

Prospectus & Proposal

This document provides a summary of cover and application form for the Liability Insurance Policy

Liability



nig

Commercial Division

Liability Insurance

This proposal is for use by non-contracting trades. For building and allied trades risks please use the “Contractors Combined Proposal,” or “Tradesmen Proposal”, whichever is appropriate.

The Company’s Liability Policy offers in one document protection against legal liability for claims in respect of:

Employers’ Liability

Employees for bodily injury, death or disease caused during the course of their employment.

Limit of Indemnity £10,000,000 any one occurrence inclusive of legal costs and expenses.

Public Liability

Members of the public for accidental bodily injury, death or disease or accidental loss of or damage to material property happening in connection with the business. This includes liability for obstruction, trespass, nuisance or interference with any easement of air, light, water or way; and wrongful arrest.

Products Liability

Members of the public for accidental bodily injury, death or disease or accidental loss of or damage to material property arising from goods sold or supplied. Liability for goods exported is worldwide (except for known exports to the USA and Canada which must be specially agreed).

Extensions included

Employers' Liability

- Health and Safety at Work Act Defence Costs.
- Unsatisfied Court Judgements in favour of Employees.
- Contractual Liability.

and at an extra premium if required

- Injury to Working Partners.

Public Liability

- Damage to Leased or Rented Premises.
- Motor Contingent Liability.
- Indemnity to Principals.
- Contractual Liability.
- Health and Safety at Work Act Defence Costs.
- Liability under Defective Premises Act.
- Cross Liabilities.
- Member to Member Liability.

This prospectus provides a brief summary only of the Insurance - for further information a specimen Policy is available upon request.

Points to Note

- 1** Many businesses must be registered with the local authority or with the Health and Safety Executive for health and safety purposes. If you are in any doubt please consult your nearest HSE office (details in the telephone directory under "Health and Safety Executive").
- 2** Public Liability cover is subject to the following minimum excesses:-
 - £100 for each property damage claim arising away from the premises.
 - £250 for each claim arising from the application of heat or asphalt heating of bitumen.
 - £250 for each claim arising from damage to underground services.
- 3** Specific Conditions apply to the Public Liability Section in respect of the Application of Heat and damage to Underground Services and these are fully detailed overleaf.
- 4** Credit Facilities - Paying by the NIG 3D's scheme can ease your cash flow by spreading out the cost of the premium payment. We require a 20% deposit and spread the balance plus a small credit charge over 10 equal instalments, starting from the first month after the date cover commences. Your Broker or Agent can advise you on the amount of the charge and the interest rate it is based on.

Specific Conditions

A Application of Heat

It is a condition precedent to the liability of the Company that the undernoted precautions shall be complied with whenever the following appliance(s) are used anywhere other than on the Insured's premises:

a Blow Lamps Blow Torches or Hot Air Guns

- i** the area in which they are to be used is cleared of loose combustible material;
- ii** lighted blowlamps or blow torches are continuously attended;
- iii** blowlamps are filled and gas cylinders are changed only in the open;
- iv** a suitable multi-purpose fire extinguisher be kept available for immediate use;
- v** a thorough examination is made in and about the area in which the work has been undertaken immediately after each period of work and again after termination of such work for the day.

b Welding or Flame Cutting Equipment

- i** the area in which the equipment is to be used is cleared of loose combustible material;
- ii** other combustible material including floors in the area in which the equipment is to be used is covered with overlapping sheets of incombustible material;
- iii** before applying heat to metal work built into or projecting through walls, partitions, ceilings or floors examination is to be made to ensure that the other side of the metal work is not in hazardous proximity to combustible material which may be ignited by direct or conducted heat;
- iv** the occupier shall be informed of the proposed safety precautions and asked for specific authority to proceed;
- v** a suitable multi-purpose fire extinguisher be kept available for immediate use;
- vi** a responsible Employee of the Insured or of the occupier be made aware of the location of any fire fighting equipment and be appointed to act solely as fire watcher whilst welding or flame cutting is carried out;
- vii** a thorough examination is made in and about the area in which the work has been undertaken including behind walls, partitions, ceilings or floors immediately after each period of work and again between 30 and 60 minutes after termination of such work for the day.

c Vessels for Heating of Bitumen or Bituminous Compounds

- i** such vessels are only used in the open and are continuously attended whilst heating is taking place;
- ii** such vessels if used on a roof shall be placed on a surface of non-combustible material.

