

Liability Claims Guidelines

责任保险索赔操作程序

At Chubb, we are dedicated to working with you and your insurance broker or agent in respect of the losses submitted to us in an effective and speedy manner. Because each claim is unique, the following Claims Guidelines are general only and reference should always be made to the actual policy under which a Claim is made. Please contact your broker or agent or a Chubb Claims Representative as soon as possible as Claim Guidelines can differ depending on the specific facts of a Claim.

在 Chubb, 我们将致力于和您及您的保险经纪人或代理人开展紧密工作, 以求快速、有效地处理递交给我们的赔案。以下索赔流程仅是概括而言的, 供大家参考, 但由于每个赔案都有其特殊性, 故具体的索赔流程将根据实际赔案所对应的保单, 及每起赔案的特点而有所不同。因此在损失发生后请立即与您的保险经纪人或代理人, 或 Chubb 的理赔人员联系。

The following guidelines should provide assistance in the face of a casualty claim. Please note your Policy Limit and the time frame within which notification of a Claim or potential Claim must be given to Chubb failing which coverage will not be available. Please note however, that the following is not intended to be considered as legal advice by us in any way. If you are in any doubt as to the steps you should or should not take, you should consult your legal and other professional insurance advisers.

以下流程可以在您面对责任保险索赔时提供指导帮助。但请注意保单中规定的关于提出索赔或可能索赔的时间限制, 如没有及时通知 Chubb, 则保单责任将不成立。并注意, 以下内容不可视作为本公司提供的法律意见。如果您对任何应该或不应该采取的步骤有疑问, 请咨询您的法律或专业保险顾问。

A. Notification

通知

When You Receive A Claim From A Third Party, Please

当您接到第三方提出的索赔时, 请

- (i) do not discuss or admit liability. You may however, deny liability. If you settle, enter into any compromise or admit liability without Chubb's consent, it can result in the denial of the claim;

不要讨论或承认责任, 或者您可以否认责任。在未经 Chubb 同意的情况下, 您作出赔偿, 或妥协, 或承诺责任的行为将导致该赔案遭到拒赔。

- (ii) contact your broker, Agent or a Chubb Claims Representative by email at chn.claims@chubb.com IMMEDIATELY providing the following information:

立即将损失通知您的保险经纪人或代理人, 或 Chubb 的理赔人员 (报案电子邮件地址为 chn.claims@chubb.com), 并提供下列信息: -

In case of a demand having been issued but where no legal proceedings have been filed against you:

在您已经接到索赔, 但还没有进入法律诉讼的情况下: -

- 1) Company name and policy no.
公司名称和保单号
- 2) Address of loss
损失发生的地址
- 3) Date and time of loss
损失发生的日期和时间
- 4) Items damaged/injured and extent thereof
财产损失程度和/或人员受伤情况
- 5) Detailed description of the circumstances of the loss
详细的事故经过的叙述
- 6) Cause, if known
损失原因 (如果知道)
- 7) Names and addresses of injured persons and any witnesses;
伤者和目击者的姓名、地址
- 8) Name of the claimant and his / her relationship with the Insured (if any)
索赔方的名称, 及与被保险人的关系
- 9) The nature and estimate of damages which may be claimed if possible
损失程度和预计可能的索赔金额
- 10) Details of the relationship that the injured persons may have with the Insured
伤者和被保险人具体关系
- 11) Copies of all relevant documentation relating to the underlying transaction which gives rise to the Claim, including correspondence prior to the loss and any agreements entered into;
与索赔有关的相关交易的资料复印件, 包括损失发生之前的往来信件和签署的协议等
- 12) Copies of any internal, external, survey, investigation or test reports or other relevant reports;
与损失有关的内部的、外部的、检验、调查或测试报告, 或其他相关报告复印件
- 13) Copies of all internal communications relevant to the claim;
与损失有关的内部通信复印件
- 14) Details of others persons or entities who may have responsibility or liability for the loss or damage as claimed against you;
可能对您接到的索赔造成的损失承担责任的其他人员或公司的详细情况
- 15) Details of Legal Counsel that you may have appointed.
您可能已经指定的辩护律师的详细情况

