

Professional Indemnity and Cyber for Media

Proposal form

CHUBB®

Part 1 – General information

Proposer's details

Name

Main address

Postcode

Date business established

Website address

This policy can be extended to cover associated and subsidiary companies. Please provide a list of addresses for any additional offices that you would like covered under this policy in the space provided at the back of this form.

All information given in this proposal form must relate to all companies you wish to cover under this policy.

Company details

1. Details of Principal/Partners/Directors

Name	Qualifications	Date qualified	Number of years' experience

2. Please provide total number of employees: _____

Are satisfactory written references obtained from former employers for at least three years prior to the engagement of any employee?

Yes No

3. Do you use independent subcontractors?

Yes No

a. If YES, what percentage of your turnover will be paid to subcontractors?

_____ %

b. Do you ensure that they have their own Professional Indemnity in place?

Yes No

c. Do you always use a purchase order, or equivalent, when employing subcontractors which mirror any client obligations for each contract?

Yes No

4. Do you commit your clients to contracts with third parties? Yes No
- If YES do you always obtain your clients' written acceptance of the terms of contract before committing them? Yes No

If NO please provide details:

5. Please provide details of your turnover, including fee income for the last 5 years by location:

Financial Year	United Kingdom	European Union	USA/Canada	Other

6. Please provide the percentage split for:

Work carried out for USA/Canadian clients where the signed contracts are **NOT** subject to USA/Canadian Law _____ %

Work carried out for USA/Canadian clients where the signed contracts are subject to USA/Canadian Law _____ %

7. Do the company's activities covered under this insurance involve any of the OFAC sanctioned countries, namely Iran, Cuba, Syria, North Korea or North Sudan? Yes No

Insurance details

8. Please provide details of the coverage required:

Coverage	Period of insurance	Limit of liability required	Excess required
Professional Indemnity			
Cyber			

9. Have you previously held professional indemnity insurance? Yes No
- If yes please provide details:

Policy Period	Insurer	Limit provided	Excess	Premium

Claims history

10. Has any proposal for similar insurance made on behalf of the business, any predecessor of the business, or any principal, partner or director ever been declined or has any such insurance ever been cancelled, renewal refused or any special terms imposed (other than general market increases)? Yes No

If Yes, please give full details

11. Have you sustained any loss through the fraud or dishonesty of any person or are you aware of any fraud or dishonesty at any time of any past or present partner, director or employee? Yes No

If Yes, please give full details

12. Has any claim been made against your business or any principal, partner, director or employee whilst in this or any other business? Yes No

If Yes, please give full details

13. Are you aware, after full enquiry, of any circumstance or incident which has or may result in any claim being made against the business, or any principal, partner, director or employee of this or any other business? Yes No

If Yes, please give full details

Part 2 - Media activity

14. Please provide a percentage split of turnover, including fee income between the following activities:

Commercial TV:		Marketing Including Market research:	
Production of advertisements	%	Fees	%
Media Spend	%	Production costs	%
Other Media:		Public Relations:	
Production of advertisements	%	Fees	%
Media spend	%	Production costs	%
Printed Literature/documents	%	Graphic design	
Direct Marketing:		Fees	
Mail shots	%	Production costs	%
Postage costs	%	Corporate Identity:	
Telemarketing	%	Fees	%
Database management and list broking	%	Production Costs	%
Sales promotion	%	Other (please provide details)	%

15. Please list your five largest contracts undertaken in the last three years

Location	Name & Business of Client	Nature of Services Provided	Contract Value	Income to you

16. Do you perform your professional activities subject to a standard contract signed by all clients? Yes No

If YES please supply a copy of your standard contract or a typical example.

If NO are all contracts vetted by a legally qualified person before being agreed Yes No

17. Do you always have a written specification with your client for each job, including campaign details, volume, quality, timings and sign off procedures? Yes No

18. Can you confirm that if a client changes any specification during the course of a job you always confirm the changes to a client in writing? Yes No

19. Do you always obtain final client sign off before going to print? Yes No

20. Can you confirm that your staff with editorial review responsibilities are up to date with all current media law and are aware of and implement all necessary checks and clearances prior to print, production or broadcast of content? Yes No

21. Do they allow public posting of content to websites, social media sites, messaging boards or other online forums ? Yes No

If YES is this monitored? Yes No

If YES please provide details of any risk management in place to vet content, including moderation and take-down procedures

22. Do you provide an easily accessible link for users to report misuse or issues? Yes No

23. Do you have a procedure in place to restrict or remove content? Yes No

If Yes what is the longest time delay before removal of content? _____

24. Do you require all users to register with you prior to posting any material? Yes No

Part 3 – Trade specific questions

Please answer the questions that apply to your specific business activity.

