



Run-Off / Overlooked Beneficiary Insurance Proposal Form

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

Please ensure that all questions are answered fully and correctly. Once completed please return this form to AXIS Insurance/E&O Professionals with:

- A copy of the latest scheme report and accounts
- A copy of the latest actuarial valuation
- A copy of the Scheme Trust Deed and Rules
- Copies of advertisements placed for missing/overlooked beneficiaries

GMP EQUALISATION RISK MANAGEMENT ADVICE

Amongst the things you should consider when answering questions 18 b, c and d, are as follows:

On 7 January 2000, the Pensions Ombudsman determined in the case of Williamson v Sedgwick Group Pension Scheme Trustee Limited (The Trustee) that Guaranteed Minimum Pensions (GMPs) in respect of service after 17 May 1990 (date of the Barber ruling) and 5 April 1997 (when GMPs ceased to accrue) should be equalised between men and women.

Following this determination we believe the following “risk management” issues should be considered in relation to GMP Equalisation.

- (i) Trustees must approach the employer(s) for required further funding if possible, particularly where the scheme has a full indemnity clause in its rules;
- (ii) Where schemes began winding up before 6 April 1997 contracted out benefits should be bought back into the State system;
- (iii) Trustees must liaise with the DSS for equalised GMP figures;
- (iv) Trustees must mitigate the costs of equalisation including offsets between ‘winners’ and ‘losers’ in the equalisation process;
- (v) Trustees must take professional advice and all other reasonable steps to comply with equalisation requirements.

N.B. The above are not exclusive issues when considering questions 18 b, c and d.



Run-Off / Overlooked Beneficiary Insurance Proposal Form

AXIS Specialty London
 4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
 Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

1. Name of the Trust:

2. Date established:

3. Address of Trust's main office

4. Name and Address of the Sponsoring Employer:

Is the sponsoring employer still trading? (please circle relevant answer)

Yes	No
-----	----

If 'No' please give details:

5 Name of each Trustee

Date Appointed

1.....
2.....
3.....
4.....
5.....
6.....

a) Trustees who are Corporate Bodies:

Do you generally act as a Corporate Trustee? (Please circle relevant answer)

Trustee 1	Yes	No
Trustee 2	Yes	No
Trustee 3	Yes	No
Trustee 4	Yes	No
Trustee 5	Yes	No
Trustee 6	Yes	No

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

Do you act for pension schemes other than those of the Sponsoring Employer?
(Please circle relevant answer)

Trustee 1	Yes	No
Trustee 2	Yes	No
Trustee 3	Yes	No
Trustee 4	Yes	No
Trustee 5	Yes	No
Trustee 6	Yes	No

b) Trustees who are Natural Persons, i.e. not Corporate Bodies:

Are you remunerated for acting as a Trustee? (Please circle relevant answer)

Trustee 1	Yes	No
Trustee 2	Yes	No
Trustee 3	Yes	No
Trustee 4	Yes	No
Trustee 5	Yes	No
Trustee 6	Yes	No

Are you a director or officer of the Sponsoring Employer? (Please circle relevant answer)

Trustee 1	Yes	No
Trustee 2	Yes	No
Trustee 3	Yes	No
Trustee 4	Yes	No
Trustee 5	Yes	No
Trustee 6	Yes	No

6. Has any person serving as a Trustee been convicted of a breach of any criminal law?
(please circle relevant answer)

Yes	No
------------	-----------

7. In the past 5 years has the name of the Trust been changed? (please circle relevant answer)

Yes	No
------------	-----------

8. In the past 5 years has the Trust amalgamated with any other Trust? (please circle relevant answer)

Yes	No
------------	-----------

9. What is the current fund value?

10. When was the last valuation carried out?

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

11. What was the value of the fund at the date the scheme closed to new members/commenced wind-up?

12. Does the scheme carry a surplus? (please circle relevant answer)

Yes	No
------------	-----------

If 'Yes' what is the estimated amount?

