

Begin here



PROPOSAL FORM

IRISH SOLICITORS' PROFESSIONAL INDEMNITY INSURANCE

IMPORTANT NOTICE

Please answer all questions fully, truthfully and to the best of your knowledge and belief as directed by this proposal form. Please do not answer questions "as before" or "see your records". If there is insufficient space to answer any questions fully, please attach a continuation sheet, making reference to the relevant question.

It is your duty to fully and truthfully disclose to the best of your knowledge and belief, all material facts or facts which may influence insurers' judgement or acceptance of your risk. Failure to do so may prejudice your rights in the event of a claim or result in insurers voiding your policy.

If in doubt, please contact your preferred Miller facility panel broker.

Once completed this proposal form should be signed by a partner, principal, member or director of your business. A copy of the completed proposal form should be retained for your own records.

The completion and signature of this proposal does not bind either you or insurers to complete a contract of insurance.

Insurers hereby deem the questions asked in the proposal form to be their own and sufficient for underwriting purposes unless specified otherwise.

HOW TO COMPLETE THE PROPOSAL FORM:

On your computer:

1. Save the blank PDF form on your hard drive
2. Complete all fields within the form
3. You can save the form on your local drive and return to complete it at any stage
4. Make sure that you include all relevant supporting documentation within your submission to avoid processing delays
5. After completing the form, attach it and all supporting documentation in an email to your preferred Miller facility panel broker.

By hand:

1. Open the PDF
2. Print the PDF
3. Complete the printed form
4. Make sure that you include all relevant supporting documentation within your submission to avoid processing delays
5. Post to your preferred Miller facility panel broker.



DATA PROTECTION

Duty of disclosure

You must act at all times with utmost good faith towards us and insurers. It is your duty to disclose to insurers via us, before the terms of the insurance contract are finalised, all information which is known to you (or which ought to be known to you) in the ordinary course of your business and which is material to the risk. Information is material if it would influence the judgement of a prudent insurer in establishing the premium or determining whether to underwrite the risk. If there is any doubt as to whether information is material, you should disclose it. You should take care to complete this proposal form fully and accurately. The provision of incorrect or incomplete information may result in the denial of your claim or the avoidance of your insurance contract or insurers seeking reimbursement from you. If you become aware that material information that you have supplied before the contract of insurance is finalised was incorrect or has been omitted, you should tell us immediately. The duty of disclosure is a continuing obligation and applies when there are changes in your circumstances which materially increase the risk, or relate to compliance with a warranty or condition in the policy. Any such changes must be notified to us at once. The duty of disclosure is also re-imposed when there are changes or variations in cover and when the policy is renewed or extended.

Processing of personal data

Miller Insurance Services LLP will process your personal data in accordance with the Data Protection Act 1998 and all relevant data protection legislation. By submitting this proposal form you consent to Miller Insurance Services LLP processing your personal data for the purposes of arranging, providing and administering your insurance. This includes collecting and processing sensitive personal data about you where this is necessary. Miller Insurance Services LLP may be required to transfer your personal data to third parties we work with in order to provide your insurance cover. These third parties may include insurance carriers, third-party claims adjusters, fraud detection and prevention services, reinsurance companies and insurance regulatory authorities. Similarly, in the course of administering your insurance, it may be necessary for us to transfer your personal data to agents and service providers appointed by us, and to insurers, (which includes their re-insurers, legal advisers, loss adjusters or agents) solely for the purpose of fulfilling our obligations to you.

Identity verification

In order to ensure compliance with rules imposed on us by relevant UK regulators, we may run fraud prevention checks against the name of your firm, or all or any of the individual partners or members in your firm. We may use this information in order to comply with our regulatory, legal or good governance obligations. We will make checks such as verifying your identity in order to prevent and detect crime, fraud and money laundering. We may disclose your personal data to other companies in the Miller group of companies for the purposes described above. You agree to bring the above notice to the attention of each of your partners or members before completing and submitting this proposal form. Each individual has the right to apply for a copy of their information (for which we may charge a fee) and to have any agreed inaccuracies corrected.

