

ELANY Electronic Signature Use Agreement

The Excess Line Association of New York hereinafter referred to as “ELANY”, has created a system by which Excess Line licensees and sublicensees may submit excess line transactions for examination, stamping, and return electronically under a signature which meets the legal definition of an “electronic signature”.

The use of the electronic filing system will substantially reduce the time frame in which stamped documents are returned to licensees and sublicensees.

Since most submissions for stamping will be made by customer service representatives or other designated employees on behalf of a licensee and or sublicensee, it will be the customer service representative or other designated employee who actually enters the electronic signature of the licensee or sublicensee. The electronic signature will be a PIN number also known as a personal identification number for the licensee or sublicensee who placed the coverage.

In consideration of ELANY’s providing access to the electronic filing system and subject to the terms and conditions set forth herein, the undersigned licensee or sublicensee agrees:

- I. That transactions submitted under my PIN number by any customer service representative, other designated employee or independent vendor with whom I work constitutes my express permission for such submission under my excess line license or employer’s excess line license and has the same legal effect and consequences as placing my original signature on a Part A affidavit form.

SECTION II BELOW MUST BE COMPLETED BY ANY LICENSEE WHICH OUTSOURCES THE FILING OF AFFIDAVITS TO AN INDEPENDENT VENDOR.

- II. Transactions submitted on my behalf as a licensee or sublicensee will be submitted with my express permission by the following independent vendor whose only function is to act as a filing administrator on insurance transactions which I personally placed and has my express permission to use my PIN number.

| | |
|----------------------|----------------|
| Vendor Name | Vendor Address |
| Vendor Phone & Email | Contact Person |

The licensee or sublicensee shall provide ELANY with immediate notice of any termination or modification of any such delegation of authority to a third party vendor and shall provide ELANY with any additional information ELANY may request in this regard.

- III. The licensee or sublicensee is and remains legally responsible under all applicable laws, regulations and procedures for the accuracy and timeliness of any filing submitted on its behalf.

The licensee or sublicensee is and remains legally responsible for any breach of security or privacy that is or may be the result of its sharing any PIN number, pass code or other security device it has provided to or been provided by ELANY and hereby agrees to indemnify and hold ELANY harmless for any such breach.

In the event that ELANY cannot obtain adequate responses, corrections, information or any other form of compliance by the licensee's or sublicensee's designees who submit transactions electronically, as a licensee or sublicensee, I acknowledge I am responsible to personally undertake all measures to adequately address or correct any compliance deficiency.

CHECK APPLICABLE BOX AND COMPLETE INFORMATION BELOW.

IV. My name is _____ and I

am a sublicensee of the following excess line broker

Excess Line Broker Name License #

am an employee of the following excess line broker but not a sublicensee. I have an individual excess line broker's license but submit my transactions under the excess line license of my employer set forth below.

Excess Line Broker/Employer Name License #

am self-employed and submit transactions under my individual excess line license # _____.

In witness whereof, I have executed this agreement this _____ day of _____ 2020, to induce ELANY to authorize my use of the Electronic Filing System.

Signature