Publishing

25. Please list all print publications for which cover is sought and identify the frequency of publication (e.g., daily, weekly), average circulation and geographical market served:

Name of Publication	Frequency	Circulation	Geographical Market

26. Please list all internet sites for which cover is sought, the date each site went on-line and the average number of page views per month:

Internet Site (including URL)	Date on Line	Average Page Views per Month

Marketing, Advertising Agents and PR consultants

27. Please provide the total turnover for all activities:

Financial Year	TV advertising including cost of airtime	Other advertising including cost of advertising space	Production of promotional materials and marketing collateral	Directing marketing/mailing

28. Please provide the total fees for all activities:

Financial Year	Market Research	Public Relations	Graphic Design	Other

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29. Please provide details of your turnover, including fee income for the last 5 years by location:

Financial Year	United Kingdom	European Union	USA/Canada	Other

30. Do your activities include distribution or redemption of coupons/vouchers/promotional lottery tickets or similar? Yes No

What steps do you take to ensure all such material is accurate prior to printing and do all contracts exclude liability for printing errors?

31. Do you design logos on behalf of your clients? Yes No

If Yes, how many per year:

Please describe your process for preventing copyright infringement:

32. Do you prepare bulk mailing? Yes No

If Yes, please provide the average and largest mailing:

Average:

Largest:

33. Do you require clients to provide written approval for all draft copies prior to printing or distributing? Yes No

Broadcasting

34. Media Activities/Covered Media

a. Please list all radio stations for which cover is sought:

Name of Station	Estimated Listenership	Highest 60-second Advertising Rate	Geographical Market

b. For each station listed above please describe the format or type of programme/content:

c. Please list all TV Channels for which cover is sought:

Name of Channel	Estimated viewer base	Highest 60-second Advertising Rate	Geographical Market

d. For each station listed above please describe the format or type of programme/content:

e. Please list all internet sites for which cover is sought, the date each site went on-line and the average number of page views per month:

Internet Site (including URL)	Date on Line	Average Page Views per Month

35. Please provide the total turnover including fee income for all activities:

Financial Year	Television broadcasting	Radio broadcasting	Satellite Broadcasting	Total

36. Please provide the percentage split across programme genres:

News and current affairs	_____ %	Investigative journalism	_____ %
Religious or political	_____ %	Consumer protection	_____ %
Children’s TV	_____ %	Other	_____ %

Please provide details if you have selected “other” above:

Legal and editorial review

(To be completed by all publishing, marketing, advertising agents, PR consultants and Broadcasters)

37. a. Please describe the your policy and practice regarding review and editing of articles or other communications (including internet content) prior to publication, including the names of the individuals conducting the review and their experience, as well as the procedures/guidelines for referring to outside counsel:

b. Please describe the your policy and practice regarding legal review of articles or other communications (including internet content) prior to publication, including the name of the outside counsel, years of experience, and how often outside counsel is used to conduct reviews:

38. Please describe the your policy and practice regarding the processing of and response to requests for retraction or correction:

39. Are written releases obtained from persons appearing in photographs or from photo agencies? Yes No

40. What percentage (%) of the content of the Covered Media or Internet Site(s) is derived from news or feature syndications, or wire services? _____ %

41. What percentage (%) of the content of the Covered Media or Internet Site(s) is supplied by stringers, freelancers or other non-employees? _____ %

42. Do you engage in any of the following newsgathering practices?

- 43. Hidden cameras/microphones Yes No
- Reliance on anonymous sources Yes No
- “Undercover” investigations Yes No

If Yes to any of the items above, please describe the your policy and practice governing the use of such techniques:

44. Please describe your policies and practices regarding obtaining:

a. ownership of a copyright:

b. a licence for the use of copyrighted content:

c. other rights in the content of the material supplied by stringers, freelancers or other non-employees:

d. Do you have “take-down” procedures in place for removing any content that infringes or potentially infringers on copyrights, trademarks or other intellectual property held by third parties? Yes No

If Yes, please describe the Applicant’s policy and practice for timely implementing of “take-down” procedures:

Please attach samples of any standard agreement used in connection with the above, including but not limited to any standard “work made for hire” licences and any hold harmless or indemnification agreements.

45. Do you own a registered trademark in your domain name? Yes No

If No, have you conducted a trade mark search to determine whether your domain name infringes a trade mark held by a third party? Yes No

46. Please describe the your policy and practice regarding:

a. The review of licences allowing the use of a third party’s intellectual property in order to assure compliance with limitations on the term, or other scope of usage under the licence:

b. Potential differences of opinion between licensor and licensee regarding limitations regarding the scope of the licence:

For example: Are tickler files or a diary system used to monitor term limitations? Who has responsibility in your organisation to spot and resolve anticipated differences of opinion about limitations on use that involve the scope of the licence?