B Underground Services

The indemnity provided by this Section shall not apply to liability in respect of damage to pipes cables mains and other underground services unless the Insured:

- i** has taken or caused to be taken all reasonable measures to identify the location of pipes cables mains and other underground services before any work is commenced which may involve a risk of damage thereto;
- ii** has retained a written record of the measures which were taken to comply with (i) above before such work has commenced;
- iii** has adopted or caused to be adopted a method of work which minimises the risk of damage to such pipes cables mains and other underground services.

When completing this form, please tick the appropriate boxes and answer all questions in BLOCK CAPITALS

BUSINESS DETAILS

Full Name of Proposer	<input type="text"/>
Company Registration Number	<input type="text"/>
Trading Name	<input type="text"/>
Postal Address	<input type="text"/>
Postcode must be shown	<input type="text"/> Postcode
Premises Address	<input type="text"/>
Postcode must be shown	<input type="text"/> Postcode
Business Phone Number	<input type="text"/>
Trade or Business	<input type="text"/>
Describe all work undertaken	<input type="text"/>
How many years have you been in this trade or business?	<input type="text"/> Period of Insurance 12 months from <input type="text"/>
List any subsidiary companies to be insured	<input type="text"/>

GENERAL QUESTIONS

1 Do you undertake work in or on any nuclear plant or power stations: gas or chemical works or stores; oil refineries or bulk oil storage facilities; offshore installations; airports, ships, docks and/or mines? YES NO

If 'yes' give full details below. **Please note that cover for this work cannot be granted until confirmed by NIG**

2 Will you process, use, handle or store any of the following in connection with your business

i silica, asbestos or substances containing asbestos? YES NO

ii radioactive substance(s)? YES NO

iii any other industrial materials that are toxic, explosive, flammable, corrosive or an irritant? YES NO

If 'yes' give full details

3 Do you store liquids or gases in bulk? YES NO

If 'yes' give full details

4 Is all of your lifting plant and pressure vessels/boilers which are subject to Statutory Regulations regularly inspected by qualified engineers as required by the legislation? YES NO

GENERAL QUESTIONS - continued

5 a Do you comply with the requirements of the Factories Act, the Health and Safety at Work Act, and the Control of Substances Hazardous to Health Regulations (and any special regulations thereunder) or any similar legislation? YES NO

- b** Have you or any of your Directors, Partners or Employees ever been
- i** prosecuted under any of these Acts or Regulations?
 - ii** served with a Prohibition Notice under the Health and Safety at Work Act?

If **'yes'** give full details

6 i Do you carry out work away from the Business Premises? YES NO
If **'yes'** give full details

ii Is any of this work outside the United Kingdom? YES NO
If **'yes'** state countries and what percentage of your total work this represents

iii Does any of your work away from the Business Premises involve the use of

a welding or cutting equipment or other equipment involving application of heat? YES NO

b cradles and/or other lifting equipment? YES NO

If **'yes'** give details

7 Have you entered into any agreement assuming a liability for injury, illness, loss or damage for which you would not have been liable in the absence of such agreement? YES NO

If **'yes'** please supply a copy of the agreement.