- By ticking here, you agree to the processing of your personal data, including, where relevant, sensitive personal data, in the manner stated above in the paragraph entitled 'Processing of personal data.'



GENERAL DETAILS

1. Name(s), including trading names, of all entities to be insured:

2. Principal address:

Address Line 1	
Address Line 2	
Town / City	
County	
Law Society Firm Number	
Website	
Professional Indemnity Contact Person	
E-Mail	
Telephone Number	

3. Date established (dd/mm/yyyy)

--	--	--

4. Qualifications of principal(s), partner(s), member(s) or director(s) of the firm:

Name	Age	Qualification	Date qualified (dd/mm/yyyy)	No. of years in this capacity



GENERAL DETAILS (Continued)

5. Total number of:

Principals / partners / directors / members	
Fee earners / qualified staff	
Technical support	
Administrative / other staff	

6. Does your firm have any branch offices? YES NO

i) If YES, is each office supervised on a full time basis by a partner / director / member? YES NO
 If NO, please provide details of their supervision on a separate sheet

7. Is the firm considered a "Successor Practice" to any other practice (as defined in any Minimum Terms and Conditions)? YES NO
 If YES please complete the following:

Name of prior practice	Date of incorporation

8. Is coverage required for any individual or principal arising from their position as a partner or principal of a previous firm? YES NO
 If YES, please complete the following:

Name	
Name of previous firm	
Date of leaving previous firm (dd/mm/yyyy)	





FINANCIAL

9. Please provide the following information:

i) Gross fees exclusive of VAT for the following periods:

Estimated current financial year	EUR
Last annual accounting period	EUR
Annual accounting period before last	EUR
Annual accounting period but 2	EUR
Annual accounting period but 3	EUR
Annual accounting period but 4	EUR

ii) Geographical split of income for the last annual accounting period:

Republic of Ireland	%
UK & Europe	%
USA (US law)	%
USA (non US law)	%
Rest of World	%
Total	%

iii) For the last annual accounting period, what percentage of your gross fee income was derived from your largest client?

%

iv) For the last annual accounting period, what was the gross fee income derived from your largest client?

EUR



BUSINESS ACTIVITIES

10. i) Please provide a full description of all your activities and identify the percentage of income derived from each activity for the last annual accounting period:

Type of work	%
Acting as arbitrator, adjudicator or mediator	
Commercial conveyancing	
Commercial and corporate - securities	
Commercial and corporate - non-securities	
Criminal law	
Debt collection (judgment debts over EUR 10,000)	
Defendant litigious work for insurers	
Employment	
Family (excluding children)	
Financial advice and services	
Immigration	
Intellectual property rights infringement (excluding patent)	
Litigation and arbitration (other)	
Landlord and tenant	
Mergers and acquisitions	
Patent	
Personal injury – defendant	
Personal injury – litigant	
Principal private residential conveyancing (PPR)	
Tax	
Wills, trust and probate	
Other non-litigious	
Other low risk work	
Other work (please state nature and percentage of work):	
TOTAL	100%



ii) Please provide an estimate of your client base:

Client	%
Construction	
Entertainment and sport	
Financial institutions	
Government	
Private client	
Privately held companies (other than above)	
Publicly held companies (other than above)	
Defendant litigious work for insurers	
Other work	
TOTAL	100%

11. Please only answer this question if your firm undertakes or has undertaken personal injury litigant work during the past five years. If not please go to Q12.

- i) Do you identify the limitation period which applies at the outset and are such dates noted on the file? YES NO
- ii) Has your firm ever entered into “no foal (no fee)” arrangements or the like which have led to deductions for solicitor / own client charges? YES NO
- iii) Does your firm use a risk assessment procedure before accepting such arrangements? YES NO
- iv) Other than where your firm is a sole practitioner, are such arrangements agreed by more than one partner, member or director prior to it being offered to a client? YES NO
- v) During the past five years has your firm been part of any referral network, claims management or promotional group? YES NO
- vi) During the past five years has your firm conducted work for or on behalf of a Trade Union or similar body? YES NO

vii) Please specify the average and largest settlement on behalf of any claimant in the last five years:

Average settlement	Largest settlement
EUR	EUR



BUSINESS ACTIVITIES (Continued)

12. Please only answer this question if your firm undertakes or has undertaken commercial conveyancing work during the past five years. If not, please go to Q14.

