

## Statement of Fact for Directors & Officers Insurance

---

### IMPORTANT INFORMATION – please read carefully

The following information is in relation to the Directors' and Officers' Insurance you have asked us to quote.

You are required to make a fair presentation of the risk which discloses every material circumstance which you know or ought to know relating to the risk to be insured. A circumstance is material if it would influence the judgement of an insurer in determining whether to provide insurance for the risk and, if so, on what terms.

**What you know:** You will be expected to know any information which is known by individuals who are: (a) part of your senior management (i.e., individuals who play a significant role in the making of decisions about how your activities are to be managed or organised); (b) responsible for arranging your insurance (i.e. individuals who participate on your behalf in the process of procuring your insurance in any capacity).

**When you ought to know:** In addition, you are expected to know any information that should reasonably have been revealed by a reasonable search of information available to you.

**Clear and Accessible disclosure:** The disclosure you give must be made in a manner which would be reasonably clear and accessible to an insurer.

Every material representation of a matter of fact which you make must be substantially correct and every material representation of expectation/belief must be made in good faith.

Failure to comply with the duty of fair presentation could mean that the policy is void or that Insurers are not liable to pay all or part of your claim(s).

If you are in any doubt as to what may constitute a fair presentation, please feel free to contact us and we will assist you.

### **Please let us know immediately if you cannot agree to any of the following statements to the best of your knowledge and belief:**

- You are solely a Residents Association / Residents Management Company / Right to Manage Company / Freeholder as named above as the insured
- No Insurer has declined any proposal, refused renewal, terminated cover, required increased premiums, or imposed special conditions
- You, any member of your family directly connected with the property, or any business partner or director have never been made bankrupt, gone into liquidation, or received County Court Judgements
- No claim has been made or legal action brought against the Company or any past or present director or officer of the Residents Association/Management Company
- No past or present director or officer is aware, after enquiry, of any circumstance or incident which may give rise to a claim

- You, any member of your family directly connected with the Property, or any business partner or Director have never been convicted of, or charged but not yet tried with a criminal offence (other than motoring offences)
- There are no material circumstances of which the insurer should be made aware *Note: A circumstance is material if it would influence the judgement of an insurer in determining whether to provide insurance for the risk and if so, on what terms*
- The Company (or any of its subsidiaries) does not have any operations, offices, employees, branches, joint ventures or any other direct exposure to Russia, Ukraine, Belarus, Crimea, Luhansk or Donetsk.
- The Company (or any of its subsidiaries) does not derive any revenue, have business contracts, export goods or services, have assets or investments, or source any supplies from Russia, Belarus, Ukraine, Crimea, Luhansk or Donetsk.

**In addition, you agree:**

- All parties that form part of the insured entity have never had any disputes with the freeholder.
- You have been trading for a minimum of 12 months, are incorporated, and registered at Companies House, your accounts are filed in proper time without any auditor's qualification and/or that your annual report shows no deficit in either of the last 2 years
- No Director or Officer (past or present) has been made bankrupt, insolvent or been disqualified from being a director or has been involved in any company that went into receivership, administration, or liquidation.

**Details of your loss and claims history**

We are required to advise the Insurer if you have ever had any losses in the last 3 years. These must be advised whether they were insured or not.

**PLEASE CONTACT US IMMEDIATELY IF THERE ARE ANY CHANGES TO THE INFORMATION IN THIS STATEMENT OF FACT, IF YOU CAN NOT AGREE TO ANY OF THE STATEMENTS, OR IF THERE IS ANY OTHER INFORMATION YOU FEEL COULD BE RELEVANT**

Knight Square Insurance Brokers Limited  
Queensway House, 11 Queensway, New Milton, Hampshire, BH25 5NR  
**T** 0333 005 0132  
**E** [info@knightsquareinsurance.co.uk](mailto:info@knightsquareinsurance.co.uk)  
**W** [www.knightsquareinsurance.co.uk](http://www.knightsquareinsurance.co.uk)