

## What is a Claim or Circumstances

A Claim basically means a demand from, or assertion of a right against an Insured.

A Circumstance means knowledge of any facts which ought to reasonably put you on notice that a Claim could be made against you. A notifiable circumstance is something that creates a reasonable and appreciable possibility that it will give rise to a Claim against you. The following may help you to understand what is deemed to be a notifiable Circumstance. It could include:

- An intimation, express or implied, of an intention to make a Claim against you
- Any criticism or dispute, expressed or implied, relating to your performance or of any party for which you are responsible
- Any awareness by you that any services provided or actions taken by you, or by any party for whom you are responsible, have or could have failed to meet the standard required or have led, or may lead, to a third party loss
- A situation where you are having to investigate your work in order to justify your actions

## Notification of Claims & Circumstances

Please report all Claims / Circumstances to Aon as soon as practicable when you first become aware of them. Aon will then notify Insurers. Timely reporting is important to avoid any potential denial of liability due to late notification.

All Claims / Circumstances have to be notified to your insurer(s) no later than the expiry of the Policy Period or within 15 days following expiry of the Policy Period (if due to reasonable cause, earlier notification was not possible).

Please contact Aon if you are unsure whether a matter needs to be notified or if you have any doubts or queries on how to handle a matter.

## Documentation to be Provided

1. A copy of Claim, Demand, Complaint Letter or Writ that you received
2. Full description of the Claim / Circumstance
3. A statement from you on the likely quantum of any Claim arising from the notification
4. Any other supporting documentation about the Claim / Circumstance, e.g. Chronology of Events including correspondence, notes of meetings / telephone calls between you and the claimant/ the regulator.

## Avoidance of Communication Breakdown

Claims may arise from any part of your business. An efficient and effective reporting system should be established to ensure that Claims and Circumstances are escalated to the legal / insurance department which is charged with the duty of making an insurance notification. This is important in order to ensure you comply with the reporting requirements under your insurance policy.

We would strongly recommend that all Insured Persons are asked at regular intervals to verify whether they are aware of any potential Claims or Circumstances. In any event, they must be asked prior to the expiry of the Policy.

## Update of Claims

The general principle is that Insurers wish to be informed of **all material developments** in the Claim / Circumstance to enable them to evaluate the likely exposures.

**Under no circumstances should you make an admission of liability or settle any Claim or incur any costs or expenses in connection with the Claim without the prior written notice of the Insurer.**

As part of our services to you, we shall continue to update you or hold meetings with you to review the ongoing status of any outstanding Claims and Circumstances.

## Approved lawyers

We advise you to engage the lawyers approved by Insurers and named in the Policy who will be appointed unless you agree in advance with Insurers to engage another firm. The firms of solicitors (contact details overleaf) are:

Clyde & Co  
Kennedys  
Mayer Brown  
Norton Rose Fulbright  
RPC

## Servicing Personnel

This Claims Protocol has been issued for your guidance. If you have any queries, please contact:

Aon Accountants PII Team  
Tel: 2862 4242 / 2862 4243  
Fax: 2243 8845  
Email: [hk.accountantspii@aon.com](mailto:hk.accountantspii@aon.com)



## Aon Claims Protocol

### Contact details of approved lawyers

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