

Binding contract advice.

Insured's prior confirmation

To: QBE Insurance (Europe) Limited ("QBE")

Trade Credit policy number ("the Policy")

.....
Name of Insured under the trade credit policy ("the Insured")

.....
Name of the relevant Insured Buyer ("the Insured Buyer")

.....
Name of the relevant Shipment Insured Buyer ("the Shipment")

.....
In consideration of the provision by QBE of the Binding Contract Advice that it has received from its legal advisers, Simmons & Simmons LLP on the issue of whether the Insured is subject to Contractual Commitments in respect of the Shipment (pursuant to clause 2.3 of the Policy)

The Insured hereby agrees as follows

- 1** The Binding Contract Advice will be sent by QBE to the Insured only for the limited purpose of providing advice on whether the Insured is, or is not, subject to the Contractual Commitments in relation to the Shipment for the purposes of clause 2.3 of the Policy.
- 2** The Insured will not seek disclosure from QBE (or from any company affiliated with QBE by any means whatsoever and in any jurisdiction whatsoever) of any of QBE's/QBE's affiliates' other legal advice or privileged information relating in any way whatsoever to:
 - i) the Policy; and/or
 - ii) the Binding Contract Advice; and/or
 - iii) the Shipment; and/or
 - iv) the Insured Buyer.

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- 3 In sharing its Binding Contract Advice with the Insured, QBE is not, and is not to be taken as, thereby waiving its privilege over the Binding Contract Advice and the Insured accordingly recognises that QBE is entitled to assert privilege over any such legal advice referred to in paragraph 2 of this Insured's Prior Confirmation Form in any forum whatsoever.
- 4 The Insured shall keep the Binding Contract Advice strictly confidential at all times, and shall not send it (by any means whatsoever), or share it or its contents with, any third party (save for the Insured's own legal advisers).
- 5 Neither QBE nor QBE's legal advisers in any way assume any duty of care or liability (on any basis whatsoever) to the Insured in relation to or arising out of the Binding Contract Advice.

Signed for and on behalf of the Insured

Name (please print)

Position

Date

Authorised signatory

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Made possible



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