8 Where Bona-Fide Sub Contractors are used, do you check that they are insured for public/products liability insurance? YES NO

9 Have you or any partner or director in the business now proposed or for any previous business ever been insured for the risks now proposed? YES NO

If **'yes'** please advise Name of Insurer(s) Branch, Policy number(s) and Expiry Date

10 For how many years have you been previously insured ?

11 Has any Insurer ever

a declined your proposal? YES NO

b refused to renew? YES NO

c cancelled your policy? YES NO

d imposed special terms or conditions at renewal? YES NO

If **'yes'** to any of the above please provide full details

GENERAL QUESTIONS - continued

12 Have you or any director or partner or any Company of which any of you have been a director or any partnership of which any of you have been a partner been the subject of a County Court Judgement (or Scottish equivalent) or been declared bankrupt or insolvent? YES NO

If 'yes' please give details including dates and for County Court Judgements also the amount.

13 Indicate the nature of the surrounding neighbourhood of the Premises (in the range of less than 1km)

- | | |
|------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Industrial area | <input type="checkbox"/> Public services (hospital, schools etc) |
| <input type="checkbox"/> Light industrial area | <input type="checkbox"/> Surface water (river, stream etc) |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Residential area |
| <input type="checkbox"/> Forest | <input type="checkbox"/> Other (please specify) |

14 Have you or, to your knowledge, any former owner or occupier in respect of the premises:

- a** ever been prosecuted or sued for any pollution problem? YES NO
- b** ever had any incidents of pollution, or incidents likely to cause pollution? YES NO
- c** ever carried on any industrial activity which was the subject of an environmental permit or licence? YES NO

If 'yes' please give full details

WAGE ROLL

1 Please state estimated annual Wages, Salaries and other Earnings as below:

Note The estimates should include all payments to Working Directors/Partners, Labour only Subcontractors, Self Employed Persons and people hired or borrowed, and should be stated as Gross i.e. before deductions. A minimum of £15,000 per partner or director must be applied.

At the Premises

Working Principal(s) (specify duties)	<input type="text"/>	£ <input type="text"/>
Clerical/Secretarial/Administrative		£ <input type="text"/>
Employees using woodworking machinery, power presses and guillotines		£ <input type="text"/>
All Other Employees (specify duties)	<input type="text"/>	£ <input type="text"/>

Work away from the Premises

Working Principal(s) (specify duties)	<input type="text"/>	£ <input type="text"/>
Commercial Travellers/Salesmen		£ <input type="text"/>
All Other Employees (specify duties)	<input type="text"/>	£ <input type="text"/>
Bona Fide Sub-Contractors (specify duties)	<input type="text"/>	£ <input type="text"/>

EMPLOYERS' LIABILITY

Indemnity Limit £10,000,000 (inclusive of costs and expenses)

Do you wish to insure in respect of this Section?

YES

NO

If 'yes' please answer the following questions.

1 Does any of your work produce noise levels above 85dB(A)?

YES

NO

If 'yes' please give details and state what precautions are taken

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2 Do you wish to insure against Injuries to Working Partners?

YES

NO

3 Please give details below of all claims made against you in the last five years (whether the incident was insured or not).

If none answer "None".

Date & Year	Type of Claim	Brief Details	Amount Paid or Outstanding

PUBLIC LIABILITY

Do you wish to insure in respect of this Section?

YES

NO

If 'yes' please answer the following questions.

1 Which Limit of Indemnity is required?

£1,000,000

£2,000,000

£5,000,000

2 Do you discharge toxic or dangerous substances into the atmosphere, sewers, waterways or elsewhere?

YES

NO

If 'yes' please give full details, including method of treatment and disposal. **Please note that cover for this work cannot be granted until confirmed by NIG .**

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3 Please give details below of all claims made against you in the last five years (whether the incident was insured or not).

If none answer "None".

Date & Year	Type of Claim	Brief Details	Amount Paid or Outstanding

PRODUCTS LIABILITY

This Section is available only if Public Liability cover is selected.

Do you wish to insure in respect of this Section?

YES

NO

If 'yes' please answer the following questions.

