Template

Eligibility

# Instructions

This template asks you to define the members or classes of members that are eligible to participate in your scheme. The professional standards legislation requires that you provide this information.

The template includes 7 questions in 5 categories:

* Members and membership classes
* Register of members
* Exclusion from the scheme
* Exemption from the scheme
* Higher discretionary caps.

Enter your response in the space below each question. Provide examples and supporting documents as needed.

For help completing this template, see the Eligibility guidance.

# Questions

|  |  |
| --- | --- |
| Members and membership classes | |
| Required documents | For each membership class, provide the **documents and website content that specify and enable membership**, such as your:   * constitution * by-laws * membership entry rules * ongoing membership requirements * terms of reference for the body that decides membership * membership forms * membership contract * membership information.   Also provide your association’s **scheme participation agreement or contract**, in which members agree to:   * comply with the legislation * provide scheme-related surveys, information about professional indemnity (PI) insurance (claims notifications, cost, excess, availability and exclusions) and consumer complaints data, annually or as reasonably requested * immediately advise your association if a notification or claim is over $500,000 * immediately advise your association if they are subject to a professional disciplinary investigation. |

|  |
| --- |
| 1. Which members will the scheme apply to? |

Add your association’s response to this question here. Type over or delete this text.

Use the Body text style to complete your answer. If you need more styles, use built-in styles:

* Heading 2 and Heading 3
* Bullet list, Numbered list.

|  |
| --- |
| 1. Will the scheme apply to the whole association or to specific membership classes? |

Add your response.

|  |
| --- |
| 1. If your association has more than 1 membership class, complete the following table. Describe each class (and type, if there are corporate members) defined in your constitution, by-laws etc. Then add the total number of members in each category. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Membership class | Number of association members | Number of members excluded from the scheme | Number of eligible scheme participants | Number of eligible participants who are individuals | Number of eligible participants who are corporations |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| Total |  |  |  |  |  |

|  |  |
| --- | --- |
| Register of members | |
| 1. Is your scheme participant register public? If not, how would a person make an enquiry, and what is your process for responding to such enquiries? | |
| Required documents | * An excerpt or the structure of the scheme participant register. * Your policy and procedure for providing access to this register. |

Add your response.

|  |
| --- |
| Exclusion from the scheme |
| 1. Does your proposed scheme exclude or only apply to specific membership classes? If so, please answer the following questions.    1. Why does your proposed scheme only apply to specific membership classes?    2. Why does your scheme exclude certain members or membership classes? |

Add your response.

|  |  |
| --- | --- |
| Exemption from the scheme | |
| 1. Does your proposed scheme give your association discretion to permit exemption from the scheme? If so, why? Please also provide the documents below. | |
| Required documents | * Your policy and procedure for accepting, considering and advising the outcome of a written application for exemption, including the criteria for exemption. * The governing body or delegated committee’s terms of reference to do this. * All forms or information about exemption that you provide to members or publish on your website. * Your policy and procedure for auditing members to ensure that those who are exempt do not falsely claim limited liability. * Your register of exempt members, showing how you record: * the exempted member * the start date and length of the exemption * the dates that you received the application, considered it and notified the member in writing * the basis, consideration and reasons for approving the exemption * the Board, committee or delegated person that approved the exemption * any other conditions placed on the exempted member (such as prohibiting them from using the notification of limited liability). |

Add your response.

|  |  |
| --- | --- |
| Higher discretionary caps | |
| 1. Does your proposed scheme give your association discretion to approve a higher limitation of liability for a scheme participant? If so, why? | |
| Required documents | * Your policy and procedure for accepting, considering and advising the outcome of a written application for a higher discretionary cap, including the criteria for approval. * The governing body or delegated committee’s terms of reference do this. * All forms or information about applying for a higher discretionary cap that you provide to members or publish on your website. * Your register of higher discretionary caps for scheme participants, showing how you record: * the scheme participant and the discretionary cap that applies * the dates that you received the application, considered it and notified the member in writing * the length of any discretionary cap * whether the discretionary cap applies to all clients, a range of clients or 1 client * the basis, consideration and reasons for approving the discretionary cap * further information about professional indemnity insurance and business assets (if applicable) requested from the scheme participant * the Board, committee or delegated person that approved the higher discretionary cap * any other conditions placed on the scheme participant (such as additional risk management, disclosure, PI reporting or risk reporting). |

Add your response.