



traditional values – modern context

TOUR OPERATORS & TRAVEL AGENTS

PROPOSAL FORM

Public Liability
Employers Liability
Professional Indemnity

MPI Brokers
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PROPOSAL FORM

TOUR OPERATORS & TRAVEL AGENTS

for
**Public Liability, Employers Liability, Professional Indemnity & Directors & Officer
Insurance**

Please print this document, then complete the form and return it with any other documents requested to MPI Brokers.

In answering the following questions, should you need to expand on any answers please use the notes page at the back.

DETAILS OF COMPANY

1 Full Name(s) of Company(s) including subsidiary Companies & trade name(s) if different

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2 Address of all offices including those outside the UK. Including post codes, telephone number and email/web site.

Principle Address,	All Offices outside UK
tel: e-mail: website: Company reg no:	tel: e-mail: website:

3 Full business description and nature of holidays provided

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4 When was the Company originally established? (Please give names, dates etc. of predecessor companies for which cover is required). Where the company is new please attach CV(s) of Principal(s)

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5 Is the Company a member of?

ABTA	YES	NO
IATA	YES	NO
ATOL	YES	NO
AITO	YES	NO
ABTOF	YES	NO
TTA	YES	NO
Any other Professional Association (If so, please give details)	YES	NO

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6 Does the company act as a Tour Operator? YES NO

BREAKDOWN OF BUSINESS

7 Please show passenger numbers and turnover in the following categories:-

	Pax no. last 12 months	Turnover last 12 months	Est. pax for next 12 months	Est. turnover for next 12 months
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a) As a Tour Operator

Package Holidays*		£		£
Accommodation Only (as Principal)		£		£

b) Travel Agent

Accommodation Only (as agent but sold in your name 'white label')		£		£
Accommodation Only (as agent of supplier)		£		£

c) Flight Only

		£		£
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d) Connected Travel Insurance

		£		£
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Totals

		£		£
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* Packages – holidays sold by you as an Organiser as defined by the Package Travel Regulations 1992

8 If any of the Travel Agent turnover shown in 7 b) above involves you acting as an Organiser, as defined in the Package Travel regulations 1992, please state approximate % of relevant turnover this represents _____ %

9a Of your Packages what proportion, if any, is incoming. Please specify:-

American _____
Other _____

9b Do you sell any holidays from an overseas office?

YES NO

If Yes, what is the proportion of turnover _____%

10 Connected Travel Insurance Sales – If you sell Travel Insurance, what level of Authorisation do you have:-

	Tick as appropriate
Fully Authorised	
Introducer Appointed Representative	
Appointed Representative	

11a Please show the proportion of pax travelling to the following destinations * :-

	Packages		Accommodation only	
	Last 12 months %	Next 12 months %	Last 12 months%	Next 12 months%
United Kingdom				
Ireland / USA / Canada				
Western Europe				
Southern Europe				
Rest of Europe				
Dominican Republic/Jamaica/Singapore				
Africa /Thailand				
Africa / Pakistan				
Rest of World				
Totals	%	%	%	%

*please see item 38 for a list of countries in each region.

11b Do you organise any trips to areas to which the Foreign Commonwealth has advised against non essential travel? YES NO

12 Please show all activities that you offer as part of your package and the passenger numbers e.g. ski “guiding”, ski “teaching”, scuba diving, horse riding/cycling:-

	Passenger Numbers	Turnover
		£
		£
		£
		£

13 Specialist Holidays

	Passenger Numbers	Turnover
Children & Student Tours		£
Groups & Conferences		£
Coach Groups		£
Vulnerable pax		£

14 Do you market tours to American Nationals (selling in America)?

YES NO

If yes, please provide details together with turnover and pax numbers for this part

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15 Do you sell excursions, either as part of the pre-arranged package or in resort? Please indicate the estimated passenger numbers for each.

Pre-arranged:	In resort:
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16 What percentage of the company's turnover is derived from Travel Insurance?
Please show below

Total premium excl. IPT in last 12 months	Total commission if any in last 12 months
£	£

ACCOMODATION

17 Do you use standard booking conditions?
please submit a copy(s) (if you have more than one), or refer to website

YES NO

18 Do you inspect accommodation & other facilities regularly to ensure that safety and fire precautions are adequate and that local regulations are observed?

YES NO

If Yes, please give details:-

19 Are copies of Risk Assessments retained?

YES NO

Please show below who undertakes the Risk Assessment and explain the procedures that are in place to follow up any issues arising.

20 Do you, or any parent or subsidiary, own in whole or part, lease or operate any accommodation, transport or activities used in your holiday?

