



COMPLETION OF THIS FORM INDICATES YOUR CONSENT FOR PROCESSING YOUR PERSONAL INFORMATION. PLEASE REFER TO PAGE 5 FOR DETAILS OUR PRIVACY POLICY.

APPLICATION FOR INFORMATION TECHNOLOGY PROFESSIONAL LIABILITY WITH CERTAIN UNDERWRITERS AT LLOYD'S

Please read and complete the application in its entirety. Blanks &/or dashes are not acceptable and will delay consideration of this application. Answer all questions, if the question does not apply, indicate "N/A" in the space provided.

1. Name of Applicant _____

2. Address _____

City _____ Country _____

Province _____ Postal Code _____

Telephone _____ Facsimile: _____

Website address _____

3. Location of Branch Offices (if any):

4. a Please describe in details the nature and types of professional services the Applicant is engaged in:

- b. Indicate activities which apply to your business and the % of revenue expected during the next 12 months: (Please check all that apply.) Please see back page for Terminology.

Receipts %						
a.	Data Processing and Entry	%		k.	Content Provider for Web Page/Forum	%
b.	Custom Software Development	%		l.	Commercial On-Line Services	%
c.	Packaged Software Development	%		m.	Forum/Content Channel	%
d.	Consulting on Hardware/Software System design/purchase	%		n.	Electronic BBS	%
e.	Systems Installation	%		o.	FTP Site	%
f.	Systems Maintenance	%		p.	Internet Access Provider	%
g.	Computer Related Training	%		q.	Forum Manager	%
h.	Web Page Development	%		r.	Game Developer	%
i.	Web Page Maintenance/Updates	%		s.	Hardware Manufacturing	%
j.	Hosting Web Pages	%		t.	Other (Please explain)	%
					TOTAL	100%

- c. Please advise the worst case scenario that could happen to your customers operations if the Company's products/services were to fail or stop working.

5. Date established:

6. Are significant changes in the nature or size of the Applicant's business anticipated over the next 12 months?
Or have there been any such changes in the past 12 months? Yes No

If yes, please explain:

7. Total Number of staff:

8. Please provide the following:

Name of Principals & Qualified Employees	Professional Qualifications & Designations	Number of years in practice	Number of years with Applicant

Please provide brief resumes of the Principals.

9. Gross billings (est):

Last year: _____ This year: _____ Next year: _____
 Percentage of fees in U.S.A.: _____ Percentage of fees overseas _____

10. Please indicate the Applicant's five largest jobs/projects during the past three years:

Client	Service	Applicant's Fee

11. Please indicate the major software applications and receipts attributable:

Nature	Market Home Use %	Commercial Use %	Total Receipts %
a. Administrative (sales data, lists, etc)			
b. Accounting (payroll, receivables, payables)			
c. Financial (savings, checking, loan, dividend accts)			
d. Inventory control			
e. Scientific			
f. Graphics			
g. Architectural (Model building projection)			
h. CAD/CAM; Manufacturing/ Engineering tools			
i. CASE: Application development tools			
j. Communications: Utilities/Info Services			
k. Fund Transfer			
l. Medical			
m. Educational			
n. Facilities Management			
o. Office Automation			
p. Database Management Systems			
q. LAN/Network			
r. Imaging			
s. Gatekeeper			
t. Other (Please Explain)			

23. Has any error and omissions or professional liability insurance ever been declined or canceled? Yes No
 If yes, please explain:

24. Is there any errors and omissions or professional liability insurance in favour of the Applicant currently in force? Yes No
 If yes, please give details

Carrier	From (mm/yy)	To(mm/yy)	Limit/Deductible/Premium	Retro date

25. Has the Applicant or any director, officer, employee or partner been subject to disciplinary action as a result of professional activities? Yes No
 If yes, please explain:

26. Is the Applicant aware of any claims (including any circumstances reported to previous insurers which have not developed into claims) during the last ten years? Yes No
 If yes, please complete Attachment "A".

27. Has the Applicant been a party to any lawsuit or other legal proceeding within the past five years? Yes No
 If yes, please provide (on Attachment "A") a description which includes the venue of the action, the parties, the amount of dispute, the nature of the claim(s), the status of the action(s) and how the action(s) was resolved as to the applicant, including all costs incurred; including defense expenses.

