

Premium table (Currency: RM)

Limit of Indemnity	Total consolidated assets of Company (including all Subsidiaries)				
	Less than 1,000,000	1,000,000 – 8,000,000	8,000,001 – 20,000,000	20,000,001 – 35,000,000	35,000,001 – 50,000,000
	Premium payable (before 6% Service Tax and RM10 Stamp Duty)				
100,000	900	900	950	1,000	1,100
250,000	1,000	1,000	1,050	1,200	1,300
500,000	1,200	1,200	1,250	1,400	1,600
1,000,000	1,400	1,400	1,450	1,600	2,000
2,000,000	N.A.	1,550	1,700	1,900	2,500
3,000,000	N.A.	1,700	1,950	2,200	3,000

RM5,000 Retention is applicable for each & every claim.

* If you have answered "FALSE" to any of Questions B1 to B7 above, or require a limit of liability of more than RM3,000,000 or your company has total consolidated assets of more than RM50,000,000, please seek advice from your agent/broker.

C. DECLARATION AND SIGNATURE

I/We do hereby declare that:

1. I am/we are authorised to make this proposal.
2. The answers stated in this proposal are true and complete and I have not withheld any information which may influence the acceptance of this application.
3. This application and declaration hereby given shall be the basis of the contract with QBE and I/we will accept the terms, exclusions and conditions which will be set out in the policy to be issued.
4. The liability of QBE does not commence until the application has been accepted.

Name of Managing Director or Chief Executive Officer: Date: ____/____/____
(dd/mm/yy)

Signature

D. DECLARATION BY AGENT/BROKER/STAFF OF QBE

In compliance with Section 16(2) of the Anti-Money Laundering Act 2001:

1. I/We hereby certify that the Proposer's original NRIC / Business Registration Certificate was verified and authenticated by me/us at the point of sale.
2. I have maintained a copy of the NRIC of the applicant of individual policies where premium is more than RM50,000 or Certificate of Incorporation (ROC or ROS) for applicants of group insurance policies where premium is more than RM100,000.00.

Name: NRIC No:

Signature and company stamp: Date: ____/____/____
(dd/mm/yy)

Who May Claim?

- Shareholders – Individual shareholders may bring personal action against individual company Directors as a result of wrongful act or omission
- Employees – For employment related matters such as unfair dismissal, unlawful discrimination or sexual harassment.
- Regulatory Authorities – Investigation, inquiry or prosecution by regulatory bodies such as the Companies Registry or the Inland Revenue Department
- Customers – For misrepresentations made in advertising material or deceptive trade practices
- Competitors – For defamation or misleading advertising that unfairly compares the company's product to that of the competitors.
- Business Partners – Conflict between business partners may lead to claims against company Directors and Officers.

IMPORTANT NOTICE

This document is for your information and the description herein is a summary only. It does not attempt to provide full details of every aspect of cover, nor all exclusions or limitations which apply. For full details, please read our policy wordings which are available on request.



QBE

QBE Insurance (Malaysia) Berhad

Reg. No.: 161086-D A member of the worldwide QBE Insurance Group
No. 638, Level 6, Block B1, Leisure Commerce Square,
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QBE Directors' & Officers' Management Liability Insurance

- For Small and Medium Enterprises

The role of directors or officers has become more challenging and may carry personal responsibilities and liabilities for errors and omissions. This may equate to financial burden of litigation, damage to reputation and loss of personal assets.



QBE

Why do you need protection?

- Your role as the company director or officer has become more challenging in view of the heavier responsibilities, litigation pressure and more stringent regulatory requirements.
- As the company director or officer, you carry personal responsibility and liability for your acts and omissions. You need the assurance of cover to protect against the financial burden of litigation, damage to reputation and loss of personal assets.
- Cover for legal costs and expenses is important as litigation involving company directors and officers is often complex and expensive. It is imperative that you have access to specialized and quality legal representation to safeguard your interests in the most effective way.

