

# Chubb Elite Private Company Protector

## Proposal Form

### Instructions to Proposer

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Please read the Important Information Section below before completing this form.

Please contact us if you would like a hard copy of the relevant insurance policy or a summary of cover provided by Chubb.

No cover is provided for Insolvency. If you would like Chubb to consider providing this extension to the policy please enclose with this Proposal Form:

1. The last Annual Report for the Company
2. The last Interim Statement (if applicable)

This proposal should only be completed after detailed enquiry of all the persons to be covered.

### Product Outline

Insuring Clauses:

- 1.1 Directors & Officers and Company Reimbursement
- 1.2 Employment Practices Liability
- 1.3 Superannuation/Trustees Liability
- 1.4 Entity Liability
- 1.5 Fidelity
- 1.6 Statutory Liability
- 1.7 Employers Liability

### Important Information

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In this section “We”, “Our” and “Us” means Chubb Insurance New Zealand Limited (Chubb). “You” and “Your” refers to Our customers and prospective customers as well as those who use Our website.

### Duty of Disclosure

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#### Your Duty of Disclosure

Before entering into a contract of insurance with Chubb, each prospective insured has a duty to disclose to Chubb information that is material to Chubb’s decision whether to accept the insurance and, if so, on what terms. This includes material information about the insured, any other people and all property and risks insured under the policy. Information may be material whether or not a specific question is asked.

There is the same duty to disclose material information to Chubb before renewal, extension, variation or reinstatement of a contract of insurance with Chubb. You should also provide all material information when you make a claim or if circumstances change during the term of the contract of insurance.

It is important that each prospective insured understands all information provided in support of the application for insurance and that it is correct, as each prospective insured will be bound by the answers and by the information they have provided.

The duty of disclosure continues after the application for insurance has been completed up until the time the contract of insurance is entered into.

#### Consequences of Non-Disclosure

If an insured fails to comply with their duty of disclosure, Chubb may be entitled, without prejudice to its other rights, to reduce its liability under the contract in respect of a claim or refuse to pay the entire claim. Chubb may also have the right to avoid the contract from its beginning. This means the contract will be treated as if it never existed and no claims will be payable.

## Financial Strength Rating

At the time of print, Chubb has an “AA-” insurer financial strength rating given by S&P Global Ratings. The rating scale is:

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AAA Extremely Strong	BBB Good	CCC Very Weak	SD or D Selective default or default
AA Very Strong	BB Marginal	CC Extremely Weak	R Regulatory Action
A Strong	B Weak		NR Not Rated

The rating from ‘AA’ to ‘CCC’ may be modified by the addition of a plus (+) or minus (-) sign to show relative standings within the major rating categories. A full description of the rating scale is available on the S&P Global Ratings [website](#).

Our rating is reviewed annually and may change from time to time, so please refer to Our website for Our latest financial strength rating.

## Fair Insurance Code

We are a member of the Insurance Council of New Zealand (ICNZ) and a signatory to ICNZ’s Fair Insurance Code (the Code). The Code and information about the Code is available at [www.icnz.org.nz](http://www.icnz.org.nz) and on request.



## Privacy Statement

This statement is a summary of Our privacy policy and provides an overview of how We collect, disclose and handle your personal information. Our privacy policy may change from time to time and where this occurs, the updated privacy policy will be posted on Our [website](#).

Chubb is committed to protecting Your privacy. Chubb collects, uses and retains your personal information in accordance with the requirements of New Zealand’s Privacy Act, as amended or replaced from time to time.

### Personal Information Handling Practices

#### *When do We collect your personal information?*

Chubb collects Your personal information (which may include health information) from You when You interact with Us, including when you are applying for, changing or renewing an insurance policy with Us or when We are processing a claim, complaint or dispute. Chubb may also (and You authorise Chubb to) collect Your personal information from other parties such as brokers or service providers, as detailed in Our privacy policy.