45. Do free-lance writers provide written warranties with respect to originality of content, libellous matter, and authenticity of sources? Yes No

Printers

47. Please provide details of your turnover for the last 5 years:

Financial Year	Printing	Other	Total

48. Please provide details of your turnover, including fee income for the last 5 years by location:

Financial Year	United Kingdom	European Union	USA/Canada	Other

49. Please provide a percentage split of turnover, including fee income between the following activities:

Business and legal forms and stationery	_____ %	Books	_____ %
Corporate and financial literature	_____ %	Lottery tickets and scratch cards	_____ %
Leaflets and flyers	_____ %	Discounts coupons and vouchers	_____ %
Catalogues	_____ %	Newspapers/magazines	_____ %
Invitations and/or greetings cards	_____ %	Other (please describe below)	_____ %

50. If you have indicated that you print Lottery tickets, scratch cards and other similar games or Discounts coupons and vouchers please provide details of your procedures for limiting your liability and the controls you have in place:

Music liability

51. Tick all of the following that apply:

- | | | | |
|------------------------------|--------------------------|---------------------------------|--------------------------|
| Artist/Performer | <input type="checkbox"/> | Recording company | <input type="checkbox"/> |
| Music publisher | <input type="checkbox"/> | Songwriter | <input type="checkbox"/> |
| Producer of audio recordings | <input type="checkbox"/> | Distributor of audio recordings | <input type="checkbox"/> |
| Other (please specify) | <input type="checkbox"/> | | |

52. Year established:

53. Please provide details of your total annual revenue:

Performance:	£	Producing:	£
Song writing:	£	Recording:	£
Music Publishing:	£	Distributing:	£
Other:	£		

54. How many musical compositions are in your catalogue:

55. Average number of additional musical compositions added each year:

56. Please provide the percentage split of:

- | | | |
|--|-------|---|
| a. Public domain musical compositions in your catalogue: | _____ | % |
| b. Original musical compositions in your catalogue: | _____ | % |
| c. Arrangements of public domain musical compositions in your catalogue: | _____ | % |

57. List your current top 5 selling recording artists:

58. List your top 5 selling albums in the past year:

59. Please list all languages used in your musical compositions:

60. Does you obtain licences and consents from:

Songwriters of musical compositions?

Yes No

Other music owners, including the rights for the:

a. Lyrics?

Yes No

b. Music?

Yes No

c. Recording or mechanical rights?

Yes No

d. Synchronization rights?

Yes No

e. Performance rights?

Yes No

f. Soundtrack, CD, cassette?

Yes No

g. Videotape, videocassette or videodisc?

Yes No

h. Future technologies?

Yes No

i. Downloadable formats?

Yes No

j. Cell phone ring tones or similar uses?

Yes No

k. Performers?

Yes No

61. If you answered No to any question in Question 10 above, please provide further information:

62. If you answered No to any question in Question 60 above, do you have the right, licence or consent to use for other purposes such as such as film production, television programming, commercials or advertising from the following:

a. songwriter's,

Yes No

b. other music owner's,

Yes No

63. If you answered No to any question in Question 62 above, do you have the right, licence or consent to publish as a score, arrangement or orchestration for resale from the following:

- a. songwriter's, Yes No
- b. other music owner's, Yes No
64. Do you sample other music? Yes No
65. Do you consult with a musicologist with respect to original music created? Yes No

Declaration

I declare (i) that we have made a fair presentation of the risk, by disclosing all material matters which we know or ought to know or, failing that, by giving the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances; and that (ii) I have obtained, and will obtain in the future, the express consent to the disclosure and use of sensitive personal data from every data subject whose sensitive personal data is supplied in relation to this proposal for the purposes of (a) underwriting the risks and (b) administering and performing any resulting insurance contract.

I undertake to inform the insurer promptly in writing of any material alteration to those facts occurring before completion of the contract of insurance.

Signature of Principal/Partner/Director

Date

Data Protection Notice

We use personal information which you supply to us [or, where applicable, to your insurance broker] for underwriting, policy administration, claims management and other insurance purposes, as further described in our Master Privacy Policy, available here: [<https://www2.chubb.com/uk-en/footer/privacy-policy.aspx>]. You can ask us for a paper copy of the Privacy Policy at any time, by contacting us at [<mailto:dataprotectionoffice.europe@chubb.com>]

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About Chubb

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Chubb maintains executive offices in Zurich, New York, London and other locations, and employs approximately

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