HAMMOND PI



The Insurance Act 2015

YOUR DUTY TO MAKE A FAIR PRESENTATION OF THE RISK

You must make a fair presentation of the risk to us when you take out, renew or amend your policy. A fair presentation requires you to tell us about all facts and circumstances which may be material to the insurance, in a clear and accessible manner.

Material circumstances are those which are likely to influence an insurer in the acceptance or assessment of the terms or pricing of your policy. If you are in any doubt as to whether a fact is material, you should tell us about it.

If you fail to make a fair presentation of the risk, where that failure is deliberate or reckless, or where, the insurer would not have accepted the policy had you told it about a material fact or circumstance the insurer may treat your policy as if it had not existed and refuse to pay any claims. In other cases, the insurer may only pay part of the value of your claim or impose additional terms.

For these reasons, it is important that you check all of the facts, statements and information set out in the documentation provided by us are complete and accurate, and that you answer any questions completely and accurately. If there is more than one person involved in your business or employed by you, you should check with them, where appropriate, that the facts and statements that you make are complete and accurate.

For example, you should disclose any addition, disposal or change that may affect:

- Business activities or processes
- Contractual liabilities &/or Hold harmless agreements

In addition, you should inform us if there are or you have been:

- Any incidents that would normally be covered by insurance whether claimed for or not
- Any criminal convictions
- Any history of you or anyone else connected with owning or running the business ever being declared bankrupt or insolvent
- Prosecuted or served with a notice of intended prosecution, or a prohibition notice in connection with a breach or alleged breach of any health and safety legislation
- Any incidents of the company or director having been refused insurance cover or had a policy cancelled
- A change to the business / management structure
- Connections with a country that is subject to sanctions

The list is not exhaustive, if you are in doubt as to whether a circumstance is material, please contact us on +44 (0) 333 222 4257.



YOUR FAILURE TO DISCLOSE

You must make a fair presentation of the risk to us when you take out, renew or amend your policy. A fair presentation requires you to tell us about all facts and circumstances which may be material to the insurance, in a clear and accessible manner.

If you do not notify us of the facts and circumstances described above, including those which may arise during the period of your insurance cover, we will treat this as confirmation from you that you have no information to supply in relation to that fact or circumstance. If you do not understand any point please ask for further information.

For these reasons, it is important that you check all of the facts, statements and information set out in the documentation provided by us are complete and accurate, and that you answer any questions completely and accurately. If there is more than one person involved in your business or employed by you, you should check with them, where appropriate, that the facts and statements that you make are complete and accurate.

Examples of people who should be included within the enquiries are (where applicable):

- Senior management within your business (which includes anyone who plays a significant role in making decisions about how your activities are to be managed or organised).
- A person for whom cover is provided by the contract of insurance.
- Anyone who is responsible for the procurement of your insurance.

You should also note that should a new person become responsible for insurance matters within your organisation, you must immediately inform us to ensure that the new person has the requisite understanding of what constitutes a fair presentation.



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