

Media Liability insurance

Film and Television
Programme questionnaire

1. Name of proposed insured:

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2. Full Address:

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Telephone number:

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Email:

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3. Name of partners/directors of the named insured:

Name	Years in industry

Additional insureds to be included for insurance:

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4. Title of Production:

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5. Please provide brief description of storyline:

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6. Basis of Production:

Original format:	Screenplay:	Book:	Title:	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Author:	
Other (specify):				

7. Has production been previously aired?

Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>	Date:	Place:
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8. Type of Productions:

Film for cinematic release:		Film for television release:	
Television drama, comedy, musical:		Television documentary (non-investigative):	
Television documentary (investigative):		Television Commercial:	
Television Reality:		Television Children, religious, sport:	
Theatrical stage production:			

9. Is this production:

Entirely fictional:		Based on actual facts or events:	
Both fact and fiction:		Other:	

10. Please state:	Name of producer:		
	Executive producer:		
	Writer:		
11. Running time of production:			
12. Territories for distribution:			
13. Additional formats for distribution:			
14. If necessary, have clearances been obtained for distribution in these formats?			
15. Will coverage for merchandise be required for this production?			
16. Have all necessary clearances, licences and consents from third parties been obtained?			
17. What is expected revenue to be derived from merchandising?			
18. Clearance procedures:			
a) Has the script and the production been reviewed by a clearance lawyer?			
b) Name of clearance lawyer:		Years experience:	
c) Address:			
If no, please give reasons			
d) Have all clearances, licences and consents been obtained in respect of this production from:	Copyright owners:	Writers:	
	Performers/persons appearing:	Music owners:	
e) Have all musical rights relative to this production been obtained in respect of	Recording and synchronization rights:	Performing rights:	
f) Will a soundtrack album be provided?			
If yes, have all necessary rights and licences been obtained?			
Will separate coverage be obtained for this recording?			

g) Is the name or likeness of any person used in this production(s)?

If yes, please explain:

h) Will any film clips or photographs be used in this production?

If so, have all licences, clearances and consents been obtained?

19. Has a Title Report been obtained from a title clearance service and confirmed satisfactory by lawyers? (Applicable to US Distribution only)

20. Have copyright reports been obtained?

If yes, are there any ambiguities, gaps or problems in the chain of title? If no report has been obtained, please explain:

21. Please advise policy limit and excess required:

22. Please advise policy period required:

23. Please confirm you are a current member of pact? Yes: No:

24. Please confirm your membership number

Claims declaration:

Has any actual or threatened claim been made against you arising out of this production or any other content relative to this production?

If Yes, please give details:

During the last five years, has any claim been brought against you arising from defamation, invasion of privacy, infringement of copyright, trademark, unauthorized use of any material, ideas or formats or breach of confidentiality.

If Yes, please give details:

Declaration:

You must read this before signing below.

I/We declare that this proposal has been completed after appropriate enquiry and that the statements and particulars (including all attachments, if applicable) are true and that I/We have neither misrepresented or suppressed any material facts.

I/We undertake to inform Underwriters of any material alteration to these facts whether occurring before or after the completion of the contract of insurance.

Signature of Principal/Partner/Director:

Date:

Clearance Procedures

The clearance procedures listed below, which are in no way an exhaustive list of all situations, have been produced as a guide to ensure that the production you are seeking insurance for is subject to all necessary clearances and checks in order to avoid any potential litigation.

You should consult with your lawyer what the clearance procedures entail and ensure that both you and your lawyer monitor all aspects of the making of the production as well as the clearance of all third party contributions through to the final cut.

1. Any script prior to filming must be reviewed by a lawyer to determine whether there is any defamatory content or potential for a claim to arise.
2. All clearances, licenses and consents must be obtained from all contributing third parties where necessary, for all literary work contained in the production. Any limitations or reservations must be advised to insurers. Where a completed production is being acquired, all rights must still be secured and the origin of the production traced in order to ensure all rights have been obtained. Any excerpts which constitute "fair usage" must be cleared and brought to the attention of insurers.
3. All contributors i.e. creators, authors, writers, owners of any contributing material including quotations, film clips, music, featured copyrighted props must have a written agreement with you which gives authority to you to use their material in the insured production. You must also have acquired all rights necessary to distribute the production in all forms of media.
4. Releases must also allow you to edit, add and/or delete material and make any changes to the production that you deem appropriate.
5. Any fictional character names, names of businesses, organisations or products should be checked to avoid accidental identification.
6. Any content which is potentially defamatory or legally contentious must be reviewed and cleared by a libel lawyer with any changes adhered to.
7. All rights relative to synchronisation and performance of music must be obtained from copyright owners for use in the insured production. Any recordings and the use of previously recorded music must also be cleared as new synchronisation and performance licenses may be necessary.
8. All origins of the work should be ascertained. A process should be in place to deal with any unsolicited ideas, formats, material or storylines received from third parties which show similarities to your own production.
9. Any problems relating to clearance or gaps in respect of underlying rights must be advised to Insurers at the outset or at such time when you become aware.