#### *Purpose of Collection*

We collect and hold the information to offer products and services to You, including to assess applications for insurance, to provide and administer insurance products and services, and to handle any claim, complaint or dispute that may be made under a policy.

If You do not provide Us with this information, We may not be able to provide You or Your organisation with insurance or to respond to any claim, complaint or dispute, or offer other products and services to You or Your organisation.

Sometimes, We may also use Your personal information for Our marketing campaigns and research, to improve our services or in relation to new products, services or information that may be of interest to You.

#### *Recipients of the Information and Disclosure*

We may disclose the information We collect to third parties, including:

- contractors and contracted service providers engaged by Us to deliver Our services or carry out certain business activities on Our behalf (such as actuaries, loss adjusters, claims investigators, claims handlers, professional advisers including lawyers, doctors and other medical service providers, credit reference bureaus and call centres);
- intermediaries and service providers engaged by You (such as current or previous brokers, travel agencies and airlines);
- other companies in the Chubb group;
- the policyholder (where the insured person is not the policyholder);
- insurance and reinsurance intermediaries, other insurers, Our reinsurers, marketing agencies; and
- government agencies or organisations (where we are required to by law or otherwise).

These third parties may be located outside New Zealand. In such circumstances We also take steps to ensure Your personal information remains adequately protected.

From time to time, We may use your personal information to send You offers or information regarding Our products that may be

of interest to You. If You do not wish to receive such information, please contact Our Privacy Officer using the contact details provided below.

***Rights of Access to, and Correction of, Information***

If You would like to access a copy of Your personal information, or to correct or update Your personal information, want to withdraw Your consent to receiving offers of products or services from Us or persons We have an association with, please contact the Privacy Officer by posting correspondence to Chubb Insurance New Zealand Limited, PO Box 734, Auckland; telephoning: +64 (9) 3771459; or emailing [Privacy.NZ@chubb.com](mailto:Privacy.NZ@chubb.com).

***How to Make a Complaint***

If You have a complaint or would like more information about how We manage Your Personal Information, please review Our [Privacy Policy](#) for more details, or contact Our Privacy Officer at the details above.

You also have a right to address Your complaint directly to the Privacy Commissioner by telephoning 0800 803 909, emailing [enquiries@privacy.org.nz](mailto:enquiries@privacy.org.nz) or using the online form available on the Privacy Commissioner's website at [www.privacy.org.nz](http://www.privacy.org.nz).

## Proposer Details

1. Name of Company					
2. Address					
3. On what date was the Company first established?					
4. Are you a private company?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
5. Provide details of the nature of the business of the Company and all subsidiaries.					
6. a) What is your current balance of Total Assets		\$			
b) How many locations do you occupy/own?		Occupy:		Own:	
7. What was your Total Revenue/Turnover for the last financial year?		Domestic:	\$	Exports:	\$

## Human Resources

8. Please provide the following detail:

a) Number of employees:	Full-time:		Part-time:		Casual:	
b) In the last 2 years how many employees have been:	Dismissed:		Redundant:		Resigned:	

9. Do you obtain and use external legal advice for hiring and terminating employees?  Yes  No

10. When recruiting or promoting employees to positions of trust involving handling of stock, money, financial or treasury functions, do you:

a) undertake independent checks into their employment history?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) undergo a process to ensure their suitability for the position?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Statutory Compliance

11. Do you need/or have you ever applied for a Resource Consent and/or Certificate of Compliance under the *Resource Management Act 1991*?

Yes  No If YES, please provide details:

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12. Have you ever been involved in proceedings in connection with, received compliance notices or been fined for breaches of any of the following:

a) <i>Building Act 1991</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) <i>Consumer Guarantees Act 1993</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
c) <i>Fair Trading Act 1986</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
d) <i>Health and Safety in Employment Act 1992</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
e) <i>Privacy Act 1993</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
f) <i>Resource Management Act 1991</i> and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No
g) Any other Acts of Parliament and Amendments	<input type="checkbox"/> Yes <input type="checkbox"/> No

If YES, please provide details:

### Insurance Details

13. Has the Company ever had any Insurer decline a proposal or cancel or refuse to renew a Policy subject to indemnity under this proposed insurance?  Yes  No

If YES, please provide details:

### Outside Directorships

14. Is cover required for any current or past Outside Directorships held in any Outside Organisation with the knowledge and consent or at the request of the Company?  Yes  No If YES, please complete the table below in full.