£ _____

13. Does the scheme carry a deficit? (please circle relevant answer)

Yes	No
------------	-----------

If 'Yes' what is the estimated amount?

£ _____

If 'Yes' please state the intended method of addressing this:

14. Have all payments been paid across from the sponsoring employer on time, and in accordance with actuarial advice? (please circle relevant answer)

Yes	No
------------	-----------

15. To what percentage is the scheme funded on an ongoing basis?

_____ %

16. Are any of the assets of the Trust invested in/or loaned to the Sponsoring Employer and/or its subsidiaries and/or associated companies? (please circle relevant answer)

Yes	No
------------	-----------

If 'Yes' then what proportion?

17. Does the Trust Deed provide an indemnity to the Trustees? (please circle relevant answer)

Yes	No
------------	-----------

18. Are any of the assets of the Trust used as collateral in any way by Trustees, Sponsoring Employer, Participating Employer and/or their subsidiaries and/or associated companies?

Yes	No
------------	-----------

If 'Yes', then what proportion?

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

19. Are the retirement ages and benefits provided by the scheme equal for men and women?
(please circle relevant answer)

Yes	No
------------	-----------

- a) What percentage of members are contracted out of State Earnings Related Pension Scheme (SERPS)?

_____ %

- b) AFTER ENQUIRY are you aware of any circumstance(s) which could give rise to a complaint from a member in respect of Guaranteed Minimum Pension (GMP) equalisation?

- c) What consideration has been given to GMP equalisation in the light of the Ombudsman determination in the case of Sedgwick v Williamson?

- d) Have you read the GMP Equalisation Risk Management Advice on the front page of this form?
(please circle relevant answer)

Yes	No
------------	-----------

20. What Type of pension scheme is provided? (please circle relevant answer)

Tax Approved	Yes	No
Unapproved	Yes	No
Final Salary	Yes	No
Contracted out	Yes	No
Self administered	Yes	No
Money purchase	Yes	No
Invested in insurance policies	Yes	No

21. Please provide the name(s) of, and give the year of appointment of:

	Name	Year
Pension consultant(s)		
Actuaries		
Legal Adviser(s)		
Investment manager(s)		
Administrator(s)		
Custodian(s)		
Banker(s)		



Run-Off / Overlooked Beneficiary Insurance Proposal Form

AXIS Specialty London
 4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
 Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

21. Are any of those specified above connected with the Employer Company/Companies or the Trustee(s) other than by a normal professional/client relationship? (please circle relevant answer)

Yes	No
------------	-----------

If 'Yes', please give details:

22. Who typically has day-to-day custody and control over the assets of the fund?

23.

Number of active members at date scheme commenced wind-up?	
Number of deferred pensioners at date scheme commenced wind-up?	
Number of pensions in payment at date scheme commenced wind-up?	
What is the normal retirement age for men?	
What is the normal retirement age for women?	

24. What are the reasons for winding up the scheme?

a) How is the fund and any surplus to be distributed, including the amount to be returned to the employer company/liquidator, and how are benefits to be enhanced?

b) Please confirm the expected date of the final disbursement of the fund.



**Run-Off / Overlooked Beneficiary Insurance
Proposal Form**

AXIS Specialty London
 4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
 Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

25. Please advise: (Based on figures prior to closure of the scheme)

The average size of the pension for:

Pensions in payment?	
Deferred pensions?	

The smallest pension:

In payment?	
Deferred?	

The highest pension:

In payment?	
Deferred?	

26. Please advise the basis of how member's benefits are to be bought out together with the name(s) of the life assurance office(s).

27. Where is, or were, the company's business locations and how many are/were there in the UK?

a) Was the pension fund handling centralised and if so, from where?
If not centralised, please supply details of the systems of notification to members.