Notice Concerning Personal Information:

By soliciting insurance from South Western Insurance Group Limited, you agree and provide consent that your personal information, including that previously collected, will be collected, processed, used, communicated, transferred and retained for the following purposes:

- the communication with underwriters;
- the evaluation of claims;
- the analysis of business results;
- In accordance with SWG’s privacy policy available at the bottom of this application and as per our website: <https://swgins.com/page/privacy.html>
- the underwriting of policies;
- the detection and prevention of fraud;
- purposes required or authorized by law;

You can exercise your right to access your personal information in our possession, to have it rectified or to withdraw your consent by contacting us at PrivacyOfficer@swgins.com. Should you exercise your right to withdraw your consent to the communication or use of the information collected required to provide certain products or services, this would prevent South Western Insurance Group from being able to provide such products or services. Further information about South Western Insurance Group Limited personal information protection policy may be obtained by contacting our privacy officer at 416-620-6604.

Warranty Statement:

The undersigned warrants that to the best of his or her knowledge, the statements set forth in this Application are true. In the event that there is any material change in the answers given to the questions contained in this application prior to the inception of the policy, the applicant must notify the underwriters in writing and the underwriters may revoke, or effect changes to, the quotation provided.

Signing of the proposal does not bind the undersigned to complete the insurance but it is agreed that this form, and any additional information/document provided in support thereof by the client and/or broker, shall be the basis of the contract should a policy be issued.

NEW BRUNSWICK RESIDENTS ONLY:

I hereby confirm my request that the present document and any other document and correspondence pertaining to the present insurance be in the English language.

APPLICANT'S SIGNATURE _____

DATE _____ TITLE _____

PRODUCER _____

ADDRESS _____

DATE _____

SUBMITTED BY: _____

E-MAIL: _____

INFORMATION TECHNOLOGY

CLAIMS SCHEDULE "ATTACHMENT A"

PLEASE COMPLETE THIS FORM IF THE APPLICANT IS AWARE OF ANY CLAIMS AS INDICATED IN QUESTION 26 & 27 OF THE APPLICATION FORM (INCLUDING ANY CIRCUMSTANCES REPORTED TO PREVIOUS INSURERS WHICH HAVE NOT DEVELOPED INTO CLAIMS) DURING THE LAST TEN YEARS.

1. Name of Applicant: _____

2. Name of Member of Staff involved in claim: _____

3. Name of (potential) claimant: _____

4. Date of incident: _____ Date of claim made: _____

5. Under which policy was the claim made? Carrier: _____
Policy No: _____

6. Status of claim: Closed _____ Please indicate Total Loss paid: _____
or (including defense expense) _____
Open _____ Please complete questions 7, 8, 9 and 10

7. Total defense costs and expenses to date: _____

8. Damages or other relief sought by the claimant(s): _____

9. Insurers loss reserve: _____

10. Please provide the following details:

- i) the specific act, error or omission upon which the claimant bases the claim.
- ii) a brief description of the claim.
- iii) details of the current status and proposed strategy for handling the claim.

Signed:

Date:

Electronic E&O Terminology

1. **Data Processing and Entry** means those activities usual to the processing of data or records of others.
2. **Custom Software Development** means the design of computer software or programming on a one-time basis by special order. Examples include accounting software developed specifically for one company.
3. **Packaged Software Development** means the design, manufacture and sale of computer software via mass distribution. Examples include computer games, Microsoft products, etc.
4. **Consulting** means determining the suitability of a software package or identifying hardware needed for a specific performance. Examples include determining which imaging system should be used.
5. **Systems Installation** means the installation of both software and hardware. Examples include the installation of upgrades such as Windows 95.
6. **Training** means the explanation/demonstration of how to use a software or hardware product. Examples include training for Lotus Notes.
7. **Systems Maintenance** means the continual maintenance of a customers equipment on a regularly scheduled maintenance plan.
8. **Commercial Online Service** is an Internet access provider which also offers its subscribers proprietary online features including forums on various topics of interest, an e-mail address, chat and conference rooms, and files for download.
9. **Forum/Content Channel on a Commercial Online Service** are proprietary areas on the commercial online service dedicated to a certain topic. Features available include files for download, chat and conference rooms, and limited e-mail capabilities for posting e-mail to other subscribers of the forum/content channel.
10. **Electronic BBS**, BBS is shorthand for a bulletin board service. A BBS is similar to a forum/contact channel in that it normally offers the same feature i.e. files for download, chat and conference rooms, and limited e-mail capabilities for posting e-mail to other users of the BBS. Unlike a forum which is accessible through a commercial online service, a BBS usually requires the user to dial it directly via its main phone number instead of an Internet address.
11. **FTP Site** is a site on the Internet accessible by File Transfer Protocol. Features generally only include files for download.
12. **Internet Access Provider** is a provider of Internet access, but without the proprietary online services offered by the larger commercial online services. Features typically include Internet access and an e-mail address.
13. **Internet Presence Provider** is an entity which creates web pages for the others or rents server space to others.
14. **Web Page** is a site on the World Wide Web through which a company, association or individual offers documents, graphics, sound and/or full motion video presentations about itself, its products, or newsworthy events. Features include files for download and e-mail capabilities to the entity maintaining the web page.
15. **Forum Manager** is typically an independent contractor hired by a Commercial On-Line Service to manage various forums. Most forums will have 2 or 3 forum managers.



