

**COMMONWEALTH OF PENNSYLVANIA
ANTHRACITE AND BITUMINOUS COAL AND CLAY
MINE SUBSIDENCE INSURANCE FUND**

INSURANCE PRODUCER AGREEMENT

Throughout this contract the terms “you” and “your” refer to an individual who agrees to the terms and conditions of this contract by executing this agreement in accordance with the electronic signature provisions that are a part of this agreement, and the term “Fund” refers to the Anthracite and Bituminous Coal and Clay Mine Subsidence Insurance Fund and its designated representatives. This agreement establishes a contract between you and the Fund for the submission of applications for Mine Subsidence Insurance Policies.

Whereas, the Fund is authorized to enter into this contract by Section 10.d of the Act of August 23, 1961, P.L. 1068, No. 484, *as amended*, an Act Creating an Anthracite and Bituminous Coal and Clay Mine Subsidence Insurance Fund. (*52 P.S. §§ 3201 et.seq.*)

Whereas, you are licensed by the Commonwealth of Pennsylvania, Department of Insurance as an Insurance Producer with property and casualty authority and wish to be able to submit to the Fund Mine Subsidence Insurance Applications via the Fund’s online Producer Application System.

The parties hereto intending to be legally bound hereby agree as follows:

1. **DEFINITIONS**

A. *Mine Subsidence Insurance Applications* -Applications for Mine Subsidence Insurance Policies prepared and submitted to the Fund using the online Producer Application System.

B. *Mine Subsidence Insurance Policies* -Insurance policies issued by the Fund, based on Mine Subsidence Insurance Applications, covering structures against damage due to subsidence from underground coal or clay mines.

2. **SUBMISSION OF APPLICATION** -You are authorized to submit to the Fund, through the online Producer Application System, Mine Subsidence Insurance Applications.

3. **TERM OF CONTRACT** -This contract becomes effective and binding upon your acceptance of this contract. The contract remains in effect as long as you comply with all the terms and conditions of this contract as determined by the Fund.

4. **INSURANCE LICENSE** -You must be licensed by the Commonwealth of Pennsylvania, Department of Insurance as an Insurance Producer with property and casualty authority to be eligible enter into and remain a party to this agreement.

5. **CONSIDERATION** -You will receive commissions equal to 50% of the first year's premiums of the Mine Subsidence Insurance Policies issued by the Fund resulting from Mine Subsidence Insurance Applications submitted by you through the online Insurance Producer Application System. The Fund may change the commission. The new commission will become effective upon notification to you via e-mail.
6. **COMMISSION PAYMENT** -You will be paid by retaining the commissions (50% of the first year's premiums) and submitting the rest of the premiums to the Fund.
7. **COMMISSION EXCLUSIONS** - Commissions will not be paid if the structure under application has carried coverage within one year of the date of a new application and the titled ownership has not changed. Commissions will not be paid if the structure under application has carried coverage within two years of the date of a new application, if the titled ownership has not changed and if the agent or agency submitting the application has not changed.
8. **COMMISSION REFUNDS** -You must promptly refund to the Fund commissions received for the Fund's issuance of Mine Subsidence Insurance Policies if the Fund has notified you that the policies were canceled within a year of their issuance. Commission Refunds are based upon a prorated portion of the unearned premiums.
9. **CONFIDENTIALITY** -The Fund maintains the confidentiality of all the information contained in Mine Subsidence Insurance Applications, as well as all information pertaining to individual Mine Subsidence Insurance Policies issued and claims submitted thereunder. You are responsible for maintaining the confidentiality of this information to the extent it is either in your possession or you have access to it via the online Insurance Producer Application System.
10. **INCORRECT INFORMATION** -You will not submit to the Fund any applications that you know or have reason to believe contain incorrect or false information.
11. **MARKETING MATERIALS** – The Fund provides marketing materials at its web site, www.paMSI.org, which you may reproduce and provide to your customers to promote the need for and availability of Mine Subsidence Insurance. These materials may not be altered. The uncaptioned images may be used in conjunction with captions or text that you develop. However, you must stop the use of the Fund's marketing materials if you are directed to do so by the Fund.

EXECUTION OF INSURANCE PRODUCER AGREEMENT

Pursuant to the Pennsylvania Electronic Transactions Act -Act 69, of 1999 effective January 15, 2000 (73 P.S. §§ 2260.101 -- 2260.5101), you are about to engage in an electronic transaction with the Commonwealth of Pennsylvania. You are submitting official information.

By pressing yes below you acknowledge that you have read the forgoing Insurance Producer Agreement and that you accept its terms and conditions:

YES Execute Insurance Provider Agreement

NO Cancel the transaction