YES NO

If yes, please give brief details below:-

N.B. This insurance will not cover liability arising from the ownership, lease or operation of accommodation, or other facilities (e.g. hiring out sports equipment you own), unless specifically extended.

Do you wish us to provide terms?

YES NO

If yes,

Do you comply with local health and safety regulations?

YES NO

Do you have a clause in the lease agreement with the owner(s) that they shall have building insurance which includes liability to third parties and that it is noted on that insurance policy that the premises is let?

YES NO

It will not provide liability insurance for transport you own or lease, this would fall under the vehicle insurance.

Please also see Appendix A, attached.

PRODUCTS

21. Do you hire out your own equipment e.g. Ski's, Bicycles etc? YES NO

SUPPLIERS

22 Do you ensure that your suppliers (e.g. Hoteliers, Coach operators etc.) operate to at least the health and safety standards of their home country?

YES NO

23 How do you establish your suppliers have adequate liability insurance arrangements in place?

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24 Do you have contracts with your suppliers? YES NO

(e.g. suppliers of catering, accommodation, transport, sports activities, sports equipment & rental – this is not an exhaustive list)

25 Please indicate in the following table the percentage of your Package Holidays where you have indemnity contracts (i.e. the suppliers contractually accept liability for their own acts or omissions)

	Less than 25%	From 25% to 50%	From 51% to 75%	More than 75%
Ground Handler				
Hoteliers				
Coach operators				
Excursion providers				

26 Do you establish that instructors (who are not your Employees) are liable for their own actions and activities? YES NO

(If none please state)

NONE

EMPLOYEES

N.B. All employees must be under a UK contract of employment and there is no cover available where employees work in their normal country of residence.

27 Please provide the following details

		Number	Wage roll
Principals and Staff in UK	Clerical		£
	Manual		£
Principals and Staff Overseas	Clerical		£
	Manual		£

N.B. Managers & Reps are considered Clerical. Please see descriptions of manual work below.

28a Please give breakdown of any manual work.

Manual Work	Number of Staff
Cooking	
Maintenance	
Drivers	
Childcare	
Ski Guiding/White Water Rafting/Climbing etc.	
Other	

- 28b** Are all Employees employed under a UK contract of employment? YES NO
- 28c** Do you have an appointed person responsible for Health and Safety? YES NO
- 28d** Do you have a written Health and Safety policy that is regularly reviewed and updated (where necessary)? YES NO
- 28e** Are Health and Safety risk assessments undertaken and recorded? (not connected to question 19) YES NO
- 28f** Do all employees receive Health and Safety training and training for activities undertaken and is such training recorded? YES NO
- 28g** Do you have a planned and recorded inspection and maintenance programme which includes company vehicles where applicable? YES NO

DIRECTORS & OFFICERS – Only complete if you would like a quote for D&O

Statement of Fact

- 29a** You have been trading for at least 2 years YES NO
- 29b** Your company does not operate in the financial services or legal sector YES NO
- 29c** Your company has made a profit in the last 12 months YES NO
- 29d** Your last annual accounts declared a positive net worth (i.e. your company's assets exceeded its liabilities) YES NO
- 29e** Your latest filed annual report & accounts were unqualified YES NO
- 29f** Your company is not listed on the stock exchange YES NO
- 29g** Your company is not planning any public or private offering of securities within the next year YES NO
- 29h** Your company does not have any assets in or turnover to/from the USA YES NO
- 29i** In the last five years, the company has not been the subject of an investigation by any official body or institution YES NO

CLAIMS INCIDENTS

30 Please give details of accidents/claims/complaints in the last five years (whether Insured or not) settled or outstanding

	Date	Details	Cost	Reserved
Injury to any passenger on a holiday / tour operated by you				
Injury to any other person(s)				

	Date	Details	Cost	Reserved
Complaints which have been notified to Insurers				
Total paid to any other person(s)				

	Date	Details	Cost	Reserved
Liability claims arising from Injury or sickness to Employees				

31 In the last 5 years, have there been any claims or investigations made against the company, its directors, officers or employees which may have been covered by any insurance policy had it been in force

YES NO

32 Is the company or any Directors, Partners or Employees after enquiry, aware of any circumstances, allegations or incidents, which may give rise to a claim against the Company or its predecessor business including present or past Directors and/or Partners?

