

## Professional Indemnity Insurance Policy Schedule

Policy Number:	6000012438	
Insured:	Individual personal trainers and REPs Group Exercise instructors who are registered members of Exercise Association of New Zealand Incorporated and Registrar of Exercise Professionals Ltd only	
Policy Wording:	NZPI 1215	
Period of Insurance:	From: 1 October 2016 - 4pm local time	To: 1 October 2017 - 4pm local time
Professional Business:	Personal trainers and REPs Group Exercise instructors including ancillary nutrition advice and physical rehabilitation	
Retroactive Date:	01-Oct-2003	
Date of Proposal Form:	28 September 2016	
Territorial Limits:	New Zealand, Australia	
Jurisdictional Limits:	New Zealand	
Automatic Policy Extensions:	Fair Trading Act 1986	Included
	Defamation	Included
	Intellectual Property	Included
	Joint Venture Liability	Included
	Dishonesty of Employees	Included
	Loss of Documents	Included
	Consultants and Sub-Contractors	Included
	Fiduciary Duty	Included
	Continuous Cover Clause	Included
	Outgoing Principals, Partners, Directors and Employees	Included
	Severability	Included
	Acquisitions and Creations	Included
	Previous Subsidiaries	Included
	Run-Off	Included
	Automatic Reinstatement	Included
	Costs of Representation	Included
Limit of Indemnity:	\$2,000,000 each and every Claim and in the aggregate	
Excess:	\$2,000 each and every Claim	
Premium:	As agreed	

**Endorsements.**

Policy Number	Name of Insured
6000012438	Individual personal trainers and REPs Group Exercise instructors who are registered members of Exercise Association of New Zealand Incorporated and Registrar of Exercise Professionals Ltd only

**Excess Applying to Legal Costs.**

*It is noted and agreed that paragraph 2 of General Condition 6.4 of the Policy is deleted and replaced with the following:*

*The Excess applies to any Costs and Expenses incurred with the written consent of Lumley in defence or settlement of any Claim. The Excess does not apply to the Costs and Expenses incurred by Lumley to determine indemnity under the Policy.*

*Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, conditions, provisions, agreements or limitations of the above mentioned Policy other than as above stated.*

**Group Exercise Endorsement.**

*The indemnity provided under this Policy in respect of any Insured who is REPs Registered as a Group Exercise (Pre-Choreographed) professional is limited to liability arising from their activities as a Group Exercise instructor and excludes any liability arising from personal training.*

*'Group Exercise' is defined as the provision of physical instruction to a group of gym participants in a scheduled class environment where there is no individualised instruction. The definition of Group Exercise excludes personal training to multiple individuals concurrently.*

## Policy Details

IN WITNESS WHEREOF the Undersigned being duly authorised by the Directors of the Company, has hereunto set their hand at Auckland on the 13/10/2016.



For on behalf of the Company:

R. Clark – Liability National Manager

## Important notes

### QFE Disclosure Statement – IAG New Zealand Limited

The information contained in this Disclosure Statement is important and is provided in order to assist you to decide whether or not to choose Lumley as your insurer.

Lumley is a business division of IAG New Zealand Limited ("IAG"), a general insurer providing both domestic and commercial insurance products and services. IAG is a licensed Qualifying Financial Entity ("QFE") under the Financial Advisers Act 2008 and is regulated by the Financial Markets Authority ("FMA"). As a QFE, IAG has responsibility for the financial adviser services provided by its staff. If you require any information about financial advisers, or wish to report any information about IAG or any of its advisers, you can contact the FMA on 0800 434 567. You can check IAG's QFE status at [www.fspr.govt.nz](http://www.fspr.govt.nz)

Lumley's Head Office is located at:  
Lumley Centre  
88 Shortland Street  
PO Box 2426, Auckland 1140  
Telephone: (09) 308 1100  
Freephone: 0800 111 888  
Email: [info@lumley.co.nz](mailto:info@lumley.co.nz)

If you have a complaint about Lumley, we will do everything possible to resolve the matter in a prompt and professional manner. We recommend the following steps if you wish to make a complaint:

1. Contact the person you have been dealing with from Lumley.
2. If you wish to take the matter further, contact the manager/supervisor of the department you are dealing with.
3. If you remain unsatisfied, you can write to our Chief Executive Officer (CEO).
4. In the unlikely event that you are not satisfied with our response, you may contact the Office of the Insurance & Financial Services Ombudsman Scheme ("IFSO Scheme"). IAG is a member of the IFSO dispute resolution scheme.

Contact details:  
The Insurance & Financial Services Ombudsman Scheme  
PO Box 10-845  
Wellington 6143  
New Zealand  
+64 (04) 499 7612  
Freephone: 0800 888 202  
Email: [info@ifso.nz](mailto:info@ifso.nz)

This Disclosure Statement was prepared on 14 December 2015.

### Insurance cover

It is important to keep your insurance cover up to date bearing in mind changing circumstances and current day values. We advise you to check the adequacy of sums insured. Contact Lumley or your broker for further advice.

### Duty of disclosure

You have a duty to disclose to Lumley all information that might influence its decision to offer you insurance cover and if so, on what terms and/or premium ('material information'). This duty exists prior to inception, variation or renewal of your policy. If there is any material information you have not disclosed to Lumley or if there has been any change in the information previously disclosed please advise Lumley immediately. Failure to disclose all material information may result in your policy being avoided. This means your policy is deemed never to have existed and any claims will not be payable. If you have any doubt as to whether a fact is material then it should be disclosed.

### Duty of care

You are under a duty to exercise all due care and diligence in the safeguarding of the insured property from harm and in carrying out any activity which could result in a claim under this policy.

### Privacy Act 1993

Personal information may have been collected during the course of your relationship with Lumley. Under the Privacy Act 1993 individuals have the right to request access to and correction of their personal information held by Lumley. Personal information is retained by Lumley in order to assess your insurance requirements and any claim you may have.

### Adjustable policies

If your policy is adjustable on turnover or any other basis, you must supply to Lumley or your broker within one month of renewal date, details of the actual amounts for the year to renewal date together with an estimate for the forthcoming year.

**Insurer financial strength rating**

Lumley, a business division of IAG Limited has been accredited with an insurer financial strength rating of "AA-" (Strong) by Standard & Poor's (Australia) Pty Ltd, an approved rating agency.

The rating scale is:

<b>AAA</b> Extremely Strong	<b>AA</b> Very Strong	<b>A</b> Strong	<b>BBB</b> Good
<b>BB</b> Marginal	<b>B</b> Weak	<b>CCC</b> Very Weak	<b>CC</b> Extremely Weak
<b>SD</b> Selective Default	<b>D</b> Default	<b>R</b> Regulatory Supervision	<b>NR</b> Not Rated

The ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories. The rating scale above is in summary form. A full description of this rating scale can be obtained from [www.standardandpoors.com](http://www.standardandpoors.com).

**Other important information**

The information contained on this quotation, together with any other information you have previously provided to Lumley, forms the basis of Lumley's quotation. All information must be correct and complete. By accepting this quotation you are confirming that:

- 1 The information held by Lumley in respect of this insurance cover is complete and correct and up-to-date in every detail and that you have disclosed all material information to Lumley;
- 2 Lumley may use the information you have provided to advise you of its other products and services; and
- 3 Lumley may give to and obtain from, other parties including other insurers, brokers and the Insurance Claims Register, information about this insurance or any other insurance held by you or claim made by you.