



Incorporated Owners Management Liability Insurance

業主立案法團管理責任保險

在管理大廈日常事務中，業主立案法團及其成員須經常為大廈事務作出決定，而建築物管理條例(第 344 章)自 2007 年 8 月修訂後，政府釐定了更清晰的指引在管理事務上，業主立案法團及其成員須負擔更大的管理責任。由 2011 年 1 月 1 日起，政府會實施建築物管理(第三者風險保險)規例，強制要求業主立案法團及其成員履行其責任購買第三者風險保險方面。

The Incorporated Owners (“IO”) and its management committee members are making day-to-day building management decision. The Building Management Ordinance (Cap. 344) was revised in August 2007. Since then, the government has provided a clearer guidance on the IO’s management role and the IO and its management committee members are facing a heightened management liability exposure. The Building Management (Third Party Risks Insurance) Regulation has taken effect since 1 January 2011. It stipulates the mandatory requirement for the third party risks insurance policy to be arranged by the IO.

業主立案法團及其成員面對要求履行的管理責任愈來愈多。一旦被發現遺漏或疏忽沒有執行相關職務或制訂了不恰當的政策，他們被起訴的機會亦相對增多。

As the management liability exposure to the IO and its management committee members are increasing, the litigation risk becomes much higher when they are alleged to have neglected or neglected to perform duties or formulated inappropriate policies.

中國平安保險(香港)有限公司推出一份嶄新的『業主立案法團管理責任保險』以保障業主立案法團及其成員因大廈管理決策上的失誤或疏忽行為而引起索償的風險。

China Ping An Insurance (Hong Kong) Co., Ltd. has launched a brand new “Incorporated Owners’ Management Liability Insurance” to protect the IO and its management committee members from the risk of claims arising from mistakes or negligent acts in making building management decisions.

保單主要保障業主立案法團及其成員為應對賠償請求所支出之調查費用、抗辯費用、和解及判決金額的損失。

The policy mainly protects the IO and its management committee members for the investigation costs, defence costs, settlements and damages awards resulting from a claim.

訴訟來源主要來自大廈業主、管理公司、訪客以至政府相關監管機構。指控範圍廣泛，包括但不限於財務管理失誤、跟管理公司發生爭拗、大廈維修相關之不當行為等。

The sources of claims mainly come from building owners, property managers, visitors and the relevant regulatory bodies. The allegations are wide-ranging including but not limited to financial mismanagement, disputes with the property managers or misconduct related to building maintenance etc.

保障摘要 Policy Coverage Summary

基本保障條款 Key Insuring Clauses:

Section A - Directors & Officers Liability Coverage 範圍甲 - 管委會成員責任保障	
管委會成員個人責任 Insured Persons	代表管委會成員支付在保險期間向管委會成員提出索償所引致之損失，法團已補償該管委會成員之損失除外。 Pay on behalf of an Insured Person, Loss resulting from a Claim first made <u>against any Insured Person</u> during the Policy Period, except to the extent the Insured has been indemnified by the Incorporated Owners for such Loss.
法團補償責任 Incorporated Owners Reimbursement	代表法團支付在保險期間向管委會成員提出索償所引致之損失，僅限法團已補償或同意補償該管委會成員之損失。 Pay on behalf of the Incorporated Owners, Loss resulting from a Claim first made <u>against any Insured Person</u> during the Policy Period, for which the Incorporated Owners has indemnified or agreed to indemnify such Insured Person.
Section B – Incorporated Owners Liability Coverage 範圍乙 - 法團責任保障	
法團責任 Incorporated Owners Liability	代表法團支付在保險期間向法團提出索償所引致之損失。賠償上限為每年度 HK\$5,000,000。 Pay on behalf of Incorporated Owners, Loss resulting from a Claim first made <u>against the Incorporated Owners</u> during the Policy Period, subject to sublimit of HK\$5,000,000 in the annual aggregate.
調查費用 Investigation Costs	代表管委會成員支付因監管調查所引致之調查費用。 Pay Investigation Costs <u>incurred by an Insured Person</u> resulting from an Investigation.
Section C – Crime Coverage 範圍丙 - 犯罪保障	
犯罪 Crime	代表法團支付在保險期間發現由管委會成員不誠實行為引致法團之直接財務損失。賠償上限為每年度 HK\$2,000,000。 Pay the Incorporated Owners for Direct Financial Loss resulting from any <u>Dishonest Act committed by the Management Committee Member</u> , subject to sublimit of HK\$2,000,000 in the annual aggregate.

