



JARDINE LLOYD THOMPSON
Limited

**Application Form for
Voluntary Professional Indemnity Insurance Scheme for
Registered Social Workers of Hong Kong
(Common expiry date: March 31st, 2008)**

1. (a) Name of Social Worker:	
(b) Address:	
(c) Registration Date (if available):	
(d) Registration Expiry Date (if available):	
(e) Registration Number (Mandatory):	
(f) E-mail Address (Mandatory):	
(g) Name of Employer:	

2. Please give details of previous Professional Indemnity Insurance carried during the past two (2) years:
If none, then please tick here

Period	Insurer	Limit	Excess	Premium

3. Please specify the limit(s) of indemnity desired:

	Limits of Liability/ any one claim	Deductible	Premium paid on or before Sept 30 th , 2007	Premium paid on or after Oct 1 st , 2007
<input type="checkbox"/>	HKD3,000,000	HKD5,000	HKD175	HK\$88
<input type="checkbox"/>	HKD5,000,000	HKD5,000	HKD210	HK\$105
<input type="checkbox"/>	HKD10,000,000	HKD5,000	HKD295	HK\$148

4. Have any claims ever been made against the Social Worker in the past 5 years? Yes No

5. Is the Social Worker aware of any circumstances or occurrences which may give rise to a claim? Yes No

If you have answered "YES" to questions 4 or 5, then full details of each matter must be advised before quotation can be considered. We must remind you that it is imperative to answer these questions correctly. **FAILURE TO DO SO COULD WELL PREJUDICE YOUR RIGHTS**, if a subsequently a claim should arise.

6. Payment Methods: By check (Bank name: _____ Bank check no. _____)

*Please make all checks payable to American International Underwriters, Limited and on the back of the check, please put down your **name and social worker registration number together with the payment slip** and send them to the following address: **Financial Lines Department, AIA Building, 1 Stubbs Road, Hong Kong**. Otherwise, all checks can be deposited to Deutsche Bank Hong Kong with payee's bank account number of 054-895-0002386-000.*

I/We declare that the statements and particulars in this application/ proposal are true and that no material facts have misstated, misrepresented or suppressed after enquiry. I/ We agree that this application/ proposal, together with any other information supplied by me/ us shall form the basis of any contract of insurance effected between the Insurer and me/ us. I/ We undertake to inform the Insurer of any material alteration to those facts occurring before the renewal / completion of the contract of insurance.

Signed _____

Print Name _____

Date _____



JARDINE LLOYD THOMPSON Limited

FAQ 常見問題

1. Has the organization / employer effected appropriate insurance for their employees?

Other than Employees' Compensation insurance, an organization / employer is not legally obligated to effect insurance for its employees. Even the organization / employer does arrange other insurance for the employees, it is totally up to the organization / employer to decide the cover to be offered.

2. Why individuals need to consider personal insurance if the claim is arising out of in the course of employment?

Whilst the employer might be vicariously liable for the negligent acts or omissions by their employees in the course of employment, the employees must satisfy themselves that they did not act "ultra vires" or had gone on a "frolic and detour" (i.e. the employee was acting in his or her own right rather than on the employer's business). For an act to be considered within the course of employment, it must either be authorized or be so connected with an authorized act that it can be considered of performing it. An obvious example is that the employer is unlikely be responsible for the costs incurred by an employee who is under disciplinary investigation or inquiry.

The organization might be financially incapable of paying immense damages and defense costs. Thus, the employees might still be facing the risks of being sued personally.

3. If the organization / employer has already effected an appropriate Professional Indemnity insurance (PI) for their employees, why individuals still need to consider personal PI?

It is uncertain to what extent the employer has effected the PI for their employees. As PI for social workers is not mandatory in Hong Kong and there is no standard insurance policy terms and conditions, the insurance providers / insurers might offer varied terms among their clients and the policy terms and conditions might change over years.

As explained, the PI arranged by the organization / employer might not be able to pick up some liabilities such as expenses for disciplinary action and claims resulting from bodily injury (including emotional distress). Such policy is also subject to an overall policy limit/sub-limits.

Further, this insurance is arranged on an individual basis, therefore, the cover will not be affected even if the individual (1) subsequently moves to another organization or becomes self-employed or (2) acts "ultra virus" (such as to counsel on a personal basis). The individual can also enjoy a full policy limit at a very competitive premium (normally the annual premium for an individual PI falls within the region of HKD5,000 to HKD15,000, depending on the policy terms and conditions).

4. Can non-registered social workers join this insurance scheme?

No. This scheme is exclusively offered to the registered social workers registered with the Social Workers Registration Board under the Social Workers Registration Ordinance.

Revised March 28, 2007

1. 機構 / 僱主是否已為其僱員提供合適的保險？

除了僱員補償保險以外，任何機構 / 僱主是沒有法律義務為其僱員提供保險的。即使機構 / 僱主為其僱員安排其他保險，有關的保障範圍亦完全是由機構 / 僱主所決定。

2. 假如有關的索償是在受僱期間所引致的，為什麼個別人士需要考慮購買個人保險呢？

當僱主為僱員受僱期間所引起的疏忽行為或失職有義務地負上法律責任的時候，僱員必須證明他們沒有超越權限(*ultra vires*)的行為或有進行過作樂及嬉戲(*frolic and detour*) (即是該僱員的行為是他或她的私人權利而非工務性質)。有關受僱期間的某種行為，必須是被受權又或與某種被受權的行為有所關係的才可以被考慮而履行。舉一個明顯的例子，僱主未必會替某僱員因違法受調查或質詢所引致的費用而負責任。

機構或會因財政上的困難而不能支付巨額的損失賠償及辯護費。因此，僱員便可能要面對被個人控告的危機。

3. 假如機構 / 僱主已為其僱員提供合適的專業責任保險，為什麼僱員仍要考慮個人專業責任保險呢？

機構 / 僱主為其僱員提供的專業責任保險的範圍大都並不明確。由於在香港為社會工作者提供專業責任保險並不是強制性的，同時沒有劃一的標準及保單的條款，保險公司可能提供不同的條款予他們的客戶，而保單的條款亦可能隨時間而改變。

正如以上解釋，由機構 / 僱主所安排的專業責任保險可能不會負上某些責任，例如違規的行為及因身體受傷所引致的索取(包括精神創傷)。此類保單可能因應總限額 / 代限額而有所變動。

再者，這類保險是以個人基本作安排，因此，保障不會因個人(1)其後轉至另一機構或轉為自僱或(2)越權的行為(例如以個人身份作諮詢)而有所影響。個別人士亦可以以一個優惠的保費享有全面的限額(個人專業責任保險的全年保費通常為港幣 5,000 至 15,000 不等，視乎個別保單的條款)。

4. 非註冊的社會工作者可否參加這保險計劃？

否。只有根據社會工作者註冊條例，在社會工作者註冊局註冊為註冊社會工作者才可投保這保險計劃。