



ZURICH®

Port Operators Liability Insurance

New Zealand Proposal Form

Completing the Proposal form

1. This application must be completed in full including all required attachments.
2. If more space is needed to answer a question, please attach a separate sheet with details.
3. The terms proposer, whenever used in this proposal form shall mean the policyholder listed and all subsidiary companies of the policyholder for which coverage is proposed under this proposal.
4. The terms policyholder and subsidiaries have the same meaning in this proposal form as in the policy.

Duty of Disclosure

Before you enter into a contract of general insurance with us, you have a duty at common law to disclose to us every matter you know, or could reasonably be expected to know that a prudent insurer would want to take into account in deciding whether to insure you and, if so, on what terms. This applies to all persons to be covered under this contract of insurance.

You have the same duty to disclose those matters to us before you renew, extend, vary or reinstate a contract of general insurance.

Your duty however, does not require disclosure of a matter:

- that diminishes the risk to be insured;
- that is of common knowledge;
- that we know or in the ordinary course of our business we ought to know;
- that we state to you that we do not want to know.

Non-disclosure or misrepresentation

If you make a material misrepresentation to us, or if you do not comply with your duty of disclosure, we may treat your policy as if it never existed.

False statement and Fraudulent acts

Your policy is based on the information supplied to us by you or on your behalf. All statements made by you or on your behalf on the proposal and/or questionnaire, in support of this policy, on any claim form or in support of any claim must be true and correct. If you take any action or make any statement in connection with this policy or any claim made under it, which is fraudulent in any way or which is supported by untrue or incorrect information, we are entitled to avoid this policy and all benefits under it will be forfeited.

Privacy Act 2020

Zurich respects your privacy. The following is brought to your attention. However this does not apply to companies.

- (a) This Proposal collects personal information about you;
- (b) The information is collected by Zurich to evaluate the insurance being sought;
- (c) The intended recipient of the information is Zurich;
- (d) The information is being collected and held by Zurich;
- (e) The collection of this information is required pursuant to the common law duty to disclose all material facts relevant to the insurance sought and is mandatory;
- (f) The failure to provide this information may result in your application for insurance being declined, or your insurance being void from the beginning;
- (g) You have rights to access, and correct this information subject to the provisions of the Privacy Act 2020.

Data sharing consent

In order to provide a seamless insurance service globally, Zurich may transfer any data Zurich has received from and any data it holds on the policyholder to other units of Zurich Insurance Group Ltd, such as branches, subsidiaries, or affiliates within Zurich Insurance Group Ltd, cooperative partners of Zurich Insurance Group Ltd, coinsurance and reinsurance companies located in the country of the policyholder or abroad.

Zurich as well as such recipients may use, process and store the data, in particular for the purpose of risk evaluation, policy execution, premium setting, premium collection, claims assessment, claims processing, claims payment, statistical evaluation or to otherwise ensure Zurich's global insurance service delivery.

If a broker or agent is acting on behalf of the policyholder, Zurich is authorised to use, process and store data of the policyholder received from such broker or agent, and to forward to such broker or agent data of the policyholder relating to the execution of the policy and the collection of premiums and payment of claims.

Zurich may procure data from government offices and third parties relating to the policyholder to assess a claim in the event of loss or damage.

1 Proposer

Name of proposer

Address

Postcode

Telephone

Facsimile

Email

Website

Insurance contact

2 Additional corporate information

It would assist us if you would also attach (tick relevant attachment):

Annual Report Standard Conditions of Service* Corporate Brochure Port Hand Book

* If you use a number of different forms/conditions for various services/facilities, please provide copies of all such forms/conditions.

Please specify the full title of any Statute or other Legislation that governs operations at your Port

Please confirm ISPS Code compliance at your Port

Yes No

Please provide names of related companies that you wish to be named in the insurance policy

Name	Type of services	Relationship (Subsidiary, JV or Other)

3 Description of port facilities & services provided

1. Marine facilities

Number of facilities

Description	Operated* by you	Leased to others
General Cargo Berth		
Container Terminal		
Ro Ro Berth		
Car Terminal		
Dry Bulk Terminal		
Oil & Gas Terminal		
Other Wet Bulk Terminal		
Livestock Facilities		
Passenger/ Cruise Terminal		
Passenger Ferry		
Pleasure Craft Marina		
Dry Dock Facility		
Ship Repair Facility		
Port Craft Berth		

* Please indicate whether owned or leased by you.

3 Description of port facilities & services provided (continued)

2. Land based facilities

Number of facilities

Description	Operated* by you	Leased to others
Inland Container Depot		
Container Freight Station		
Warehouse – dry		
Refrigerated Warehouse		
Intermodal Rail Depot		
Air Freight Depot		
District centre		
Administration Centre		
Weighbridge		
Incinerator		
Bulk Storage Facilities		
Other		

* Please indicate whether owned or leased by you.