In the case where a suit or legal proceedings have been filed:

在已经被起诉, 或已经进入法律诉讼的情况下: -

- 1) Description of Suit or Legal proceedings that have been received;
已收到的诉讼或法定程序的具体情况
- 2) Copies of all written demands made against you;
向您提出的所有书面的主张的复印件
- 3) Copies of all relevant documents relating to the underlying transaction which has given rise to the Claim;
与索赔有关的相应交易的资料复印件
- 4) The names and addresses of any injured persons and any witnesses;
伤者和目击者的姓名、地址
- 5) The nature and quantum of damages claimed against you;
损失程度和索赔金额
- 6) Copies of all court proceedings and court documents served on you and all court documents filed by you;
所有法庭程序及法庭给您的文件, 及所有您存档的法律文件复印件
- 7) Copies of all internal communications and documents which are relevant to the demand by the third party;
与第三方提出的主张有关的内部通信及文件复印件
- 8) Details of all persons who may have responsibility and/or liability for the loss claimed by the Third Party;
可能对您接到的来自第三方的索赔承担责任的相关人员的详细情况
- 9) Details of Legal Counsel that may have been appointed by you.
您可能已经指定的辩护律师的详细情况

Please note that we may require information in addition to those required to be provided above. Your continued assistance and co-operation in this respect and all other aspects of the claim is necessary. In addition, you must:-

请注意我公司可能还会要求上述资料以外的信息, 贵司和赔案有关的协助和配合都是必要的。并且, 贵司必须:

- (a) *authorise us to obtain records and other information;*
授权我公司收集资料和信息;
- (b) *co-operate with us in the investigation of the claim or in the defense of the suit;*
配合我公司开展赔案的调查, 或诉讼的抗辩;
- (c) *allow us reasonable access to your premises, records and other information; and*
允许我公司合理的进入贵司的场所, 察看记录和信息;

(d) assist us, upon our request, in the enforcement of any right against any person or organisation that may be liable to you because of loss to which the policy applies.

在我公司的要求下协助我公司向需对贵司的承保范围内的损失负责的人员或公司强制行使权利。

B. Important Points

需要注意的要点

1. **NO admission, rejection, offer, promise, payment or indemnity shall be made or given by or on behalf of the Insured or his representative without the written consent of Chubb**

未经 Chubb 书面同意, 被保险人或其代表对索赔方不得作出任何责任承诺或拒绝、出价、约定、付款或赔偿

2. **Without the written consent of Chubb, the Insured shall NOT accept the payment or arrangement of indemnity in respect of the loss or damage offered by any party held responsible for such loss or damage and shall not abandon the right of recovery from such party, otherwise, the Insured shall be liable for any consequence arising therefrom**

未经 Chubb 书面同意, 被保险人不得接受责任方就有关损失作出的付款或赔偿安排或放弃对责任方的索赔权利, 否则由此引起的后果将由被保险人承担

3. **You shall keep Chubb notified of all lawsuits that the Insured has received from Third Parties who are claiming damages in respect of the liability of Insured.**

若收到来自第三方提出索赔诉讼, 须及时通知 Chubb

C. Claim Preparation - Keeping Of Records

索赔准备 - 做好记录

Remember: Onus Is Upon The Insured To Produce A Properly Substantiated Claim Statement Before Any Claim Can Be Paid

请注意: 在赔案赔付之前, 提供完整的用于证明损失的索赔资料的责任在于被保险人。

- Maintain records, sketches, photographs of property damages or injury occurred;
保留关于受损财产或受伤人员的记录、草图和照片
- Maintain proper records of all related expenses;
记录所有相关费用的凭证
- Provide supporting documents in relation to the claim;
提供与索赔相符的支持性文件
- Provide supporting documents indicating the direct responsibility of the Insured for the loss;
提供被保险人需要对事故负直接责任的支持性文件
- Retain vital and important evidence of damaged property for inspection where possible;
尽可能保留证明受损财产的重要证据以供检查
- Identify third party (ies) responsible for the loss;
确定对损失负责的第三方

- For more severe cases, loss adjusters and/or lawyers will be appointed to investigate and coordinate the loss, analyze the liability issue, and assess the quantum;

对于重大损失, 将委托公估人和/或律师开展损失调查、责任分析, 并评估损失金额

- The Insured must provide full claim information and cooperation to Chubb's Claim representative and/or loss adjusters to ensure smooth and expedient claim resolution, with minimal disputes.