- i) Since 2000 has more than 10% of your conveyancing turnover derived from a single source or referrer? YES NO
- ii) Since 2000, has your firm acted for multiple buyers of property in the same development or in the same building? YES NO
- iii) Has your firm ever given an undertaking where you are not in a position to fully discharge such an undertaking (including where your firm is not in receipt of stamp duty or stage payment transactions)? YES NO
- iv) Did your firm issue undertakings to financial institutions during the period 1st December 2009 to 30th November 2010? YES NO

a) If yes, how many? Please specify:

- b) Did you obtain additional cover for such transactions? YES NO
- c) Is cover required going forward (including for past work undertaken by the firm)? YES NO



BUSINESS ACTIVITIES (Continued)

13. Please only answer this question if your firm undertakes or has undertaken commercial conveyancing or residential conveyancing work during the past five years. If not please go to Q14.

i) Please complete the following table in respect of fee charges and undertakings issued by your firm:

	Residential conveyancing		Commercial conveyancing		Number of undischarged undertakings	
	Gross Fees (EUR)	Number of transactions	Gross Fees (EUR)	Number of transactions	Residential conveyancing	Commercial conveyancing
Estimate for current year						
Last accounting period						
Accounting period before last						
Accounting period but two						
Accounting period but three						
Accounting period but four						
All other periods						

ii) Please provide for the past five years:

Highest PPR transaction value	EUR	Highest commercial conveyancing transaction value	EUR
Average PPR transaction value	EUR	Average commercial conveyancing transaction value	EUR

iii) Does the firm have in place established procedures for the control of undertakings which include:

- a) A central register of undertakings? YES NO
- b) Authority to provide undertakings restricted to partner level? YES NO



BUSINESS ACTIVITIES (Continued)

iv) Since 2000 have fees been received in connection with sub-prime loans? YES NO

v) Please provide the names of all the sub-prime lenders the firm has acted for since 2000:

vi) Has your firm always followed Law Society Guidelines when issuing undertakings? YES NO

14. Does your firm have an executive management team responsible for the day to day running of the business? YES NO

If YES:

i) Does your management team include individuals responsible for:

Business production

YES NO

Finance

YES NO

Risk management

YES NO

Compliance

YES NO

Human resources

YES NO

Operations

YES NO

ii) How often does your executive management team meet?

iii) During the past three years have there been any changes to your executive management team? YES NO

If NO, please provide details of how the business is managed on a day-to-day basis on a separate sheet 

15. Do you have a designated employee or individual with responsibility for dealing with complaints? YES NO

16. Do you undertake a business review and financial planning process on at least an annual basis? YES NO



RISK MANAGEMENT

17. Have you achieved any risk management or quality standard?

YES NO

If YES, please advise:

Name of risk management/quality standard	
Score awarded	
Date accreditation received	
Expiry date of accreditation	

18. Do you have a firm-wide risk management policy/procedures?

YES NO

If YES, please confirm that:

i) These are regularly reviewed and up-dated

YES NO

ii) That your staff are made aware of such procedures

YES NO

19. Do you have formal, written procedures for engaging a new client which include:

i) A formal conflict of interest procedure which includes a system of check?

YES NO

ii) A file opening form to capture all relevant client details?

YES NO

iii) Complete money laundering and client identity checks?

YES NO

iv) A formal risk assessment to establish whether the matter is within your firm's capability or capacity and as to whether the matter has unusual or high risk factors?

YES NO

v) A risk assessment signed off by a partner?

YES NO

20. Do you ensure that all correspondence with clients is kept on file, including e-mail correspondence, telephone notes and attendance notes?

YES NO

21. Do all contracts, confirmations or client care letters contain:

i) An outline of the scope of services to be provided?

YES NO

If YES, if you undertake services for a client which fall outside of the scope of services, do you ensure that an addendum is added to the existing contract to reflect?

YES NO

ii) An outline of what you expect the client to do and when?

YES NO

iii) Important dates and implications if these are missed?

