



DEFAMATION PROPOSAL

IMPORTANT NOTICE

MATERIAL FACTS

You (this means every person or entity to be insured under this insurance) are under a duty to disclose all material facts that could influence QBE's decision to accept this insurance and, if so, on what terms. You need to disclose both facts known to you AND facts which you could have been reasonably expected to know about. If you are in any doubt as to whether a fact may be material, you should disclose it to ensure that any cover granted is not prejudiced.

NON DISCLOSURE/MISSTATEMENT

If you fail to comply with your duty of disclosure, QBE may be entitled to avoid the contract altogether, and so decline to pay any claim.

COMPLETION NOTES

- This Proposal Form should be submitted together with an appropriate Supplementary Questionnaire should one exist for you (e.g. publishers/proprietors/printers/editors or newspapers/magazines/trade journals, book publishers or TV/radio stations.)
- Please answer ALL questions fully. If you need extra space please attach additional pages on your company letterhead and mark their inclusion in the form.
- **PLEASE ENSURE YOU READ AND SIGN THE DECLARATION.**

JURISDICTION

Except to the extent otherwise provided in any subsequently issued policy, the content and use of this form and any agreement entered into pursuant to this form or any dealing in relation to or arising from this form are governed by the laws of New Zealand and in relation to those matters, the parties submit to the jurisdiction of the courts of New Zealand.

A APPLICANT DETAILS

1. Name

2. Physical address

3. Website address

4. Description of business activity

B COVER REQUIRED

1. Limit of Indemnity

2. Excess

3. Period of Insurance

4. Broker: Individual

Company

5. Do you wish to extend cover to include indemnity for:

- (a) Unintentional infringement of copyright, trademark, design or patent? Yes No
- (b) One automatic reinstatement? Yes No
- (c) Undertakings referred to in Question C.3. of the proposal? Yes No
- (d) Retroactive liability? Yes No



C BUSINESS DETAILS

- 1. Date on which the business was established
- 2. How long has the business been operated by its present owners?
- 3. Have you given any undertaking to indemnify any other party against claims for Defamation or Infringement of Copyright appearing in the publications or broadcasts by the Radio or TV stations proposed for insurance? Yes No

If Yes, please state the exact terms of such undertaking and to whom they are given

- 4. Do you Publish, Print or Broadcast (either on relay or otherwise) news/current affairs or other similar material prepared by others? Yes No
- 5. If Yes, do you obtain an indemnity against claims for Defamation or Infringement of Copyright from the organisation or individual providing the source material for your broadcasts/publications? Yes No

If Yes, please state the exact terms of such undertakings and from whom they are obtained and in respect of which material

- 6. Will you continue to obtain such indemnities if this insurance is affected? Yes No

D FINANCIAL DETAILS

- 1. Please advise the date of your finance year end
- 2. Please provide details of your turnover

LAST Financial Year Actual	THIS Financial Year Estimate
\$	\$

E CLAIMS DETAILS

- 1. Have any claims been made against you, or any other person or entity to be insured under this insurance, for Defamation, Infringement of Copyright, Trademark, Design or Patent? Yes No

If Yes, please provide full details



2. After enquiry do you, or any other person or entity to be insured under this insurance, know of any circumstances which may result in a claim being made against you for Defamation, Infringement of Copyright, Trademark, Design or Patent? Yes No

If Yes, please provide full details

F PRIOR INSURANCE

1. Are you currently insured for Defamation or Infringement of Copyright? Yes No

If Yes, please attach evidence of the current policy, eg policy specification

2. Has any application for any type of insurance requested by this proposal made on behalf of the applicant ever been cancelled, declined, or been made subject to special terms before the insurer has agreed to continue cover? Yes No

If Yes, please provide full details

G ENCLOSURES

If relevant, please provide copies of the following and tick to indicate enclosure:

- Evidence of current insurance
- Supplementary Questionnaire – Newspapers, Magazines & Trade Journals
- Supplementary Questionnaire – Book Publishers
- Supplementary Questionnaire – Television or Radio Stations

Note: All Supplementary Questionnaires form part of this proposal.

DECLARATION

I/We declare on behalf of all proposed insureds that:

- (a) all answers and statements in this proposal are correct and complete in every respect and there is no further information which may affect acceptance of the proposal;
- (b) if accepted by QBE, this proposal and declaration, and any other material which I/we have provided to QBE, shall be incorporated into and form the basis of the contract of insurance;
- (c) I/We understand that QBE requires this information (which will be retained by QBE) in order to decide whether to accept this proposal, and also that the Privacy Act 1993 entitles me/us to have access to and request the correction of this information;
- (d) QBE is authorised to disclose information received from me/us to its advisors, reinsurers and to other insurers. I/We authorise QBE to obtain, from any party, information that is, in QBE's view, relevant to this proposal;
- (e) I/We understand that the insurance will not be in force until this proposal has been accepted and cover confirmed by QBE.

NOTE: Signing the proposal and any supplementary questionnaires does not bind either the applicant or QBE to complete the insurance.

Signed Date /

Printed name

Position



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QBE INSURANCE (INTERNATIONAL) LTD
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