

PRODUCTS LIABILITY QUESTIONNAIRE



FRONTLINE™
UNDERWRITING MANAGERS (PTY) LTD

Company Reg. No: 2008/005015/07 Vat Reg. No: 4350242386
Compliance Officer: Moonstone Compliance
Authorised Financial Service Provider – FSP No. 40752

Old Mutual Insure Limited,
Registration Number 1970/006619/06.
A licensed FSP and non-life insurer. (FSP12)

QUESTIONNAIRE (Please tick the relevant boxes)					
1.	GENERAL				
1.1	Insured (list of subsidiaries included as well).				
1.2	Situation of business premises.				
1.3	Description of business i.e. whether you manufacture, service, repair or distribute the products and year established.				
1.4	DESCRIPTION AND ANNUAL TURNOVER OF ALL PRODUCTS				
	Please list your MAIN products and include a miscellaneous item for the balance. DO NOT INCLUDE EXPORTS TO USA AND CANADA AS THESE ARE NOT INSURED BY THE POLICY)				
1.4.1 Products manufactured by you:					
Products and intended use	ANNUAL TURNOVER - Local / International				
	Local Use	Europe	Australia	Other	TOTAL
					R
					R
					R
					R
					R
Miscellaneous					R
Total	R	R	R	R	R
1.4.2 Products supplied by you:					
Products and intended use	ANNUAL TURNOVER - Local / International				
	Local Use	Europe	Australia	Other	TOTAL
					R
					R
					R
					R
					R
Miscellaneous					R
Total	R	R	R	R	R

1.4.3 Products serviced or repaired by you:					
Products and intended use	ANNUAL TURNOVER - Local / International				
	Local Use	Europe	Australia	Other	TOTAL
					R
					R
					R
					R
					R
Miscellaneous					R
Total	R	R	R	R	R

1.5 Special Industries			
Are any of your products used in the following industries? If so, indicate which product and Annual Turnover:			Annual Turnover
1.5.1. Aviation	YES	NO	R
1.5.2. Aerospace	YES	NO	R
1.5.3 Nuclear energy	YES	NO	R
1.5.4 Shipping	YES	NO	R

2. COMPLAINTS / CLAIMS HISTORY		
Describe the complaints you have received about your products or the claims that have been made against you for injury or damage allegedly caused by your products in the past 5 years.		
2.1	Please provide information on Date / Product / Description of damages / Amount paid or outstanding:	
2.2	What steps have you taken to prevent a recurrence of the above incidents?	
3. QUALITY CONTROL		
Please explain in terms of the specifics below the steps taken by you to prevent the supply of defective products or the supply of products with incorrect labels or inadequate warnings on them?		
3.1	Defective Products	
3.1.1	Do all your products carry the SABS mark?	
	YES	NO
If not, please give reasons on a separate sheet		
3.1.2	Please detail on a separate sheet the quality control system in use to prevent the inclusion into your products of defective ingredients/components received from suppliers. Detail required per item/batch.	
3.1.3	Please detail on a separate sheet the quality control system in force per item/batch to prevent the supply of defective products to your customers.	
3.1.4	Who audits the control systems to ensure that they are maintained at all times?	

3.2	Incorrect Labels		
3.2.1	What precautions are taken to prevent incorrect labelling?		
3.3	Inadequate Warnings / Instructions on Labels		
3.3.1	Do the labels on your products carry adequate warnings about the possible dangers of the products or their incorrect use?	YES	NO
3.3.2	Do the labels/instructions contained in or on the product carry clear instructions as to the manner in which they should be used?	YES	NO
3.3.3	Are the warnings/instructions/labels referred for legal opinion before being used?	YES	NO
3.3.4	Who proof reads the labels after printing?		
4.	HARMFUL PRODUCTS/INGREDIENTS		
	Do your products contain any components or ingredients that could be harmful to anyone by using them?	YES	NO
	If so, please detail on a separate sheet:		
4.1	The harmful ingredient / component and its possible harmful effects.		
4.2	The steps taken to eliminate or reduce the possibility of such harm.		
5.	DESIGN OF THE PRODUCT		
5.1	State extent to which goods are manufactured to your own design formula or specification together with full details		
5.2	Do you have a separate design section or laboratory?	YES	NO
5.3	Detail age, experience and qualifications of each employee concerned with design, formula or specification of goods.		
5.4	Detail steps in design or formula process e.g. drawing board model, prototype.		
5.5	Detail extent and manner of tests and checks on new product before production.		

