



## AMENDMENT TO THE INSURANCE INTERMEDIATION CONTRACT FOR AIG ONLINE

Between the undersigned:

**AIG EUROPE S.A.**, a company incorporated under the laws of Luxembourg, with registered offices at 35D Avenue John F. Kennedy, L-1855, Luxembourg, company number B 218806 and licensed by the Luxembourg Ministère des Finances and supervised by the Commissariat aux Assurances, acting through its Belgian branch located at Boulevard de la Plaine 11, 1050 Brussels, Belgium Brussels Register of Legal Persons BE 0692816659, licensed by the National Bank of Belgium (NBB), located at Boulevard de Berlaimont 14, 1000 Brussels, under number 3084,

Hereafter, « **the Insurer** »,

and

Name of the broker or of the brokerage company: .....

Address / registered offices: .....

.....

Company number: .....

Insurance broker licensed by the FSMA under the number : .....

Number of the producing account at AIG Europe S.A., Belgian branch : .....

Bank account number : .....

represented by .....

in his/her capacity of .....

Hereafter, « **the Broker** »,

AIG Europe S.A. is an insurance undertaking with R.C.S. Luxembourg number B 218806. AIG Europe S.A. has its head office at 35 D Avenue John F. Kennedy, L-1855, Luxembourg. AIG Europe S.A. is authorised by the Luxembourg Ministère des Finances and supervised by the Commissariat aux Assurances 7, boulevard Joseph II, L-1840 Luxembourg, GD de Luxembourg, Tel.: (+352) 22 69 11 - 1, [caa@caa.lu](mailto:caa@caa.lu), <http://www.caa.lu/>.

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Have agreed as follows :

## 1. Object of this Amendment

This Amendment (“**the Amendment**”) and the provisions contained in this Amendment are, with the Insurance intermediation contract, applicable between the Broker and the Insurer.

If the Broker uses the AIG ONLINE System for the intermediation and the underwriting of Insurance products in Belgium, the following provisions shall be applicable.

These provisions supplement the provisions and conditions of the Insurance intermediation contract (“**the Contract**”) and are regarded as being part of the Contract between the Insurer and the Broker.

## 2. Definitions

The following definitions are applicable to the present Amendment:

- “**AIG ONLINE System**” means an online internet system that the brokers authorized by AIG may use to (i) receive the insurance conditions and pricing and (ii) underwrite Insurance products/Policies online, (iii) immediately print the Policies after underwriting, and (iv) consult their portfolio (new cases filed by the Broker on the site).

Access to the AIG ONLINE System is ensured through the internet address [www.aig.com/onlinebelux](http://www.aig.com/onlinebelux) (or through another internet address possibly communicated by the Insurer in the future).

- “**Additional Guidelines**” mean the guidelines for the use of the AIG ONLINE System that can be regularly communicated by the Insurer to the Broker;

- “**Documentation**” means the offers, Policies (General and/or special conditions) and any other contractual or pre-contractual information that result from the way the Broker places the insurance business with the Insurer through the AIG ONLINE System;

- “**Short Term Policy**” means any policy that is not tacitly renewed at its renewal date;

- “**Long Term Policy**” means any policy that is tacitly renewed at its renewal date;

- “**Insurance Products**” means the insurance products underwritten by the Insurer, that are available at regular intervals through the AIG ONLINE System (in accordance with the provisions of the present Amendment) for the Broker and in particular the following products :

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### **3. Use of the AIG ONLINE System**

3.1 The Broker can only use the AIG ONLINE System to receive the pricing and to underwrite the Insurance Products in accordance with the provisions and conditions of the present Amendment and the provisions and conditions of the Contract.

3.2 Any Insurance Product that can be underwritten by the AIG ONLINE System shall be underwritten by the Broker through the AIG ONLINE System. In the limited cases where, for certain reasons, the policy does not suit the AIG ONLINE System, the Broker shall contact the Insurer and, after the agreement of the latter, establish a policy outside this system.

### **4. Absence of underwriting powers**

4.1 For the Insurance Products that the Broker places with the AIG ONLINE System, the Insurer does not delegate any powers to the Broker and the Broker remains the intermediary/insurance broker of the policyholder.

The Insurer does not give the Broker any power to give pricing to a potential policyholder, except for the pricing that is given by the AIG ONLINE System. For any underwriting request that does not fall under the pricing provided by the AIG ONLINE System, the Broker must send a written underwriting request to the Insurer.

4.2 The Broker is additionally only authorized to present an Insurance Product/Policy to a potential policyholder, on condition that the following criteria are met:

- i. The Broker received the conditions of the policy and the pricing from the Insurer through the AIG ONLINE System;
- ii. The Broker warrants that he informed his clients in a correct and precise way with regards to the Insurance Products/Policies and that the information that he/she enters in the AIG ONLINE System correctly reflects the information he received from the policyholder;
- iii. The Broker immediately informs the Insurer if the data on the AIG ONLINE System/ in the Policy should not be correct;
- iv. The Broker warrants to the Insurer, both before and after the termination of the present Amendment, for any damages or losses suffered, liability and costs (including the legal fees) that would be due by the Insurer, if the information provided by the policyholder was wrongfully or incorrectly retranscribed by the Broker.