YES NO

iv) The fee basis and an estimate of how much it will cost in total?

YES NO

v) Service levels and other terms and conditions of business?

YES NO



BUSINESS ACTIVITIES (Continued)

22. Do you ensure that a copy of agreed contract conditions is retained on file? YES NO
23. At the conclusion of a matter do you ensure:
- i) That all undertakings have been discharged? YES NO
 - ii) A copy of all final documents are retained on file? YES NO
 - iii) A final statement of account and fee note has been sent to the client? YES NO
24. Do you operate a key date diary system with back-up? YES NO
25. Do you have a file review system, including partner to partner audits? YES NO
26. Do you offer and promote continual staff training and development? YES NO

INTERNAL FINANCIAL CONTROLS

27. Are duties segregated so that no individual can control any of the following activities from commencement to completion without referral to others?
- i) Signing cheques or authorising payments above EUR 25,000 YES NO
 - ii) Issuing fund transfer instructions YES NO
 - iii) Amending fund transfer procedures YES NO
 - iv) Opening new bank accounts or amending approved signatory details YES NO
28. Do you reconcile your accounts on at least a monthly basis? YES NO
29. Are all fund transfer instructions subject to a verification and authentication process? YES NO
30. Can fund transfer payment instructions only be made to accounts which are predetermined as an approved beneficiary? YES NO
31. In respect of fund transfer, is the bank required to authenticate the instruction in accordance with a specified mandate before payment is released? YES NO



COVER REQUIRED

32. i) Do you currently purchase PI insurance?

YES NO

If YES please confirm:

Insurer	
Broker	
Limit of indemnity	EUR
Excess	EUR

ii) Has an insurer ever declined to renew, cancelled or voided your Professional Indemnity Insurance?

YES NO

If YES, please provide details:

33. What limit of indemnity do you require?

EUR 1,500,000
EUR 3,000,000
EUR 5,000,000
EUR 10,000,000
Other (please advise)

YES NO

YES NO

YES NO

YES NO

34. Do you want your policy to extend to provide coverage for claims made or actions brought in courts under the jurisdiction of the USA or Canada?

YES NO

35. Do you have any other specific requirements in respect of the placement of this policy(ies)?

YES NO

If YES please provide details on a separate sheet.



CLAIMS

36. Has your firm or any preceding practice reported any **claim(s), fact(s), event(s) or circumstance(s)** which you reasonably expect to give rise to a claim, during the past ten years in relation to professional negligence, defamation, dishonesty or loss of documents?

If YES, please complete the following table and provide details where the insurance reserve is in excess of EUR 10,000.

	Name of qualified insurer/assigned risk pool	Number of claims circumstances	Confirmation details attached (Yes / No)
9 years ago			
8 years ago			
7 years ago			
6 years ago			
5 years ago			
4 years ago			
3 years ago			
2 years ago			
1 year ago			
Current policy year			

37. After enquiry are you presently aware of any claim(s), fact(s), event(s) or circumstance(s) which you reasonably expect may give rise to a claim, that have not previously been reported to any insurer?

YES NO

If YES, please provide your claims report(s) from all insurers for the firm during the past ten years and all details of any open, reserved, settled or closed claim(s). 



DECLARATION

It is your duty to fully and truthfully disclose to the best of your knowledge and belief, all material facts or facts which may influence insurers' judgement or acceptance of your risk. Failure to do so may prejudice your rights in the event of a claim or result in insurers voiding your policy.

If in doubt, please contact your preferred Miller facility panel broker.

I/we declare that the statements and particulars contained in this proposal are true and that I/we have not misstated or suppressed any material facts. I/we agree this proposal together with any other information supplied by me/us shall form the basis of any contract of insurance effected thereon. I/we undertake to inform insurers of any material alteration to these facts occurring prior to the completion of the contract of insurance.

Signed:

Position:

Dated (dd/mm/yyyy):

After completing the form, attach it and all supporting documentation in an email to your preferred Miller facility panel broker.

A copy of this proposal form should be retained for your own records.

Miller Insurance Services LLP holds data in accordance with the Data Protection Act 1998.