YES NO

If yes to either of the questions above, please provide details below

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CURRENT INSURANCE DETAILS

33 Please give details of existing insurances in respect of:-

- a) Public / Products Liability
- b) Professional Indemnity
- c) Employers Liability

Insurer	Indemnity Limit	Excess	Premium	Expiry Date
a)	£	£	£	
b)	£	£	£	
c)	£	£	£	

COVER REQUIRED

34 Please show limit of indemnity the company requires

	Limit of indemnity	Please tick cover required
Public/Products Liability	£ 2,000,000	
	£ 3,000,000	
	£ 5,000,000	
Professional Indemnity	£ 250,000	
	£ 500,000	
	£ 750,000	
	£ 1,000,000	
Directors & Officers	£ 250,000 - £2,000,000	
Employers Liability	£10,000,000	
Crisis Management	£ 250,000	
Legal Expenses		

35 Excess – The standard excess for Public Liability is £1000 any one person/£5000 per event

Do you require a quotation for higher excess? If so how much? £

36 Do you require legal jurisdiction for

EU	YES	NO
WW excl. USA/Canada	YES	NO
WW Incl. USA/Canada	YES	NO

37 DECLARATION

To the best of my/our knowledge and belief the information provided in connection with this proposal, whether in my hand or not, is true and I/we have not withheld any material facts.

I/we understand that non-disclosure or misinterpretation of a material fact may entitle Insurers to void the insurance. (N.B. a material fact is one likely to influence acceptance or assessment of the risk by insurers. If you are in doubt as to whether a fact is material or not, please disclose it).

I/we understand that signing this declaration does not bind me/us to complete, or Insurers to accept, this insurance. I/we agree that this proposal will form the basis of the contract with Insurers.

Name **Position**
(Please print)

Signature **Date**
(Partner/Director)

Have you completed the notes page for further explanations? YES NO

I have read and understood Appendix A and B YES NO

38 Section B - List of regions

UK	Ireland/USA	Western Europe	Southern Europe	Rest Of Europe	Dominican Republic	Africa, Thailand	Rest of Africa Pakistan	Rest Of World
All of the UK	Ireland USA Canada	Austria Belgium France Germany Netherlands Denmark Sweden Iceland Finland Norway Switzerland Luxemburg Corsica	Spain Portugal Italy Malta Greece Sardinia Balearics Canary Islands Czech Poland	Romania Croatia Slovenia Slovakia Bulgaria Lithuania Latvia Estonia Hungary Turkey Morocco Cyprus Tunisia	Dominican Republic Jamaica Singapore	Egypt South Africa Thailand Cuba Rest Of Caribbean	Rest of Africa Pakistan India South America Australasia	All Regions not already listed

Please forward this form to:

MPI Brokers
West House, West Street, Haslemere, Surrey, GU27 2AB
Fax 01428 645209

together with:

- 3 company brochures
- If none, please show website address
- booking conditions
- copies of contracts with suppliers, ski/sports schools, other sports/ski instructors
- If a new venture please supply a CV for each of the Principals/Directors in the Business.

**Question
No.**

Notes



Appendix A

Please refer to Question 17 of the Proposal Form.

This insurance protects your company for Public Liability. Should you enter into a contract where your liability is extended in a lease agreement this policy may not respond.

The lease agreement may place liability on your company for damage to the property caused by your company or your guests.

You may wish to consider taking legal advice in this respect and we have arranged for two specialist lawyers to be available to customers or prospective customers of MPI Brokers at preferential rates. Their names are:

Claire Ingleby
MB Law
Studio 3
The Quays
Concordia Street
Leeds LS1 4ES

Tel: 0113 242 4444
Fax: 0113 246 7542

Alex Padfield
Hestalls Solicitors
28 Leman Street
London E1 8ER

Tel: 0207 265 4467
Email: alexpadfield@hextalls.com

Please note:

1. If you wish to obtain insurance to protect your contractual liability, this may be possible.
2. Travel Insurance usually provides protection under the Personal Liability section for customers causing damage to property. This is one of the reasons that Tour Operators place in their booking conditions a requirement that customers have suitable travel insurance and that it should be at least equivalent to or no worse than the travel insurance provided by you (you should make sure your travel insurance cover this).
3. You should be aware that there are some travel insurance policies that do not cover damage to holiday accommodation.
4. Further advice on how to handle 2 and 3 above is available from MPI Brokers. We have introduced a website where tour operator clients can invite their customers to place information on the site about the insurance policy they hold.

Therefore you will be able to:-

1. know your customer is insured.
2. have immediate access to customer travel insurance information in the event of a major incident.

Appendix B

When Selling excursions, lift passes etc. on transfer bus or in resort, you must make it clear you are doing so as an agent and not as a principle. Should also be shown on any receipt or documentation and we suggest this is backed up as a clause in your booking conditions. The lawyers shown above may be able to assist with this.