

NEW BUSINESS PROPOSAL FORM

Fixed Site Pollution Liability

libertyinternational.com/hk



Proposal Form



IMPORTANT NOTICE

The information provided in this proposal will form the basis of any contract of insurance entered into. Please read the following notices carefully and ensure you answer all questions in full and read and sign the Declaration at the end.

FOR CLAIMS MADE INSURANCE

This is a proposal for a 'Claims Made' policy of insurance. This means that the policy covers you for any claims made against you and notified to the insurer during the policy period. The policy does not provide cover in relation to:

- pollution conditions that occurred prior to the retroactive date (if one is specified) in the policy;
- any claim made, threatened or intimated against you prior to the commencement of the policy period;
- any claim or fact that might give rise to a claim, reported or which can be reported to an insurer under any insurance policy entered into before the commencement of the policy period;
- any claim or fact that might give rise to a claim, noted in this proposal or any previous proposal;
- any claim arising out of any fact you are aware of before the commencement of the policy period;
- any claim made against you after the expiry of the policy period.

However, the effect of Section 40(3) of the Insurance Contracts Act 1984 (Cth) is that where you become aware, and notify us in writing as soon as is reasonably practicable after first becoming aware but within the policy period, of any facts which might give rise to a claim against you, any claim which does arise out of such facts shall be deemed to have been made during the policy period, notwithstanding that the claim was made against you after the expiry of the policy period.

YOUR DUTY OF DISCLOSURE

Before you enter into a contract of general insurance with an insurer, you have a duty, under the Insurance Contracts Act 1984 (Cth), to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

This includes but is not limited to every fact and matter that you know, or could reasonably be expected to know that might give rise to a claim against you. This may also include information which is additional to the questions asked in this proposal form.

You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of general insurance. This means that prior to renewal or any policy variations, as well as advising of new information, you also need to advise the insurer of any changes to the facts previously notified.

Your duty however does not require disclosure of matter:

- that diminishes the risk to be undertaken by the insurer;
- that is of common knowledge;
- that your insurer knows or, in the ordinary course of its business, ought to know;
- as to which compliance with your duty is waived by the insurer.

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PRIVACY NOTICE

Liberty International Insurance Limited (UBI 03967394) (**Liberty**) is part of the Liberty Mutual Group headquartered in the United States.

We collect personal information to provide insurance products and services, manage claims and support related business operations. This may include information collected from insurance brokers, intermediaries, or directly from you. If you do not provide the personal information requested, we may be unable to offer the appropriate type or level of service.

If you provide Liberty with personal or sensitive information about other individual, you must ensure they are aware of this notice and have consented to the disclosure. If you have not done so, please inform Liberty before sharing their data.

Your personal information may be disclosed to Liberty's related entities, reinsurers, insurance intermediaries, loss adjusters, legal and professional advisors and other service providers. We may also store your information with third party cloud or electronic storage providers.

Some recipients may be located overseas in the United States, Canada, United Kingdom, European Union, India, China, Australia, Singapore and Malaysia. Where reasonably necessary, your information may be transferred to countries without comparable data protection laws to deliver the services you request. By engaging with Liberty, you consent to these cross-border transfers unless you notify us otherwise in writing.

We are committed to protecting your privacy and ensuring transparency in how we use your personal information. As part of this commitment, we confirm Liberty does not currently use automated decision-making (**ADM**).

You may access or seek correction of your personal information, make a privacy complaint, or raise any queries by contacting Liberty's Privacy Officer: privacy.officer.ap@libertymutual.com. If you require a physical mailing address, please contact the Privacy Officer via email.

For more information, and to view the relevant privacy policy for your jurisdiction, visit: [Hong Kong Privacy Policy](#).

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INSTRUCTIONS

Important: Please answer all questions fully. If any section does not apply, please indicate with N/A. All questions will be deemed to be answered in respect of all entities & persons to be insured under this policy. If the space provided is insufficient please include attachments on your company letterhead.

This application must be signed and dated by an owner, principal or other duly authorised person. Please submit the following with this application:

- Environmental Audit Reports for each location requiring coverage (if available)
- Information on any previous environmental coverage and environmental loss experience
- Environmental site management plan

APPLICATION FOR FIXED SITE POLLUTION LIABILITY

THE INSURED

1. Named Insured

2. Postal Address

3. Email

Website Address

4. List of Subsidiaries

5. Period of Insurance

From:

at 4pm Local Standard Time

To:

at 4pm Local Standard Time

TURNOVER

6. Actual Revenue Current
Period of Insurance

7. Estimated Revenue for
forthcoming Period of
Insurance

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- 8. Actual Wages Current Period Of Insurance
- 9. Estimated Wages for forthcoming Period of Insurance

COMPANY OPERATIONS

- 10. Operations of the Named Insured

COVERED LOCATIONS

- 11. Please complete Appendix A with details of locations that are required to be covered by this policy

COVERAGE DETAILS

- 12. Coverage Limit

\$

- 13. Deductible

\$

If you require further options, please discuss with your broker

- 14. Please select required coverage:

- a. Clean-up Costs Resulting from New Pollution Conditions
- b. Clean-up Costs Resulting from Pre-Existing Pollution Conditions
- c. Bodily Injury and Property Damage Resulting from Pollution Conditions
- d. Bodily Injury, Property Damage and Clean-up Costs Resulting from Transported Cargo
If selecting this coverage option, please complete question 12
- e. Business Interruption Expense Caused by Pollution Conditions
- f. Bodily Injury, Property Damage and Clean-up Costs Resulting From Pollution Conditions at Non-owned Disposal Sites.
- g. Crisis Containment Expenses resulting from Pollution Conditions