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Toll Free: 1800-668-4275

Privacy Policy

South Western Insurance Group Limited is committed to protecting the privacy and the confidentiality of our brokers and their Insured's personal information. In order to comply with privacy legislation, we have developed this Privacy Policy. Any personally identifiable information about an Insured is considered personal information and will be treated in accordance with this Privacy Policy.

IDENTIFIED PURPOSES

South Western Group only collects, uses and discloses Personal Information for the following purposes:

- Offering and providing insurance and related products and services;
- Verifying the identity and the accuracy of personal information with government agencies, industry associations, or other Insurers;
- Analyzing, assessing and underwriting risks on a prudent basis;
- Investigating and paying claims;
- Detecting and preventing fraud or other illegal activities;
- Compiling statistics;
- Complying with the laws or the requests of law enforcement agencies or regulators.

In this Privacy Policy, the above list of Identified Purposes will be referred to as the 'Identified Purposes'.

THIRD PARTY DISCLOSURE

South Western Insurance Group may share information about you with third party companies, permitted by law. Such disclosures may include those that South Western feels are required to provide customer service, prevent fraud, perform research or comply with the law. Recipients may include South Western's family of insurance service companies, claims representatives, service providers, consumer reporting agencies, insurance agents and brokers, law enforcement, courts and government agencies. These parties may disclose the information to others as permitted by law.

PRIVILEGE & CONFIDENTIALITY NOTICE – Electronic Messages

Electronic mail or faxes and any files transmitted with them are confidential and may be privileged and are intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error, please notify the sender immediately.

CONSENT

South Western Group relies on the following actions by our Brokers and Companies as indication of their consent from an Insured to our existing and future Personal Information practices:

- The Broker has voluntarily requested personal information from an Insured for the purpose of acquiring an insurance contract or related service or product;
- The Broker has the Insured's express consent or acknowledgement contained within a written, verbal or electronic application process;
- The Insured's consent solicited by our Companies or our Brokers is for a specified purpose;
- The Broker must provide the Insured with a copy of their privacy policy and must inform South Western Group of any withdrawal of this consent by an Insured;
- The Broker may obtain the Insured's consent through the Insured's authorized representative such as a legal guardian, agent or holder of a power of attorney.

If an Insured refuses to provide the Broker with certain Personal Information or withdraws their consent South Western Group may be unable to provide insurance coverage.

LIMITING COLLECTION AND RETENTION OF PERSONAL INFORMATION

South Western Insurance Group will only collect, use or disclose personal information that is necessary for the Identified Purposes or as required by law. We will retain personal information only as long as necessary for the fulfillment of the Identified Purposes. South Western may store certain data in jurisdictions outside of Canada and may share information with third party companies that are located outside of Canada.

ACCURACY

South Western Group requests our brokers to maintain the Insured's Personal Information as accurate, complete, and up-to-date as is necessary for the Identified Purposes.

SAFEGUARDS

South Western Group will protect the Insured's Personal Information by security safeguards appropriate to the sensitivity of the information. Safeguards will vary depending on the sensitivity, format, location and storage of the Personal Information.

ACCOUNTABILITY, OPENNESS AND ACCESS

South Western Group is responsible for all Personal Information under its control and has designated a Privacy Officer who is accountable to Senior Management for South Western's compliance with the Privacy Policy.

You may contact our Privacy Officer at PrivacyOfficer@swgins.com.

CHALLENGING COMPLIANCE

If any Broker is not satisfied with South Western's response to a privacy related inquiry or complaint, they may contact the Office of the Privacy Commissioner of Canada during business hours at [1-800-282-1376](tel:1-800-282-1376) or at www.privcom.gc.ca.

Please refer to the updated comprehensive version of privacy policy on our website: <https://swgins.com/page/privacy.html>