主要除外條款 Key Exclusions:

人身傷害或財產損失 Bodily Injury and/or Property Damage	由人身傷害或財產損失引致之索償。 Claim for bodily injury or property damage.
破產 Insolvency	由法團破產或清盤或無力償債所引致之索償。 Claim arising out of insolvency or liquidation of the Incorporated Owners or its inability to meet any debts

已知事故 Prior Known Facts	在保單開始前已知之索償或可能引致索償之事故。 Claim arising out of any known claims or circumstances prior to policy inception
專業責任 Professional Services	為第三方提供不當專業服務所引致之索償。 Claim arising out of the Insured's performance of professional services for any third party.
網絡責任 Cyber	因網絡行為(未經授權或惡意使用電腦)或網絡事故(使用電腦期間出現的錯誤或遺漏)所引致之索償。 Claim arising out of a Cyber Act (unauthorized or malicious use of any computer system) or a Cyber Incident (error or omission involving the use of any computer system).
新冠肺炎/流行病 COVID-19/Pandemic	由新冠肺炎/流行病(經世衛或政府確認)所引致之索償。 Claim arising out of COVID-19 or other pandemic as declared by WHO or any government authority.
知識產權 Intellectual Property	由侵害他人知識產權所引致之索償。 Claim arising out of breach of any intellectual property rights
合同責任 Contractual Liability	合同約定責任，除非該責任在沒有合約的情況下仍存在。 Claim arising out of any liability assumed under a contract, unless such liability would attach in the absence of any contract.

詳情請參閱正式保單條款 For details, please refer to the actual policy wording.

範圍甲 - 保險限額 Section A - Limit of Indemnity:

選項一 Option 1	HK\$5,000,000 每一索償和累計 any one claim and in the aggregate
選項二 Option 2	HK\$10,000,000 每一索償和累計 any one claim and in the aggregate
選項三 Option 3	HK\$20,000,000 每一索償和累計 any one claim and in the aggregate

免賠額 Policy Excess:

管委會成員個人責任 Insured Persons	免賠額不適用 Nil
法團補償責任 Incorporated Owners Reimbursement	HK\$20,000 每一索償 any one claim
法團責任 Incorporated Owners Liability	HK\$20,000 每一索償 any one claim
犯罪 Crime	HK\$20,000 每一索償 any one claim

保險期限 Policy Period

由指定日期起計 12 個月 12 months from the date to be agreed

承保所需資料 Underwriting Information

保費計算是以大廈過往 12 個月的管理費收入為基準，其將保費列明，無須再經核保，方便簡單。
The premium calculation is based on the management fee income in the past 12 months. The premium is pre-agreed and no underwriting is required, which is convenient and simple.

保費表 Premium Table

過往 12 個月的管理費收入 Management fee income in the past 12 months (HK\$)	範圍甲選項一 Section A Option 1 HK\$5,000,000 每一索償和累計 any one claim and in the aggregate	範圍甲選項二 Section A Option 2 HK\$10,000,000 每一索償和累計 any one claim and in the aggregate	範圍甲選項三 Section A Option 3 HK\$20,000,000 每一索償和累計 any one claim and in the aggregate
\$0 - \$5,000,000	HK\$17,800.00	HK\$21,100.00	HK\$25,000.00
\$5,000,001 - \$10,000,000	HK\$20,530.00	HK\$26,700.00	HK\$30,700.00
\$10,000,001 - \$25,000,000	HK\$23,500.00	HK\$30,700.00	HK\$34,700.00
\$25,000,001 - \$35,000,000	HK\$26,400.00	HK\$33,400.00	HK\$37,400.00
\$35,000,001 - \$50,000,000	HK\$30,000.00	HK\$40,000.00	HK\$44,000.00

The above premium is not yet included IA Levy.