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15. Coverage Option D - "Transported Cargo" Additional Questions

a. Number of Licensed Motor Vehicles:		
b. Please attach your Motor Vehicle list		
c. Are hazardous materials transported?	Yes	No
If Yes, please provide a description of such materials		

d. Please provide a description of all cargo being transported:

e. Do you perform vehicle maintenance on site or is it provided by a third party?	On-site	Off-site
Please describe:		

f. Distance travelled:	
i. Owned/Leased:	
i.i Third Party:	

16. Do you have Storage Tanks?		
If yes, please complete the details in Appendix B		
	Yes	No

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PERFLUOROALKYL or POLYFLUOROALKLY SUBSTANCE (PFAS)

- | | | | |
|-----|--|-----|----|
| 17. | Have any PFAS, or any materials or products that may have contained any PFAS, ever been manufactured, used or stored at any Covered Location? If yes, please provide details | Yes | No |
|-----|--|-----|----|

AQUEOUS FILM FORMING FOAM (AFFF)

- | | | | |
|-----|---|-----|----|
| 18. | Do any operations conduction, or any materials stored, used or manufactured at any Covered Property have fire suppression requirements other than water? If yes, please provide details | Yes | No |
| 19. | Have any AFFF fire suppressants ever been used or stored at any Covered Property? Summary would suffice), or equivalent for our review. If yes, please provide details | Yes | No |
| 20. | Have there been any fires at a Covered Property that used AFFF based fire suppressant to extinguish the fire? If yes, please provide details | Yes | No |
| 21. | Have there ever been any fire training exercises that used AFFF performed at any Covered Property? If yes, please provide details | Yes | No |

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ADDITIONAL QUESTIONS ON OPERATIONS

22. Have dry cleaning operations ever been conducted at any of the Covered Locations?
If yes, provide details including site addresses and the types of dry cleaning solvents historically and currently used
- Yes No
23. Have petrol station or auto repair operations ever been conducted at any of the Covered Locations?
If yes, provide details, including site addresses and details on the use of any chlorinated solvents
- Yes No
24. Are there any known plans for development, redevelopment, construction or demolition at any of the Covered Locations during the proposed policy period?
If yes, please describe
- Yes No
25. Are there any known plans for any interior renovations at any of the Covered Locations during the proposed policy period?
If yes, please describe
- Yes No
26. Have any water intrusion or moisture conditions at a Covered Locations been encountered (including but not limited to HVAC system problems, leaks in the Roof, windows or siding, broken plumbing or sewer backups)?
If yes, please summarize issue and how they were addressed
- Yes No

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27. Has an Environmental Survey ever been completed?
If Yes, please provide a copy
- Yes No
28. Is there any known soil and or ground water contamination at any of your sites?
If Yes, please provide details
- Yes No

29. Does the company conduct any Environmental audits?
If Yes, please provide a copy
- Yes No

30. Please provide a list of raw materials, products, by-products and wastes stored on site:
- | Product | Storage Method |
|---------|----------------|
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CYBER SECURITY

- 31. Does the company have an established Cyber Security Strategy in place that extends beyond data protection? Yes No

- 32. How does the company ensure that cyber security risk management is integrated in the company's overall risk management practices?

- 33. What is the company's approach towards external and internal penetration tests and vulnerability assessments?

- 34. How are critical vulnerabilities remedied once identified? What changes are now being implemented as a result of a recent breach?

- 35. Please provide a copy of your Cyber Incident Response Plan (Executive Summary would suffice), or equivalent for our review.

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CLAIMS INFORMATION

36. Has any application for Pollution Legal Liability Insurance by the applicant, present owners, principals or partners ever been declined or coverage cancelled or non-renewed?
If Yes, please explain.
- Yes No
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37. Has the company during the last 5 years been prosecuted, or are you currently being prosecuted, or anticipate being named, inquired or prosecuted for any pollution, contamination or environmental incident?
If Yes, please explain:
- Yes No
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38. Have any claims been made against the company during the last 5 years for clean up costs, property damage resulting from the release of pollutants or contaminants into the environment?
If Yes, please explain.
- Yes No

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DECLARATION

(To be signed by a partner or director.)

I, the undersigned, declare and acknowledge:

- that I am, after enquiry, authorised by all person(s) or entities seeking insurance, to make this proposal;
- that after enquiry, all information supplied in this proposal and any supporting documents attached to this proposal or supplied separately, is true and correct and I have not withheld any material information from this proposal
- that this proposal and any accompanying documents shall form or partly form the basis of the contract proposed.
- that until a Contract of Insurance is entered into, I am obliged to inform Liberty of any changes to any information supplied or of any new information that is relevant;
- that I understand Liberty relies on the accuracy of the information and documentation supplied proposing for this insurance;
- that I have read and understood the Important Notices which form part of this proposal;
- that I understand that no insurance is in force until a Contract of Insurance is entered into, which is upon the Proposer's acceptance of an offer by Liberty, if any.

Signed

Print Name

Title

Dated

HAVE YOU REMEMBERED TO ATTACH THE FOLLOWING?

- Environmental Audit Reports for each location requiring coverage (if available)
- Information on any previous environmental coverage and environmental loss experience
- Environmental site management plan

Appendix A – Schedule of Covered Locations

Address	Current Land Use	Prior Land Use	Surrounding Land Use
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Appendix B – Storage Tanks

Above or below	Year installed	Tank Capacity	Tank Construction	Contents of Tank	Condition of Tank	Type of leak detection
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