

# Directors & Officers - D&O

## Questionnaire Directors & Officers Liability

### Client details

- 1 Name of proposer: .....
- 2 Legal status/form: .....
- 3 Company number: .....
- 4 Address of the proposer: .....

Preferred language of policy documents:  NL  FR  ENG

Cover start date: .....

### Subsidiaries

Please provide a list of all entities wherein the policyholder holds a majority of the shares, the location of each subsidiary and its turnover. If more than 3 subsidiaries, please provide an organizational chart mentioning the shareholders structure (in %).

	Name of the subsidiary	Location of the subsidiary	Turnover of the subsidiary
1			
2			
3			

### Co-insured(s)

Can be added as co-insured, the companies\* which have a special link with the policyholder through:

- the fact that the majority of management is constituted by the same persons, and
- the fact that the head office or operational office is located at the same address, and
- the fact that it is directly or indirectly, durably and meaningfully related in terms of administrative, financial or logistic assistance, personnel or infrastructure.

	Name of the co-insured + legal status	Location of the co-insured	Company number
1			
2			
3			

### Material facts

- 5 One of the companies\*:
- is a financial institution or sports-association/club?  Yes  No
  - has issued securities traded on a stock exchange?  Yes  No
  - activity consists, amongst other things, of holding directors or officers mandates in other entities than the companies\*?  Yes  No



**Risk analysis**

6 The companies\*:

- reported a positive equity in the latest consolidated financial statement.  Yes  No
  - reported a positive net result in the latest consolidated financial statement or, if negative, it does not exceed the 20% of the equity.  Yes  No
  - are not in a leveraged or management buy out structure.  Yes  No
  - are in liquidation or bankruptcy proceedings.  Yes  No
  - have any claims been made against the directors or officers of the proposer or any subsidiary of the proposer in the past 5 years, or are the directors and officers aware of any incident that is likely to lead to a claim under a directors and officers liability policy?  Yes  No
- 7 Is any company\* a GCV/SCS, CV/SC, CVA/SCA or VOF/SNC?  Yes  No
- 8 Is any company\* active since less than 24 months?  Yes  No

**Business details and cover**

9 Main business activity:

10 Annual turnover: (consolidated figures or add up all annual turnovers of all companies\*) .....

- 11 Does the proposer currently have insurance in force in respect of the risks for which cover is sought?  Yes  No
- If yes, is the current D&O insurer AIG/Chartis Europe?  Yes  No
  - If yes, are you the holding broker?  Yes  No

12 Continuity date: .....

13 Does another legal entity own more than 50% of the company\*?  Yes  No

14 Does the company\* have any US subsidiaries?  Yes  No

15 D&O limit/coverage requested: .....

**Additional Information (if required)**

**Declaration:**

I declare on behalf of all insureds, after inquiry, that the statements and particulars in this proposal are true and no material facts have been misstated or suppressed. I agree that this proposal form, and any attachment or any information submitted therewith and any and all other information supplied or requested, shall form the basis of any Contract of Insurance effected thereon. I further undertake to inform Insurers of any material alteration to any information, statements, representations or facts presented in this proposal form occurring after the date this proposal form is signed and before the inception date of the proposed policy. A material fact is one that would influence the acceptance or assessment of the risk. All written statements and materials furnished to the insurer in conjunction with this application are hereby incorporated by reference into this application and made a part hereof.

**Needs to be filled in by the client/proposer**

Name: .....

Function: .....

Date: .....

Signature + stamp: .....

\* a) The policyholder and its subsidiaries

\* b) The policyholder, its subsidiaries and the policyholder's related associations and their subsidiaries, in case the policyholder is a non-profit organisation.



**IMPORTANT:**

For data protection reasons, please be aware we can only provide you with a quote if:

- a) The broker has ticked the box upon the 3<sup>th</sup> page of the questionnaire (OR if the questionnaire is filled in manually the broker must have signed the 3<sup>th</sup> page of the questionnaire)
- b) The broker has sent the Privacy Notice to the data subjects
- c) The broker has ensured that the data subjects have signed the last page of the Privacy Notice - only applicable to the extent the data subjects provide personal data around their criminal convictions and offences
- d) The broker keeps a copy of the signed Privacy Notice - only applicable to the extent the data subjects provided personal data around their criminal convictions and offences

By data subjects, it is meant: the client’s employees, directors, officers or any other person of whom personal data are shared via the questionnaire.

I hereby confirm that I have complied with the declaration and the points above (a, b, c and d) if applicable.

**Needs to be filled in by the broker**

Name: .....

Function: .....

Date: .....

Signature: .....



