

CONSULTING SURVEYORS NATIONAL PROFESSIONAL STANDARDS SCHEME (1 JULY 2020 – 30 JUNE 2021)

## APPLICATION FOR DISCRETIONARY HIGHER CAP

To be completed by law practices choosing a Discretionary Higher Maximum Amount of Liability.

This form must be submitted with or after an Application for Participation in the Consulting Surveyors National Professional Standards Scheme.

All applications will be referred to the Scheme Administration Committee for consideration.

Clauses 5.1, 5.2 and 5.3 of the Consulting Surveyors National Professional Standards Scheme (the Scheme) provide –

- 5.1 CSN has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the Participating Member, either in all cases or in any specified case or class of case.
- 5.2 Before specifying a higher maximum amount of liability in respect of a Participating Member under clause 5.1, CSN must satisfy itself that there is evidence of top-up professional indemnity insurance commensurate with the higher Monetary Ceiling sought.
- 5.3 If, in the exercise of its discretion under clause 5.1 CSN has specified a higher maximum amount of liability than would otherwise apply under the Scheme in respect of a Participating Member, the Monetary Ceiling applying in respect of that Participating Member is that higher maximum amount.

### 1. SURVEY PRACTICE DETAILS

Survey Practice Name:	
Business Address:	

**Scheme Co-ordinator** (must be an Individual Member and principal of the practice)

Scheme Co-ordinator Name:	
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### 2. HIGHER CAP

The survey practice applies for a higher maximum amount of liability as follows:

#### Limitation Amount

**Current limitation amount** under the Scheme for this survey practice:

\$		million
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**Higher maximum amount** of liability sought:

\$		million
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You must complete section 2A, 2B or 2C below

#### SECTION 2A – THIS APPLICATION IS MADE IN RESPECT OF ALL CASES

Yes (continue to section 3)

Dates you seek the higher cap to apply:

No (complete either sections 2B or 2C below)

From:   /   /   to:   /   /

#### SECTION 2B – THIS APPLICATION IS MADE IN RESPECT OF A PARTICULAR CLIENT

Dates you seek the higher cap to apply:

From:   /   /   to:   /   /

List client/s below:

Attach additional information if necessary.

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## 2. HIGHER CAP (CONTINUED)

### SECTION 2C – THIS APPLICATION IS MADE IN RESPECT OF A PARTICULAR PROJECT

Dates you seek the higher cap to apply:

From: // to: //

List project/s below:

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Attach additional information if necessary.

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## 3. NOTIFICATION TO CLIENTS OF HIGHER CAP

The survey practice will notify those clients affected by the specification of the higher maximum amount of liability in the following manner:

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Attach additional information if necessary.

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## 4. EVIDENCE

- Attached is a current Certificate of Currency of Professional Indemnity Insurance (PII) relating to the PII cover for the survey practice and which is commensurate with the higher maximum amount of liability sought under this application.

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## 5. DECLARATION, UNDERTAKING, AUTHORISATION AND AGREEMENT

### Declaration

1. I am a principal duly authorised for and on behalf of the surveying practice and the survey practitioners listed in this application's Schedule of practitioners to make this application for participation.
2. I declare that the contents of this application are true and correct.

### Undertaking

As a duly authorised principal, and on behalf of the survey practice and its practitioners, I undertake that I will:

1. Notify Consulting Surveyors National of any change in the circumstances referred to in this application, that is relevant to Consulting Surveyors National's exercise of its discretionary authority, including any relevant changes in Professional Indemnity Insurance (PII) arrangements;
2. Provide Consulting Surveyors National with a copy of the Professional Indemnity Insurance policy and Schedule of that policy, submitted in support of this application, immediately upon request by Consulting Surveyors National;
3. Notify clients of any higher maximum amount of liability in the nature and manner specified in this application; and

4. Immediately advise Consulting Surveyors National when a professional indemnity insurance notification or claim approaches the survey practice's applicable limitation cap under the Scheme and will provide such further information as requested by Consulting Surveyors National.

### Authorisation and Acknowledgement

As a duly authorised principal, and on behalf of the survey practice and its survey practitioners, I

1. Authorise Consulting Surveyors National, for the purposes of this application, to make relevant enquiry of the client(s) or other relevant person(s), to provide particulars of the application to other relevant person(s), and to record particulars of the applicant, details of the circumstances to which the exercise of the discretion is to apply, and any specified higher maximum amount of liability, on its database; and
2. Agree that any reasonable period of notice may be given to the survey practice by Consulting Surveyors National of a change to the higher maximum amount of liability where Consulting Surveyors National, in its absolute discretion, determines that the period of notice is reasonable in those circumstances, including where the survey practice cease/s to have the benefit of Professional Indemnity Insurance at an appropriate standard and level.

Name: (must be an Individual Member and principal of the survey practice):
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Survey Practice Name:	
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Signed:
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Dated (DD/MM/YYYY)

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## TO SUBMIT THIS APPLICATION

Please complete these forms and email to Scheme Coordinator Steve Bishop at Consulting Surveyors Admin: [sbishop@csadmin.com.au](mailto:sbishop@csadmin.com.au)

### LODGEMENT AND ENQUIRIES:



Scheme Administration Team  
Consulting Surveyors Admin  
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