28. Please supply details of who holds the records and also what records the Trustees still retain themselves.

a) Are the records complete? (please circle relevant answer)

Yes	No
------------	-----------

b) What action was/will be taken and by whom to check employment records against pension records? *If searches have already been undertaken, please advise the results thereof.*



**Run-Off / Overlooked Beneficiary Insurance
Proposal Form**

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

29. If relevant, have the liquidators/receivers retained records and are these complete?

If not, please give details

30. Have you experienced any Year 2000 non-Compliance with your own System? (please circle relevant answer)

Yes	No
------------	-----------

If 'yes', please give details:

b) Has any of the schemes external service providers, or any other third parties upon whom you are reliant experienced any Year 2000 non-Compliance? (please circle relevant answer)

Yes	No
------------	-----------

If 'yes', please give details:

c) AFTER ENQUIRY are you aware of any circumstance(s) in relation to Year 2000 Compliance which may give rise to a claim under your Policy? (please circle relevant answer)

Yes	No
------------	-----------

If 'yes', please give details:

31. Before distribution of assets, insurers require that advertisements be placed in the London Gazette and a local newspaper (i.e. local to each location). A two month waiting period must then be allowed for any response.

a) Details of the date of the advertisement in the London Gazette.
Please attach a copy of the advertisement

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

b) Details of the date of advertisement(s) in the local newspapers.
Please attach a copy of the advertisement(s)

c) Did any genuine claimants come forward who were previously unknown? (please circle relevant answer)

Yes	No
------------	-----------

If 'yes', please give details:

32. Have the proposers any reason to know that there may be persons entitled to pensions who cannot be accounted for? (please circle relevant answer)

Yes	No
------------	-----------

33. On what date did the wind-up formally commence?

b) On what date did the employment of the last member actually cease with the employer company?

34. Have any claims been made against the Trust during the last 5 years? (please circle relevant answer)

Yes	No
------------	-----------

Or against any past or present Trustee? (please circle relevant answer)

Yes	No
------------	-----------

35. Is the Trust or any present Trustee aware, after enquiry, of any circumstance or incident which it/he/she has reason to suppose, might result in any future claim which could fall within the scope of the proposed insurance? (please circle relevant answer)

Yes	No
------------	-----------

36. Amount of indemnity required?

Run-Off £ _____ Overlooked Beneficiary £ _____



**Run-Off / Overlooked Beneficiary Insurance
Proposal Form**

AXIS Specialty London
4th Floor, Plantation Place South, 60 Great Tower Street, London EC3R 5AZ
Telephone: 020 7877 3800 · Fax: 020 7877 3840 · www.axiscapital.com

Important Notice Concerning Disclosure

It is your Duty to disclose all material facts to Underwriters. A material fact is one, which may influence an Underwriter’s judgement in the consideration of your proposal. If your proposal is a renewal, it is likely that any change in facts previously advised to Underwriters will be material and such changes should be highlighted. If you are in any doubt as to whether a fact is material you should disclose it. Failure to disclose could prejudice your rights to recover in the event of a claim or allow Underwriters to void the policy.

Declaration:

I/We the undersigned hereby declare that to the best of our knowledge and belief the Particulars set forth herein are true. We agree that if any of the said Particulars have been written by any other person, such person shall for that purpose be regarded as our agent and not the agent of any Insurer. I/We also agree that, although the signing of this Proposal Form does not bind us to effect Insurance, the said Proposal and Particulars shall be the basis of the Contract should a Certificate be issued and will be incorporated in the said Certificate.

Name of each Trustee	Signature of each Trustee	Date
.....
.....
.....
.....
.....
.....

(N.B. All Trustees Must Sign)

This declaration must be signed and dated no longer than two months before insurance is effected.

Completion of this Proposal Form does not bind AXIS Insurance/E&O Professionals to complete a Contract of Insurance. No Cover is applicable until confirmed by AXIS Insurance/E&O Professionals. A copy of this Proposal Form should be retained by you for your records.

Data Protection

I understand and give explicit consent that the information I provide about myself and other persons named in this proposal, including any sensitive personal data, will be passed to or used by AXIS Insurance/E&O Professionals and its agents for my insurance. This includes underwriting, processing, claims handling and preventing fraud, and could include passing information to re-insurers, other insurers and subcontractors in the UK or any other country (even those which have limited Data Protection laws).