Incorporated Owners Management Liability Application Form

業主立案法團管理責任保險申請表

I/We, on behalf of all INSURED and after having made full enquiries, make the following declarations:

(本人(等), 經過查證後, 謹代表所有受保者作出以下聲明)

a) Name of the Incorporated Owners (IO): (業主立案法團名稱)

b) Address of Office: (地址)

c) Annual Management Revenue in the past 12 months: (過去 12 個月管理費收入) HKD _____

d) Section A Policy Limit Selection: (範圍甲保單保額選擇) HKD5,000,000 / HKD10,000,000 / HKD20,000,000

e) Policy Effective Date: (保單生效日期) _____

f) I am/we are not aware of any CLAIM, or circumstances which may give rise to a CLAIM, against the INSURED under any of the proposed coverage as provided by this policy;

(本人(等) 並不意識到有已向受保者提出之任何有關此保單之索償, 或有可能引致索償的情況)

g) I/We agree to immediately, and before inception of the proposed insurance, inform the insurer:

(本人(等)同意立刻並於保單生效前通知承保人:)

(i) any change in the information provided to the insurer including but not limited to the financial position of the INSURED :

(已向承保人提供之資料之任何改變, 包括受保者之財務狀況)

(ii) any alteration in the state or condition of the subject matter of the proposed insurance, including but not limited to any conduct by us/me that results in such an alteration or has the effect of allowing such an alteration; and any CLAIM, or circumstances that may give rise to a CLAIM, against the INSURED of which I/we becomes aware.

(任何對此保險之重要事項之狀況或情況改變, 包括任何會導致改變或容許此改變之影響之行為; 及本人(等) 已知道之任何已向受保者提出之任何有關此保單之索償, 或有可能引致索償的情況)

I/WE on behalf of the INSURED declare that the statements and particulars in this Declaration are true and that no material facts have been misstated or suppressed after enquiry. I/WE on behalf of the INSURED agree that should any of the information given by us alter between the date of this Declaration and the inception date of the insurance to which this proposal relates, I/WE will give immediate notice thereof. The undersigned agrees that this Declaration, together with any other information supplied by us, shall form the basis of any contract of insurance effected thereon.

(本人(等)謹代表受保者聲明, 此申請表中所述事項和資料真實無誤, 經查證後並無不實或隱瞞。本人(等)同意在此聲明簽署之日期至保單生效日期間, 如有任何資料改變, 本人(等)必會立刻通知有關人士。簽署人同意此聲明, 連同任何已提供之其他資料, 會作為任何已生效之保險之根據。)

Principal of Insured: (法團主席) _____

Signature: (簽署) _____

Date: (日期) _____

IMPORTANT NOTE: This document is not a policy of insurance. Please refer to the policy for the applicable terms, conditions and exclusions.

注意事項: 本小冊子並非保單, 有關條款細則及不承保範圍, 請參閱保單。

特許代理/經紀 AUTHORIZED AGENT / BROKER:

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IMPORTANT NOTES TO PROPOSER

1. Any other facts known to you which are likely to affect acceptance or assessment of the insurance cover you are requesting must be disclosed. Should you have any doubt about what you should disclose, do not hesitate to ask us or your insurance agent/broker. We recommend you keep a record (including copies of letters) for your future reference of any additional information given. Providing correct answers and making sure we are informed is for your own protection, as failure to disclose such information may mean that your policy will not provide you with the cover you require and may even invalidate the policy altogether.

2. **Personal Information collection Statement**
The information you provide to us is collected to enable us to carry on insurance business and may be used for the purpose of
 - any insurance of financial related product or service or any alterations, variations, cancellation or renewal of them
 - any claims or analysis of itand may be transferred to any related company or any other company carrying on insurance or reinsurance related business or an intermediary or a claims or investigation; or other service provider providing services relevant to insurance business; or any association or federation of insurance companies that exists or is formed from time to time.

You have the right to obtain access to and to request correction of any personal information concerning yourself help by China Ping An Insurance (Hong Kong) Company Limited. Requests for such access can be made to our Personal Data (Privacy) Ordinance Compliance Officer.

3. Our company is committed to developing products to meet your personal insurance requirements. As you are a valued customer of our company we will keep you informed of new products and services when they become available. If you do not want to receive this information either now or in the future, please write and tell us.