被保险人必须向 Chubb 理赔人员或指定的公估人提供全部赔案信息, 并给与合作以保证赔案顺利解决

D. Pending Confirmation Of Policy Coverage

保单责任的未决

- (i) Please note that pending our confirmation of policy coverage, you must at all time act as a prudent uninsured.

请注意在保单责任的未决期间, 贵司必须以自己没有保险保障的情况来谨慎处理。

- (ii) Appropriate steps should be taken to limit or deny liability. For example, if your contract with the claimant contains an applicable exclusion clause, you should invoke such provision to deny liability.

采取适当的步骤来限制或否认责任。举例来说, 如果贵司和索赔方的合同中包含适用的除外责任, 贵司应该使用该条款来否认责任。

- (iii) You must not discuss the matter with any persons other than your professional advisers. In particular, but without limiting the foregoing, you must not give any interviews or otherwise discuss the matter with any members of the media.

除了贵司的专业顾问以外, 贵司不可与其他人员讨论损失, 尤其不可与任何媒体人员见面或讨论损失。

E. Giving Notice Of Claim Against Third Parties Responsible

向责任方递交索赔函

You should also give notice of claim against all relevant third parties who may be responsible for the bodily injury, loss or damage.

如事故由责任方造成, 应立即向所有相关责任方提出索赔, 出具正式的书面索赔函。

F. Confirmation Or Denial Of Policy Coverage

保单责任的确认或否定

- (i) Once we are able to do so, we will give you confirmation or denial, as the case may be, of policy coverage.

我公司将基于赔案实际情况而做出保单责任的确认或否定。

- (ii) Please note that any confirmation or denial will be premised on information known to us at the time of the confirmation or denial and is subject to further evaluation should new facts come to light.

请注意保单责任的确认或否定是基于我公司当时了解到的信息而做出的，随着更新信息的掌握而最终决定。

- (iii) Further, notwithstanding that we may have confirmed or denied policy coverage, our rights under the terms of the policy and at law are at all times reserved.

并且，尽管我公司可能已经确认或否定了保单责任，我公司仍随时保留保单条款和法律下的一切权利。

G. Subrogation

代位追偿

- (i) In the event of any payment under the relevant policy, Chubb shall be subrogated to all your rights of recovery against any person or organisation and you are required to execute and deliver all such instruments, papers and do whatever else may be necessary to secure such rights.

在相关保单下作出赔付后，Chubb 将取得贵司所有向相关人员或公司追偿的权利，并且要求贵司执行并递交所有工具，文件，及安排所有为了保全追偿权利的行为。

- (ii) However, until such time when we attain such subrogation rights, it is your duty to take all steps necessary to preserve these rights.

然而在我公司取得代位追偿权利之前，贵司有采取一切步骤以保护追偿权利的义务。

H. Receipt Of Notification Of Claim / Potential Claims

收到索赔或可能索赔通知

- (i) Once we receive your notification, we will endeavour to acknowledge receipt of your notification within 24 hours upon receipt of the same.

我公司将竭力在收到贵司的通知后的 24 小时内确认收到贵司的索赔通知。

- (ii) Please note that acknowledgement of receipt of the claim or potential claim is NOT an admission of policy liability, which will have to be reviewed, based on the information provided to us.

请注意确认收到索赔或可能的索赔通知并不意味着确认保单责任，保单责任将在对提供给我们的信息和资料进行分析后决定。

- (iii) After we acknowledge receipt of your notification, we will proceed to investigate and review the claim or potential claim in the light of the relevant policy.

在确认收到通知后，我公司将开展调查，并分析对应保单下的索赔或可能的索赔。

Should you have any question, please contact any one of our claims personnel:

如果您在提出索赔时需要额外的协助，或想了解更多关于索赔的信息，请联系

CHUBB CLAIMS REPRESENTATIVES

安达保险有限公司理赔部

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