Policy Coverage:

- Civil proceedings brought against past, present and future company directors and/or officers for wrongful acts committed by them in the course of their duties. Coverage is also provided for employees in a managerial or supervisory capacity;
- Covers costs for legally compellable attendance at any official investigations, examination or enquiry into the affairs of the company;
- Employee actions – actions brought by fellow directors, officers or employees alleging employment practice errors such as unfair dismissal, unlawful discrimination or sexual harassment;
- Covers defence costs and expenses, compensatory damages awarded by the court, out-of-court settlements and the costs of appointing legal expertise
- Provides advance payment of defense costs and expenses before settlement of the claim.

Scope of Cover:

- Protects company directors and officers against liability for their wrongful act or omission committed in their capacity as company directors or officers, including but not limited to:
 - Negligence;
 - Wrongful misrepresentation;
 - Breach of trust;
 - Breach of fiduciary duty or breach of warranty or authority.

Feature benefits:

- **Wide definition of Insured person**, which includes past, present and future directors (including de facto, alternate or shadow directors), officers, secretary and employees in a managerial or supervisory capacity.
- **Legal representatives, estate, heirs, the lawful spouse** and domestic partner are covered in the event that they are named in a claim which resulted from the D&O's wrongful act.
- **Advance payment of defence costs** using "Pay on behalf" language.
- **Punitive, multiple and exemplary damages** awarded outside U.S.A. or Canada are covered if insurable by the law of the jurisdiction that they are awarded.
- **All existing subsidiaries** are covered. **Newly created or acquired subsidiaries are automatically covered**, subject to asset size and the subsidiary not listed.
- **Employment related matters:** cover is provided for claims that are related to employment matters, such as unfair dismissal, deprivation of career opportunity, discrimination, sexual harassment and retaliation of the company to an employee's whistle-blowing.
- **Wide definition of wrongful act**, including but not limited to breach of duty/trust, defamation, misstatement and misrepresentation.
- **Official investigations and enquiries:** cover is provided for legal representation costs of the insured person's legally compellable attendance at any official investigation, examination or enquiry into the affairs of the company, without the need for a wrongful act allegation. This cover is sub-limited to RM50,000.
- **Pollution cover** is provided for defense costs, sub-limited to RM50,000.
- **Worldwide** territorial cover.
- **Worldwide excluding USA/Canada** jurisdiction cover.
- **Professional Services Exclusion** does not apply to the failure to supervise any employee of the company.
- **Retention:** If the company does not indemnify the D&O when it is not prevented from doing so, QBE will indemnify the full loss arising from the claim and recover the retention from the company. In the event that the company is placed in liquidation, no retention applies.
- **Appointment of lawyers:** the insured person or company may appoint its own lawyers, subject to mutual agreement from QBE.
- **Notification of circumstances:** When circumstances have been notified during a period of insurance, any claims that arise out of such circumstances would be deemed to have been made during that period of insurance, even though the company might no longer possess a D&O policy now.



QBE Directors' & Officers' Management Liability

(for Small and Medium Enterprises)

PROPOSAL

IMPORTANT NOTICE

Insurance Act 1996. You are to disclose in this proposal form, fully and faithfully all the facts which you know or ought to know, otherwise the policy issued hereunder may be void.

A. DETAILS OF PROPOSER

1. Name of company:
(hereinafter referred to as "Company" in this Proposal and in the Policy)
2. Principal Address:
.....
..... Postcode: Contact Number:

B. GENERAL QUESTIONNAIRE

Please declare the following:

The Company (including all subsidiaries):

1. Is not incorporated or domiciled in the U.S.A. or Canada TRUE FALSE
2. Has no assets, operations or revenue derived from the U.S.A. or Canada TRUE FALSE
3. Does not have securities (including shares and debt) listed on any Stock Exchange TRUE FALSE
4. Latest consolidated audited financial statements do not have an audit qualification, and total gross tangible assets exceed total liabilities TRUE FALSE
5. Has no previous or pending investigations, claims or circumstances made against the directors, officers, company or subsidiaries TRUE FALSE
6. Is not involved in information technology, pharmaceutical services, biotechnology, telecommunications, software development, financial services (including venture capital and private equity) or property development TRUE FALSE
7. Has continuously been in business for the past 24 months TRUE FALSE

If the answer is "TRUE" to Questions B1 to B7 above, please proceed to select the Limit of Indemnity to be purchased based on the total consolidated assets of the Company. *