# Privacy Notice

## How we use Personal Information

“Personal Information” identifies and relates to you or other individuals (e.g. your partner or other members of your family). If you provide Personal Information about another individual, you must (unless we agree otherwise) inform the individual about the content of this notice and our Privacy Policy and obtain their permission (where possible) to share their Personal Information with us.

The types of Personal Information we may collect and why - Depending on our relationship with you, Personal Information collected may include: contact information, financial information and account details, credit reference and scoring information, sensitive information about health or medical conditions (collected with your consent where required by applicable law) as well as other Personal Information provided by you or that we obtain in connection with our relationship with you. Personal Information may be used for the following purposes:

- Insurance administration, e.g. communications, claims processing and payment
- Assessments and decisions about the provision and terms of insurance and the settlement of claims
- Assistance and advice on medical and travel matters
- Management of our business operations and IT infrastructure
- Prevention, detection and investigation of crime, e.g. fraud and money laundering
- Establishment and defence of legal rights
- Legal and regulatory compliance (including compliance with laws and regulations outside your country of residence)
- Monitoring and recording of telephone calls for quality, training and security purposes
- Market research and analysis
- (Internal) audit

**Sensitive Personal Information** - In connection with the provision of insurance and the assessment of a claim, we will collect, use and disclose certain Sensitive Personal Information concerning your possible criminal convictions and offences. Where we do this, we will do so with your explicit consent and as otherwise permitted by law.

**Sharing of Personal Information** - For the above purposes, Personal Information may be shared with our group companies and third parties (such as brokers and other insurance distribution parties, insurers and reinsurers, credit reference agencies, healthcare professionals and other service providers). Personal Information will be shared with other third parties (including government authorities) if required by laws or regulations. Personal Information (including details of injuries) may be recorded on claims registers shared with other insurers. Personal Information may be shared with prospective purchasers and purchasers, and transferred upon a sale of our company or transfer of business assets.

**International transfer** - Due to the global nature of our business, Personal Information may be transferred to parties located in other countries (including the United States, China, Mexico Malaysia, Philippines, Bermuda and other countries which may have a data protection regime which is different to that in your country of residence). When making these transfers, we will take steps to ensure that your Personal Information is adequately protected and transferred in accordance with the requirements of data protection law. Further information about international transfers is set out in our Privacy Policy (see below).

**Security of Personal Information** - Appropriate technical and physical security measures are used to keep your Personal Information safe and secure. When we provide Personal Information to a third party (including our service providers) or engage a third party to collect Personal Information on our behalf, the third party will be selected carefully and required to use appropriate security measures.

**Your rights** - You have a number of rights under data protection law in connection with our use of your Personal Information. These rights may only apply in certain circumstances and are subject to certain exemptions. These rights may include a right to access Personal Information, a right to request that we correct inaccurate data, erase data, or suspend our use of data. These rights may also include a right to transfer your data to another organisation, a right to object to our use of your Personal Information, a right to request that certain automated decisions we make have human involvement, a right to withdraw consent and a right to complain to the data protection regulator in your country. Further information about your rights and how you may exercise them is set out in full in our Privacy Policy (see below).

**Privacy Policy** - More details about your rights and how we collect, use and disclose your Personal Information can be found in our full Privacy Policy at <http://www.aig.be/privacy> or you may request a copy by writing to: Data Protection Officer, AIG Europe, Pleinlaan 11, 1050 Brussels or by email at: [dataprotectionofficer.be@aig.com](mailto:dataprotectionofficer.be@aig.com).

**Consent needed if you provide us with data about criminal convictions or offences** - In certain circumstances we, AIG Europe, need your consent to collect, use and disclose your Personal Information. This is the case if the Personal Information you provide includes information about your criminal convictions and offences (Sensitive Personal Information). If you consent to the collection, use and disclosure of this Sensitive Personal Information by us, for the purposes described below, please sign below:

### Purposes:

Use (including transfer to affiliates and third parties such as claims handlers, loss adjusters, solicitors and reinsurance companies) of Sensitive Personal Information to ensure we can perform our obligations and rights under or in connection with the insurance policy, prevent, detect and investigate (insurance) fraud, carry out claims handling, make assessments and decisions about the provision and terms of insurance and the settlement of claims, provide insurance coverage or ancillary services.

## Needs to be filled in by the client/proposer

Name: .....

Date: .....

Signature + stamp: .....

You have the right to withdraw your consent at any time. If you want to withdraw your consent, please contact us by e-mail at: [dataprotectionofficer.be@aig.com](mailto:dataprotectionofficer.be@aig.com) or by writing to: Data Protection Officer, AIG Europe, Pleinlaan 11, 1050 Brussels. If you withhold or withdraw your consent, we may not be able to perform our obligations under the insurance policy, carry out claims handling and provide insurance coverage to you.