Name of Outside Organisation	Name of Individual	Current D&O Cover?	Country of Incorporation
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

### Funds

15. Is cover required for your own Occupational Pension Scheme or Employment Benefit Programme for which you have an appointed Trustee?  Yes  No If YES, please complete the table below in full.

Name of Fund	Name of Trustee/Administrator	Purpose of Fund

### Claims/Circumstances

16. Has any past or present director, officer, company secretary or employee of the Company ever been declared bankrupt, had any fine or penalty imposed or been subject to any inquiry in their capacity as a director, officer, company secretary or employee of the Company?  Yes  No If YES, please provide details.

17. Have any claims ever been made against any past or present director, officer, company secretary or employee of the Company or of its subsidiaries?  Yes  No If YES, please provide details.

18. Have any claims or complaints ever been made against the Company that could have been subject to indemnity under this proposed insurance? (including General/Products Liability if required)  Yes  No If YES, please provide details.

19. Have you sustained any fidelity losses in the past (5) years before application of deductible, whether insured or not?  Yes  No If YES, please provide details.

20. Is the Proposer aware, after inquiry, of any fact, circumstance, act or omission, which may give rise to a claim? (including General/Products Liability if required)  Yes  No If YES, please provide details.

(NOTE: Any circumstance disclosed in answer to this question is not covered by this proposed insurance).

## Declaration

On behalf of the applicant, I/we declare that:

- a) I/we have read and understood Chubb's Financial Strength Rating, Duty of Disclosure and Privacy Statement in this form;
- b) all information provided (and where applicable, previously provided) is true and correct and I/we have made a fair presentation of the risk, by disclosing all material matters which I/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;
- c) I/we undertake to inform the insurer promptly in writing of any material alteration to the facts declared that occurs prior to completion of the contract of insurance;
- d) I/we have obtained, and will obtain in the future, the consent to the disclosure and use of personal information from those persons whose personal information is supplied in relation to this form for the purposes of (i) underwriting the risks and (ii) administering and performing any resulting insurance contract.

This form must be signed by the applicant's Chairman of the Board, Managing Director, Chief Executive Officer or Chief Financial Officer.

Signed			
Name		Date	
Position			

## About Chubb in New Zealand

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Chubb is the world's largest publicly traded property and casualty insurance company. With operations in 54 countries and territories, Chubb provides corporate and commercial property and casualty insurance, personal accident and supplemental health insurance, reinsurance and life insurance to a diverse group of clients. As an underwriting company, we assess, assume and manage risk with insight and discipline. We service and pay our claims fairly and promptly. The company is also defined by its extensive product and service offerings, broad distribution capabilities, exceptional financial strength and local operations globally. Parent company Chubb Limited is listed on the New York Stock Exchange (NYSE: CB) and is a component of the S&P 500 index. Chubb maintains executive offices in Zurich, New York, London, Paris and other locations, and employs approximately 33,000 people worldwide.

Chubb's operation in New Zealand (Chubb Insurance New Zealand Limited) offers corporate and commercial property & casualty, group personal accident and corporate travel insurance products. Chubb in NZ also serves individuals with a substantial home and contents portfolio to protect, and individuals purchasing travel and personal accident insurance. It leverages global expertise and local acumen to tailor solutions to mitigate risks for clients ranging from large multinational companies to local corporates and SMEs, with all product offerings transacted through brokers.

More information can be found at [www.chubb.com/nz](http://www.chubb.com/nz)

## Contact Us

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Company No. 104656  
Financial Services Provider No. 35924

Chubb. Insured.<sup>SM</sup>