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Representing UK Independent Content
Media Liability

Film & Television Programme Producers Proposal Form



IMPORTANT NOTICE

This proposal must be completed and signed by a Principal, Partner or Director of the Proposer. The person completing and signing the form should be authorised by the Proposer to do so and should make all necessary enquiries of his fellow Partners, Directors and Employees to enable all the questions to be answered.

All questions must be answered to enable a quotation to be given.

Completing and signing this proposal does not bind the Proposers or Insurers to enter a contract of insurance.

If there is insufficient space to answer questions, please use an additional sheet and attach it to this form (please indicate question number).

Film & Television

1. Name of proposed Insured

Name

2. Full address

Telephone number	Email

3. Name of partners / directors of the named Insured

Name	Years in industry

4. Additional Insureds to be included for insurance

Name

5. Title of production

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6. Brief description of storyline

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7. Basis of production (please tick)

Original format:	Screenplay:	Book:	Other (specify)	Title
				Author

8. Has production been previously aired?

YES NO

If YES, please state

Date		Place	
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Film & Television

9. Type of production (please tick) Will refer

Film for cinematic release	<input checked="" type="checkbox"/>	Film for television release	<input type="checkbox"/>
Television drama, comedy, musical	<input type="checkbox"/>	Television documentary (non-investigative)	<input type="checkbox"/>
Television documentary (investigative)	<input checked="" type="checkbox"/>	Television commercial	<input type="checkbox"/>
Television reality	<input type="checkbox"/>	Television children, religious, sport	<input type="checkbox"/>
Theatrical stage production	<input type="checkbox"/>	Television new game show	<input checked="" type="checkbox"/>

10. Is this production (please tick)

Entirely fictional	<input type="checkbox"/>	Based on actual facts or events	<input type="checkbox"/>
Both fact and fiction	<input type="checkbox"/>	Other	<input type="checkbox"/>

11. Please state

Name of producer	
Executive producer	
Writer	

12. Running time of production

13. Territories for distribution

14. Additional formats for distribution

15. If necessary, have clearances been obtained for distribution in these formats? YES NO

16. Will coverage for merchandise be required for this production? YES NO

17. Have all necessary clearances, licences and consents from third parties been obtained? YES NO

18. What is expected revenue to be derived from merchandising?

19. Clearance procedures

a)	Has the script and the production been reviewed by a clearance lawyer?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
b)	Name of clearance lawyer	<input type="text"/>			
c)	Address	<input type="text"/>			
	If NO to question 18 a) please give reasons	<input type="text"/>			

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19. Clearance procedures cont..

		YES	NO			YES	NO	
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 synchronisation 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?							
	If YES , please explain							
h)	Will any film clips or photographs be used in this production?							
	If YES , have all licences, clearances and consents been obtained?							

20. Has a Title Report been obtained from a title clearance service and confirmed satisfactory by lawyers? (applicable to US distribution only):

YES NO

21. Have copyright reports been obtained?

YES NO

If **YES**, are there any ambiguities, gaps or problems in the chain of title? If **NO** report has been obtained, please explain

22. Please advise level of cover required

Policy limit	£	Excess	£
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23. Please advise policy period required

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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? YES NO

If **YES**, please give details below.

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

YES NO

If **YES**, please give details below.

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 Insurers 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.

Contact us

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HCC Insurance Holdings, Inc. is an international insurance holding company and a leading specialty insurance group since 1974, based in Houston, Texas, with offices across the USA, Bermuda, England, Ireland and Spain. HCC is rated AA (Very Strong) by Standard & Poor's and A+ (Superior) by A.M. Best Company.

Film and TV Prop
Oct 2013