

Surety Enquiry Form



Important notice

For the Proposer:

1. Before the insurance contract is entered into, if your policy is subject to the laws of England, Wales, Scotland or Northern Ireland, you must make a fair presentation of the risk to the insurer, in accordance with Section 3 of the Insurance Act 2015. The scope of this duty is set out in Schedule B of our standard client TOBA – please ask us for a copy of the TOBA and to explain what is expected, if required.

Your duty of disclosure will be different if your policy is subject to a law other than that of England, Wales, Scotland or Northern Ireland. However, all material facts which are relevant to the risk we are placing for you should be disclosed to insurers.

You should take care to complete claims and proposal forms or questionnaires required by insurers fully and accurately. If you become aware that you have omitted material information, or that material information that you have supplied before your insurance policy is finalised is incorrect or has been omitted, you should tell us immediately.

If you fail to comply with the applicable duty of disclosure it could result in the denial of your claim or avoidance of your insurance policy. You may wish to seek appropriate legal advice about the specific disclosure requirements of the applicable law of your insurance policy.

In summary, the proposer must:

- a. disclose to the insurer every material circumstance which the proposer knows or ought to know. Failing that, the proposer must give the insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances. A matter is material if it would influence the judgement of a prudent insurer as to whether to accept the risk and, if so on what terms (including premium);
 - b. make the disclosure in clause 1.a) above in a reasonably clear and accessible manner; and
 - c. ensure that every material representation as to a matter of fact is substantially correct, and that every material representation as to a matter of expectation or belief is made in good faith.
2. For the purposes of clause 1.a) above, the proposer is expected to know the following:
 - a. If the proposer is an individual, what is known to the individual and anybody who is responsible for arranging his or her insurance.
 - b. If the proposer is not an individual, what is known to anybody who is part of the proposer's senior management; or anybody who is responsible for arranging the proposer's insurance.
 - c. Whether the proposer is an individual or otherwise, what should reasonably have been revealed by a reasonable search of information available to the proposer. The proposer cannot ignore or deliberately withhold information (this may amount to a breach of the duty of fair presentation even if the insurer had sufficient information to ask questions and did not do so). The information may be held within the proposer's organisation, or by any third party (including but not limited to subsidiaries, affiliates, the broker, or any other person who will be covered under the insurance). If the proposer is insuring subsidiaries, affiliates or other parties, the insurer expects that the proposer will have included them in its enquiries, and that the proposer will inform the insurer if it has not done so. The reasonable search may be conducted by making enquiries or by any other means.

If the proposer becomes aware that information provided prior to confirmation of insurance cover was incorrect or incomplete the proposer should tell us immediately

If in doubt, please contact Miller.

How to complete this form

1. Save the blank PDF form on your hard drive
2. Complete all fields within the form
3. You can save the form on your local drive and return to complete it at any stage
4. Make sure that you include all relevant supporting documentation within your submission to avoid processing delays
5. After completing the form, attach it and all supporting documentation in an email to your designated Surety contact at Miller.

By hand

1. Open the PDF
2. Print the PDF
3. Complete the printed form
4. Make sure that you include all relevant supporting documentation within your submission to avoid processing delays
5. Post to:
Surety
Miller Insurance Services
70 Mark Lane
London
EC3R 7NQ
United Kingdom

Data protection

Processing of personal data

If you provide us with any information which constitutes “personal data” (including any “sensitive personal data”), both you and we will treat such information at all times in accordance with “Data Privacy Laws” (including the General Data Protection Regulation 2016/679).

Miller companies may hold and process such information: (i) in order to provide our services to you; (ii) to facilitate the effective management, development or operation of the Miller companies; and (iii) in any country – including countries outside the European Economic Area, which may not have comparable data protection laws. Please review our full privacy notice at www.miller-insurance.com.

Identity verification

In order to ensure compliance with rules imposed on us by relevant UK regulators, we may run fraud prevention checks against the name of your firm, or all or any of the individual partners or members in your firm. We may use this information in order to comply with our regulatory, legal or good governance obligations. We will make checks such as verifying your identity in order to prevent and detect crime, fraud and money laundering. We may disclose your personal data to other companies in the Miller group of companies for the purposes described above. You agree to bring the above notice to the attention of each of your partners or members before completing and submitting this proposal form. Each individual has the right to apply for a copy of their information (for which we may charge a fee) and to have any agreed inaccuracies corrected.

- By ticking here, you agree to the processing of your personal data, including, where relevant, special category/sensitive data, in the manner stated above in the paragraph entitled ‘Processing of personal data’.
- Please tick this box if you would like to subscribe to receive the latest news and insight from Miller Insurance Services LLP and its associated companies. Your information will not be past to any third parties and you may unsubscribe at any time.

Surety Enquiry Form



Type of Bond:

Standard ABI Amended If amended please provide copy of Wording

Territory

Type of Bond:

Performance Section 104 Section 278 Section 38 Section 98
 Advanced Payment Pension Other

Bond Amount

£ € \$

Applicant Details:

Principal

Company number

Address

Requested by

Phone

Beneficiary Entity Requiring Bond:

Beneficiary

Address

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Contract Description:

Contract Details:

Estimated Contract Value £ € \$

VAT: Included Excluded

Are you: Main Contractor Managing Contractor Nominated Sub Contractor
 Works Contractor Domestic Sub Contractor Supplier

Maintenance Period

Liquidated Damages

Contract Start Date

Contract Completion Date

Bond Expiry

Form of Contract

Sub contract/Works Contract:

(only complete this section if bond relates to Sub Contract/Works Contract)

Commencement Date

Completion Date

Contract Period

Maintenance Period

Notes:

Delivery Instructions

Miller Use Only:

Taken By

Approval

Date

Date

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Declaration

I/we declare that I/we have made a fair presentation of the risk, by disclosing all material matters which I/we know or ought to know or, failing that, by giving the Insurer sufficient information to put a prudent insurer on notice that it needs to make further enquiries in order to reveal material circumstances.

Signed:

Print name:

Position:

Dated (dd/mm/yyyy)

A copy of this proposal form should be retained for your own records.

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