3. Other services

Please indicate those services you provide or subcontract* to others

Description	Yes	Subcontractor	No
Pilotage			
Tugs			
Marine Traffic Control			
Navigation incl.			
Security			
Emergency Services			
Pollution Response			
Dredging			
Bunkers/Fuel Supply			
Ferry Operator			
Local Delivery & Collection			
Long Distance Haulage			
Freight Forwarding			
Distribution Service			
Ships Agency			
Wreck Removal			
Car Preparation			
Waste Disposal			
Ships Garbage Removal			
Port Operations Consultancy/Advisory Service (Please describe nature of service)			

3 Description of port facilities & services provided (continued)

3. Other services

Please indicate those services you provide or subcontract* to others

Description	Yes	Subcontractor	No
Landfill			
Dump Sites			
Other <i>(Please describe nature of service)</i>			
Utilities Provider			
Power/Water/Sewerage			

*Please provide name(s) of principal contractors engaged by you. Copies of material contracts may be required.

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Have you agreed with any of your contractors to:

Limit or exclude their liability? Yes (in whole) Yes (in part) No

Limit or exclude your liability? Yes (in whole) Yes (in part) No

Be indemnified by them in respect of your liability? Yes (in whole) Yes (in part) No

Indemnify them in respect of their liability? Yes (in whole) Yes (in part) No

If your answer is 'Yes', to any of the above questions please provide further details

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4 General activities

Industrial/Commercial Development Yes No

Recreational Activities

Public boat ramps Yes No

Beachwalking Yes No

Parks Yes No

Playgrounds Yes No

Shops & restaurants Yes No

Car Park Yes No

Helicopter Landing Yes No

Other* (please describe nature of activity) Yes No

* Please specify under this section if any form of motor water sport (eg. jet-skis, power boating or water skiing) or paragliding or similar activities take place within your Port waters.

5 Port throughput / Revenue

	Last year	This year	Next near forecast
General TEUs handled			
Reefer TEUs handled			
Tank TEUs handled			
TOTAL TEUs			
Breakbulk Tonnes			
Refrigerated Breakbulk Tonnes			
Wet Bulk Tonnes			
Dry Bulk Tonnes			
TOTAL TONNES			
Cars			
Passengers			
Livestock			
REVENUE			
Landlord (leading)			
Port – Operational			
Consultancy			
Other (please state)			
GROSS REVENUE			

6 Employee information

Number of Employees:

Managerial	
Administrative	
Operational	
Other (please specify)	
TOTAL	

Are the cargo handling workers:

- Employed directly by you
 Employed by a sub-contractor
 Employed by a tenant
 Hired from a port labour pool

7 Customer contact information

Please indicate the form of contract with your customer:

- None
 Standard Conditions of Service
 Individual Customer Agreements
 Port Tariffs or By Laws
 Standard Lease Agreements
 Other (please specify)

Please indicate the Standard of Liability under these contracts:

- Limited liability in negligence
 Unlimited liability in negligence
 No liability
 Other (please specify)

Apart from as specified in Q3 of part 3 above

7 Customer contact information (continued)

Have you indemnified any third party under any other contract? Yes (in whole) Yes (in part) No

Have you waived your rights of recourse against any other party? Yes (in whole) Yes (in part) No

Have you limited your liability under contract against any other party? Yes (in whole) Yes (in part) No

Have you agreed that any other party may limit its liability against you? Yes (in whole) Yes (in part) No

If your answer is 'Yes', to any of the above questions please provide further details

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8 Insurance & Claims history

Please indicate:

Insurance

Please provide the following information:

Current renewal date / /

Current Limit(s) of Liability

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Current deductible(s)

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Current insurer

Current premium

Have you at any time been refused similar insurance or been quoted increased premiums or had special terms imposed? Yes No

If your answer is 'Yes', please provide details

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Has the Port (within the past five years) been subject to any investigation by any regulatory authority in relation to any alleged pollution or occupational health and safety matters and, if so, have any proceedings been brought as a result of such investigation?

Yes No

If your answer is 'Yes', please provide details

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Do you require any of the following Optional Extensions?

Tenant's Legal Liability Yes No

Consultancy Services Yes No

Berth and/or Port Blockage Yes No

Infringement of Personal Rights Yes No

Port Vessels (including Hull & P&I) Yes No

Claims

Please provide your claims history for the past five years. Details should include the type of claim (whether settled, rejected or pending), the value of the claim (estimated & paid) and should include below deductible claims.

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9 Declaration

I/We authorise Zurich Australian Insurance Limited to collect or disclose any personal information relating to this insurance to/from any other insurers or insurance reference service.

I/We declare that I/we have read and understood the duty of disclosure, non disclosure and policy conditions contained herein and confirm that no information has been withheld which could affect the acceptance of this application.

Name of proposer (print)

Signature of proposer

Date / /

No insurance cover is provided until the above proposal is accepted and details of cover are confirmed in writing by Zurich Australian Insurance Limited.

Office use only

Intermediary

Premium
\$

Agent No.

Special Conditions