5.6	To what extent do you introduce new products? Please detail.		
5.7	Give the period during which existing products have been in production and on sale.		
5.8	To what extent do you manufacture to customer's design, formula or specification?		
5.9	What checks and tests are made by customer before production run actually commenced?		
5.10	To what extent are goods designed by third parties on your behalf? Detail standing and experience of third parties and details of conditions of agreement under which design work is undertaken.		
5.11	State extent to which you design "once-off" jobs as opposed to general production runs.		
5.12	Is design, formula or specification risk confined to improvements and modifications of existing range of goods?	YES	NO
6.	TERMS OF PURCHASE / SALE		
6.1	When you purchase your products for resale or the components / ingredients used in your products, do you retain full rights of recourse against the seller?	YES	NO
If so, please provide details:			
6.2	Do you disclaim liability for any injury or damage caused by your products?	YES	NO
If so, please provide details:			

6.3	Have you in the past had any claim made against you which was not paid by you or your insurers because of the disclaimer included in your terms of sale?	YES	NO
In terms of the E.C. Directive it should be noted that your disclaimer will no longer be enforceable for goods exported to these countries.			
7.	ACTION ON DISCOVERY OF A DEFECT IN PRODUCTS SUPPLIED / RECORDS OF PRODUCTS SUPPLIED		
7.1	If it is necessary to recall products, can you identify to whom they were sold?	YES	NO
7.2	Give details of your product recall contingency programme.		
7.3	Has your programme been approved by attorneys and will future amendments also be vetted by them?	YES	NO
7.4	Do you keep adequate records for up to 10 years to clearly identify by batch number, serial number, date stamp or similar, the date the actual product was put into circulation?	YES	NO
N.B. These records (as mentioned in 7.4) are required as a defence against any claim brought against you in terms of the E.C. / E.F.T.A Directives issued in Europe and it is a policy condition that you maintain such a record. It is not required to keep the record for raw materials.			

8.	INDEMNITY LIMIT		
	What indemnity limit is required for any one 12-month period of insurance for your products?	R	

DECLARATION

PLEASE READ THE FOLLOWING DECLARATION VERY CAREFULLY AND READ AGAIN THE QUESTIONS AND ANSWERS, ESPECIALLY IF NOT COMPLETED IN YOUR OWN HAND, BEFORE SIGNING THE FORM

I/We declare that the statement and particulars in this form are true to the best of my/our knowledge and belief and that I/we have not misstated, suppressed or omitted any material facts. I/We agree that this form together with any other information supplied by me/us from the basis of any contract of insurance effected thereon and shall be incorporated therein. I/We undertake to inform the company of any material alteration of these facts whether occurring before or after completion of the contract of insurance.

FOR AND ON BEHALF OF: _____

SIGNATURE

DATE

DESIGNATION:

NAME IN PRINT:

IMPORTANT NOTE:

**In terms of the Policy holder Protection Legislation it is an offence for anybody other than the Proposer to sign this proposal form.
Please do not sign blank / partly completed forms.
Failure to disclose material facts could result in your policy being invalidated.
If you are in doubt whether a fact is material or not, declare it.
Frontline Underwriting Managers (Pty) Ltd reserves the right to decline any proposal.**

PRIVACY NOTICE – PROTECTION OF PERSONAL INFORMATION ACT (“POPIA”)

We understand that your personal information is important to you and that you may be apprehensive about disclosing it. Your privacy is just as important to us and we are committed to safeguarding and processing your information in a lawful manner.

We may use your information or obtain information about you for the following purposes:

- Underwriting
- Assessment and processing of claims
- Credit searches and/or verification of personal information
- Claims checks (ASISA Life & Claims Register)
- Tracing beneficiaries
- Fraud prevention and detection
- Market research and statistical analysis
- Audit & record keeping purposes
- Compliance with legal & regulatory requirements
- Verifying your identity
- Sharing information with service providers we engage to process such information on our behalf or who render services to us. These service providers may be abroad, but we will not share your information with them unless we are satisfied that they have adequate security measures in place to protect your personal information.

YOUR rights

You may access your personal information that we hold and may also request us to correct any errors or to delete this information. In certain cases you have the right to object to the processing of your personal information. You also have the right to complain to the Information Regulator.

To view our full privacy notice with contact details for the Information Regulator, please visit our website on:

<https://frontlineinsurance.co.za/popi/>