4.3 The Policy is entered into at the moment where the underwriting is addressed to the AIG ONLINE System and where the AIG ONLINE System automatically grants a policy number to the Policy.

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## **5. Transmission and conservation of the Documentation**

5.1 The Insurer shall communicate all the Documentation to the Broker that the Insurer has established for the AIG ONLINE System. This Documentation cannot be modified by the Broker.

5.2 The Broker must in turn communicate all the Documentation to the policyholder and is responsible for the signature of the Documentation by the policyholder. He shall keep the signed Documentation in paper or electronic version during a period equivalent to the duration of the legal statute of limitations.

5.3 The Broker must be able to prove, upon first request, the receipt and the signature of the Documentation by the policyholder.

## **6. Collection of the premiums**

For the collection of the premiums, the Insurer shall follow the provisions and conditions of the insurance intermediation contract ("the Contract") and in accordance with the pricing given by the AIG ONLINE System.

6.3. The Insurer reserves itself the right to withdraw, at this moment, the mandate of the Broker to collect the premiums.

## **7. Obligations of the Broker**

7.1 The Broker undertakes to :

- i. scrupulously comply with all the Additional Guidelines of the Insurer concerning the AIG ONLINE System.
- ii. separately manage the Policies underwritten in the context of this Amendment and the Policies underwritten with the Insurer outside the context of this Amendment.

## **8. Access to the AIG ONLINE System**

8.1 Any authorized Brokers receive an identification code as well as a secret password. Every employee of the Broker using the AIG ONLINE System shall have a personal identifier.

8.2 The Broker is responsible for the secret password that is attributed to him, as well as its communication to those of his/her collaborators that are authorized to use the AIG ONLINE System. The Broker is required to ensure that his/her collaborators preserve the secret nature of this password. The Broker is in particular required to modify this password when one of his/her collaborators, who used AIG ONLINE System, leaves his functions.

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8.3 If the identification code or the password is lost or forgotten, the Broker is required to contact the Insurer in order to reestablish his access.

8.4 The Broker is responsible for receiving and maintaining all the means of telecommunication, hardware, internet connection and all other equipment necessary for the access and use of the AIG ONLINE System, as they exist today, including their possible modifications.

## **9. Access to the AIG ONLINE System**

9.1 The Insurer does not give any guarantee regarding the functioning of the AIG ONLINE System and reserves its right to cease the System at any moment if that proves necessary. In case of a long term interruption, the Insurer shall warn the Broker thereof.

9.2 The Insurer is not responsible for the direct or indirect damages, the specific damages or others (including a loss of income) that would result from the use of the AIG ONLINE System by the Broker, or technical problems related to the AIG ONLINE System.

## **10. Modification of the AIG ONLINE System**

The Insurer reserves the right to modify the content and the functions of the AIG ONLINE System at any moment, as well as the content and/or the composition of its Policies, and/or cease the AIG ONLINE System. Any important modification shall be notified to the Broker through the AIG ONLINE System.

## **11. Remuneration of the Broker**

The rate of the remuneration (the commission) of the Broker for the policies underwritten through AIG ONLINE System, provided that it differs from the rate agreed in the Contract and/or other documents, shall only be applicable for those policies underwritten through AIG ONLINE System.

## **12. End of the use of the AIG ONLINE System**

The Insurer may withdraw the Broker's right to use the AIG ONLINE System with immediate effect. In case of termination of the Contract and/or the Amendment, any use of the AIG ONLINE System (including the receipt of the pricing and the underwriting of Insurance Products) by the Broker shall cease, unless otherwise agreed in writing with the Insurer. This Amendment shall in any event end in case of termination of the Contract.

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**13. Intellectual property rights**

All the intellectual property rights related to the AIG ONLINE System and to the Documentation shall remain the property of the Insurer. The Broker warrants and recognizes that he shall not sell, rent or transfer the AIG ONLINE System and the Documentation to third parties. Any login or password that the employees and/or co-contracting parties of the Broker have received are intended for personal use and can in no instance be shared. If the Broker and his/her employees and/or the co-contracting parties are of the opinion, or have knowledge of the fact that the AIG ONLINE System does not propose correct offers for the Insurance Products, the Broker must immediately cease to use the system and must immediately warn the Insurer.

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The other provisions of the Contract remain fully applicable.

After having considered the provisions of this Amendment, the Broker and the Insurer declare accepting its content.

Made in two original copies, the ..... (date)

***For the Broker,***

***For the Insurer,***

**Name :** .....

**Title :** .....

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