- 1** Describe types of products manufactured, sold, supplied, repaired, serviced, tested, processed and/or purchased for resale. (Please provide catalogues or similar literature).

- 2** Please state:-

a Estimated annual turnover

b Percentage exported to:

i U.S.A. or Canada

ii European Union

iii elsewhere

	Goods Manufactured by you	Goods Retailed/Wholesaled	Goods repaired, processed altered or treated
	£	£	£
	%	%	%
	%	%	%
	%	%	%

- 3** State actual turnover of exports to U.S.A./Canada for the past 12 months

£

N.B.For questions 2(b)(i) and 3 you should include any indirect exports i.e. goods that you know will ultimately be exported to USA/Canada even though they may not be exported directly by you.

- 4** In which overseas countries do you have offices, assets, representation or agents?

- 5** Do you import raw materials, components or finished products?

YES

NO

If 'yes' please provide:-

Details of goods	Countries involved	% of annual turnover
	(i) European Union (ii) elsewhere (list countries)	

- 6** Where goods or materials are purchased by you or work is carried out on your behalf do you forgo under contract any right of action which may otherwise be available?

YES

NO

If 'yes' please enclose copies of contract wordings.

7 Are any goods intended for installation in or to form part of aircraft, watercraft, drilling rigs, atomic or nuclear plant or motor vehicles? YES NO

If 'yes' please provide details including annual turnover

8 Which products are:-

a manufactured/supplied to your own design/specification/formulation?

b manufactured/supplied to a design/specification/formulation laid down by customers?

9 Do you have a separate design team? YES NO

If 'yes' what are their technical qualifications and practical experience?

10 Describe the extent and type of tests and checks undertaken before products go into production

11 Do you maintain an adequate system of records which would enable identification of:-

a the source of products/raw materials/component parts purchased? YES NO

b the source of design of products manufactured by you? YES NO

12 Is it possible to trace the ultimate customer of individual products or batches in order to recall the products? YES NO

13 Has recall ever been necessary or been considered? YES NO

If 'yes' please give details below.

- 14** Are all goods labelled and supplied with clear instructions in the language of the country to which they are supplied? YES NO
- 15** Are product-hazard warnings clearly shown on products, packaging and/or instruction manuals? YES NO
- 16** Do your legal and design departments see all advertising material, sales brochures, operating manuals etc. to check for misleading statements? YES NO

IF YOU HAVE PLACED A TICK IN ANY OF THE SHADED BOXES PLEASE PROVIDE FULL DETAILS BELOW

- 17** Have you or any Principal in the business ever been prosecuted or received notice of intended prosecution under the Consumer Protection Act, Food Safety Act or any similar legislation? YES NO

If 'yes' please give details

- 18** Please give details below of all claims made against you in the last five years (whether the incident was insured or not).

If none answer "None".

Date & Year	Brief Details	Amount Paid or Outstanding

DECLARATION

I/We declare that :-

- i** my/our works machinery and plant are properly fenced and guarded and otherwise in good order and condition and my/our premises are in a good state of repair.
- ii** the above statements and particulars to the best of my/our knowledge and belief are true and I/we have not withheld any material fact* which might influence the acceptance of this proposal.
- iii** this declaration shall be promissory and shall form the basis of the contract between me/us and THE NATIONAL INSURANCE AND GUARANTEE CORPORATION PLC trading as NIG and I/we agree to accept a policy subject to the terms exceptions and conditions prescribed by the Company and to pay the premium thereon.
- iv** I/we further agree that if the statements made in this Proposal are in the writing of any other person other than myself/ourselves such person shall be deemed to be my/our agent for this purpose.

Date

Signature of Proposer(s)

*A material fact is one which might influence our acceptance or assessment of this insurance. If you are in any doubt whether a fact is material or not you should declare it.

ADDITIONAL INFORMATION

Blank area for additional information.

Liability

NIG, Crown House,
145 City Road, London EC1V 1LP

