C.S. or any other professional organisation? Yes/No
- 5) has any claim been made against the Proposer’s business or any principal, partner, director or employee whilst in this or any other business? Yes/No
- 6) is the Proposer aware of any circumstance or incident which has or could result in any claim being made against the Proposer’s business, or any principal, partner, director or employee of this or any other business? Yes/No

If yes please provide details.

SECTION 3 – THE BUSINESS:WORK UNDERTAKEN

1.1) What is the Proposer’s financial year end?

1.2) Please provide the Proposer’s fees/income in each of the financial periods derived from clients based in:

| | Last Financial Year Ended --/-- | Current Financial Year Ending --/-- | Coming Financial Year Ending --/-- |
|------------|------------------------------------|--|---------------------------------------|
| Ireland | | | |
| E.U. | | | |
| USA/Canada | | | |
| Elsewhere | | | |
| Total | | | |

N.B. Start-up practices must provide a projection of fees/income for the Coming Financial Year

If fees/income are/is declared as derived from clients based in “Rest of World” please provide details including territories involved and income derived.

2.1) Please allocate below, as a percentage to a total of 100%, the split in fees/income between activities for the last complete financial year:

NB Start-up practices must complete this section as a projection for the Coming Financial Year.

| | Ireland | EU | USA/ Canada | Rest of World |
|--|---------|----|----------------|------------------|
| Quantity Surveying (pre and post contract) | | | | |
| Quantity Surveying (other) | | | | |
| General Practice | | | | |
| Estate/House Agency/Sales (residential) | | | | |
| Estate/House Agency/Sales (commercial) | | | | |
| Residential Survey/Valuation/Inspection – full structural | | | | |
| Residential Survey/Valuation/Inspection – partial surveys | | | | |
| Residential Survey/Valuation/Inspection – lending institution valuation | | | | |
| Residential Survey/Valuation/Inspection – pre sale survey/home condition inspections | | | | |
| Residential Survey/Valuation/Inspection – other valuations | | | | |
| Commercial Survey/Valuation – survey | | | | |
| Commercial Survey/Valuation – valuation | | | | |
| Land/Agricultural Management | | | | |
| Property/Estate Management/Rate/Rent Review (residential) | | | | |
| Property/Estate Management/Rate/Rent Review (commercial) | | | | |
| Land/Mineral/Hydrographic Surveying | | | | |
| Auctioneering – livestock markets | | | | |
| Auctioneering – fine art | | | | |
| Auctioneering – property | | | | |
| Auctioneering – other | | | | |
| Building Surveying | | | | |
| Architectural – design only | | | | |
| Architectural – design and supervision | | | | |
| Architectural – design supervision and project management | | | | |
| Architectural – refurbishment (non structural) | | | | |
| Architectural – design supervision and project co-ordination | | | | |
| Project Management | | | | |
| Project Co-ordination | | | | |
| Employers Agent | | | | |
| Planning and Development | | | | |
| Planning Supervisor (CDM regulations) | | | | |
| Building Society Agents | | | | |
| Insurance Agents | | | | |
| Loss Assessing/Loss Adjusting | | | | |
| Expert Witness | | | | |
| Other (specify) | | | | |
| | | | | 100% |

If fees/income are/is declared as “Building Society Agents,” “Insurance Agents”, “General Practice” and/or “Other” the **Financial Services Supplementary Questionnaire** may be required.

If fees/income are/is declared as “Project Management” and/or “Project Co-ordination” the **Project Management and Project Co-ordination Supplementary Questionnaire** may be required.

If fees/income are/is declared as “Planning Supervisor” the **Planning Supervisors Construction, Design and Management Supplementary Questionnaire** may be required.

If fees/income have/has ever been derived from “Survey/Valuation/Inspection” the **Survey, Valuation and Inspection Supplementary Questionnaire** will be required.

3) Please give details of the three highest property surveys/valuations undertaken in the last three years for:

a) Residential Surveys/Valuations

| | <u>Client Name</u> | <u>Business</u> | <u>Location</u> | <u>Value (€)</u> | <u>Date</u> |
|----|--------------------------------------|-----------------|-----------------|------------------|-------------|
| 1. | _____ | _____ | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ | _____ |
| | Total number of valuations last year | | | | _____ |
| | Average valuation last year | | | | € _____ |

b) Commercial Surveys/Valuations

| | <u>Client Name</u> | <u>Business</u> | <u>Location</u> | <u>Value (€)</u> | <u>Date</u> |
|----|---------------------------------------|-----------------|-----------------|------------------|-------------|
| 1. | _____ | _____ | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ | _____ |
| | Total number of valuations last year | | | | _____ |
| | Highest portfolio valuation last year | | | | _____ |
| | Average valuation last year | | | | € _____ |

4) Is the Proposer aware of any change in activity/structure that will occur in the coming financial year? Yes/No

If yes please provide details.

5) What percentage of fees over the last three years have been paid to outside consultants?

5.1) If fees are paid to outside consultants is cover required for the work undertaken by the outside consultants? Yes/No

5.2) If yes please provide full details including nature of the work, projects undertaken and names of consultants?

SECTION 4 – THE BUSINESS: RISK MANAGEMENT

1) Is the Proposer admitted to any Association or accredited to any quality systems such as the ISO9000? Yes/No

If yes please provide details.

2) Does the Proposer operate a diary system? Yes/No

3) Are records kept by the Proposer of telephone conversations and attendance at meetings? Yes/No

4) Does the Proposer always obtain satisfactory written references when engaging employees? Yes/No

If no please provide details.

5) If any partner, principal, director or employee is allowed to sign cheques without a counter signature please provide details of the individuals, the cheque limit and the circumstances.

6) What are the Proposers procedures such as letters of engagement, to ensure that a clients requirements are clearly identified and can be met?

7) Does that Proposer ensure that sub consultants are engaged in a binding contract accepting responsibility for their own neglect, error or omission and does the Proposer ensure that all sub consultants carry Professional Indemnity Insurance? Yes/No

SECTION 5 – INSURANCE COVERAGE

1) Does the Proposer currently have Professional Indemnity Insurance in force? Yes/No

If yes please provide the following details.

1.1) Insurer

1.2) Limit

1.3) Excess

1.4) Renewal date

1.5) Number of years cover has been continuously in force

2) What is the amount of indemnity now required?

3) Has any Proposal for similar insurance made on behalf of the Proposer's business, any predecessor of the business, or any principal, partner or director ever been

- | | |
|---|--------|
| (a) declined | Yes/No |
| (b) cancelled, | Yes/No |
| (c) renewal refused | Yes/No |
| (d) or any special terms imposed (other than general market increases)? | Yes/No |

If yes please provide details.

4) Has the Proposer ever been in the assigned risks pool?

Yes/No

SECTION 6 – DECLARATION

I/We declare that the statements and particulars contained in the proposal are true and that I/we have not mis-stated or suppressed any material facts.

I/We agree that this proposal together with any other information supplied by me/us shall form the basis of any contract of insurance effected thereon.

I/We undertake to inform Insurers of any material alteration to these facts occurring before completion of the contract of insurance.

However, the duty to disclose material facts continues after the completion of the proposal form and throughout any period of insurance (and any extension thereto), upon which this proposal form was used as the basis of the contract of insurance.

Signing this proposal does not bind the Proposer to complete this insurance.

Signature of authorised individual/partner/principal/director

Date