**Please email:** itim@thomasmiller.com

**Please note that this document is produced by International Transport Intermediaries Club Ltd (“ITIC”). All ITIC business in Australia and the USA is underwritten by the TT Club Mutual Insurance Limited (“TT Club”) and reinsured to ITIC.**

|  |  |
| --- | --- |
| 1. Company Name |  |
| 1. Address |  |
| 1. Email |  |
| 1. Website |  |
| 1. Telephone |  |
| 1. Name and e-mail address of the person at your company to whom correspondence should be addressed |  |
| 1. Insurance broker to whom quotation should be sent |  |
| 1. Company |  |
| 1. Name |  |
| 1. Email |  |

*The insurance cover offered by ITIC to yacht managers is based on the premise that the manager carries out his functions under the management contract “as agent for” his owner as a principal. Furthermore, the cover provided by ITIC is on terms no more onerous than the BIMCO “Shipman 98” or BIMCO “Shipman 2009” which is now the standard management contract for any kind of vessels (including yachts above 24m l.o.a.) world-wide.*

*The term “yacht management” covers a wide range of activities ranging from consultancy to the performing of all the functions of an owner. However, unless specifically declared and agreed by ITIC, only those activities performed under a specific management contract will be insured. We have listed below the majority of activities undertaken by yacht managers and would ask you to indicate which activities are undertaken by you.*

**Please provide us with a copy of your standard yacht management contract.   
*(See Section 6)***

**SECTION 1 – General information**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 1. Date established | | | /     / | | | |
| 1. Name and address of any subsidiary, affiliated, associated companies or branch offices you wish  to cover | | | | | |
| Name and Address | | | | Main Activity | |
|  | |  | | | |
|  | |  | | | |
|  | |  | | | |
|  | |  | | | |
| 1. Number of Directors/Partners |  | Total number of staff | | |  |
| 1. Names, positions, professional qualifications and number of years’ experience of Directors/Partners and Senior Managers. | | | | | |
| Names | Positions | Professional qualifications | | | Number of years experience |
|  |  |  | | |  |
|  |  |  | | |  |
|  |  |  | | |  |
|  |  |  | | |  |

**SECTION 2 – Fleet information**

1. On the following pages, please list the yachts under your management, with details of their age, flag, type and tonnage as well as the names of their owners and beneficial owners.

Please also specify the nationality of the crew and who has supplied them.

Please also indicate if any of these yachts are managed on behalf of banks, leasing companies, finance houses, investors (equity schemes of K/S partnerships). If any of the listed yachts are managed in this way, please give details on a separate sheet.

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | Yacht name | Type | L.O.A (meters) | GRT | Year built | Class | Flag | Crew nationality | Crew supplier | Registered owner | Actual owner |
| 1 |  |  |  |  |  |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |  |  |  |  |  |
| 5 |  |  |  |  |  |  |  |  |  |  |  |
| 6 |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |
| --- | --- | --- |
| 1. Do you have any financial interest in the yachts under your management? | Yes | No |
| 1. Do the owners of any of the yachts you manage have any financial interest in your company? | Yes | No |

**SECTION 3 – Yacht management activities***Please indicate which of the following activities you undertake for the yacht you manage:*

|  |  |  |
| --- | --- | --- |
| 1. Technical | | |
| 1. Vessel superintendence | Yes | No |
| 1. Property maintenance | Yes | No |
| 1. Appointing surveyors | Yes | No |
| 1. Obtaining class & flag approvals | Yes | No |
| 1. Arranging spares, stores & victualling | Yes | No |
| 1. Arranging repairs/dry dock | Yes | No |
| 1. Crewing | | |
| 1. Arranging for the employment of crew as agent for   the owner | Yes | No |
| 1. Arranging crew travel | Yes | No |
| 1. Arranging crew national insurance requirements | Yes | No |
| 1. Ensuring ITF acceptability of crew | Yes | No |
| 1. Negotiating with unions | Yes | No |
| 1. Supplying crews employed in your own name | Yes | No |
| *(If “Yes”* to "2. VI”*, please complete the separate additional form for crew managers),*  *(In either case you will not be insured for claims by crew members or their dependants and relatives under crew employment contracts)* | | |
| 1. Operations | | |
| 1. Issuing instructions to captain | Yes | No |
| 1. Appointing and funding of yachts agents | Yes | No |
| 1. Liaising with charterers | Yes | No |
| 1. Arranging bunker stems | Yes | No |
| *(Do you re-invoice the owners for goods and services supplied, e.g. bunkers? Re-invoicing usually results in you becoming the principal and therefore directly responsible for e.g. the quality of bunkers supplied. You will not be insured if you contract as a principal).* | | |
| 1. Commercial management | | |
| 1. Arranging charter contracts | Yes | No |
| 1. Arranging sale of yachts | Yes | No |
| 1. Accounting | | |
| 1. Yachts husbandry accounting | Yes | No |
| 1. Voyage accounting | Yes | No |
| 1. Collection of hire | Yes | No |
| 1. Arranging payment of bareboat or time charter hire | Yes | No |
| 1. Insurance | | |
| 1. Do you place the yachts’ insurances? | Yes | No |
| 1. Hull | Yes | No |
| 1. P&I | Yes | No |
| 1. War | Yes | No |
| 1. Loss of hire | Yes | No |
| 1. Other *(please specify)* |  | |
| 1. Do you sub-contract the placing of the yachts’ insurances? | Yes | No |
| 1. Are you co-insured on the owners’ insurance policies? | Yes | No |
| *(It will be a condition of your insurance with ITIC that you are named as co-assured on the owners’ P&I and hull insurance policies)* | | |
| 1. If not co-insured, do underwriters waive their rights of recourse against you? | Yes | No |
| 1. Do you handle insurance claims against e.g. suppliers? | Yes | No |
| 1. Are the yachts which you manage insured by a P&I Club member of the International Group? | Yes | No |
| 1. If not where is their P&I insurance placed? |  | |
| 1. Are the yachts under your management all classed by a classification society that is a Member of the IACS? | Yes | No |

**SECTION 4 – Gross annual income***For the purposes of underwriting all we require is a declaration of the gross annual income that you earn as a yacht manager. Please indicate currency e.g., US$*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Last financial year | | |  | |
| 1. Estimate for this financial year | | |  | |
| 1. Estimate for next financial year | | |  | |
| 1. Of which estimated income from your country of domicile | | |  | |
| Income earned by offices in other Australian States or Territories. Please advise the percentage of income earned by any office or company if it is based in another State or Territory (for example NSW = 20%) | | |
| NSW | % | VIC | | % |
| SA | % | WA | | % |
| QLD | % | ACT | | % |
| NT | % | TAS | | % |

**SECTION 5 – Sub-contracting**

|  |  |  |
| --- | --- | --- |
| 1. Do you sub-contract any of the activities which you undertake to companies that will not be shown as co-assured? | Yes | No |
| 1. If “Yes”, do you maintain your rights of recourse for their errors and omissions? | Yes | No |
| 1. Do you require these companies to have insurance for their errors and omissions? | Yes | No |
| 1. Do you undertake any other activities for the yacht, which you manage?  *If “Yes”, please specify* | Yes | No |
|  | | |
| 1. Are you a member of MYBA? | Yes | No |

**SECTION 6 – Yacht management contract**

|  |  |  |
| --- | --- | --- |
| 1. Do you contract on either BIMCO Shipman ’98 or 2009? | Yes | No |
| 1. Do you agree to US law or arbitration as the governing law of the contract in any ship management agreement? | Yes | No |
| *If “Yes”, please advise the number of vessels where you agree to US law or arbitration:* |  | |
| 1. If the answer to question 6 b. was “No”, please advise what governing law and jurisdiction has been agreed under the ship management contract *(please tick as appropriate):* |  |  |
| English  German  Norwegian  French  Other | *(please specify)* | |
|  | | |
| **THE FOLLOWING ACTIVITIES WILL NOT BE REGARDED AS BEING THE NORMAL BUSINESS OF A YACHT MANAGER:**   * Consultancy, commercial evaluation and planning services * New building supervision and administration   **ACTIVITIES WILL ONLY BE INSURED IF SPECIFICALLY AGREED** | | |

**SECTION 7 – Claims history**

|  |  |  |
| --- | --- | --- |
| 1. Have any claims been made against you, or have there been any circumstances likely to give rise to a claim being made against you, in the last 5 years?   *If “Yes” please give details:* | Yes | No |
|  | | |
| 1. Has any insurer |  |  |
| 1. Declined to insure you | Yes | No |
| 1. Cancelled your insurance | Yes | No |
| 1. Refused to renew your insurance | Yes | No |
| 1. Imposed penalties or special terms? *If “Yes” please give details:* | Yes | No |
|  | | |
| 1. Are you currently insured against the risks covered by ITIC? *If “Yes, with whom?* | Yes | No |
|  | | |

**SECTION 8 – Additional insurances available from ITIC**

Would you like details about any of the following?

|  |  |  |
| --- | --- | --- |
| 1. Cash in transit insurance | Yes | No |
| 1. Cash on board insurance | Yes | No |
| 1. Directors’ and officers’ liability insurance (not available in the US) | Yes | No |

**DECLARATION**

I/We declare that to the best of my/our knowledge and belief, the information given above is true and provides a fair presentation of the risk I/we are asking ITIC to insure. I/We have not suppressed or misstated any material facts. (A material fact is one likely to influence an underwriter’s assessment or which would alert an underwriter to the need to make further enquiries).

Any insurance offered will be subject to the Rules of ITIC which are available at www.ITIC-insure.com or on request. Your attention is drawn to Rule 1.1 which lists those sections of the Insurance Act 2015 which are excluded from your cover.

ITIM and Thomas Miller & Co Ltd (as the parent company of the managers) process all personal data in accordance with prevailing UK data protection legislation. If you would like to know more about our data privacy policy, please follow this link: <https://www.thomasmiller.com/cookie-privacy-policy/>

|  |  |
| --- | --- |
| **Signed:** | **Position in company:** |
|  |  |
| **Date:** |  |
|  |

*This proposal form must be completed and signed by a person who is authorised to bind the proposer.*

**Please e-mail this completed form to:** itim@thomasmiller.com

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