

## 苏黎世董监事及高级管理人员责任保险单臻选 2015 版 附加专业金融服务除外条款

双方理解并同意，**保险人**对任何针对**被保险人的**指称、起因于、基于或归因于**被保险公司**或者任何**被保险个人**履行或者未能履行专业服务、或者任何相关的行为、错误或者失误的任何**赔偿请求**有关**财务损失**不负赔偿责任，包括但不限于以如下身份提供的服务：证券经纪人、证券交易人、财务顾问、投资顾问、商业或投资银行、保险经纪人、保险代理人、保险公司、再保险公司、对冲基金、投资信托公司、资产管理公司、基金管理人或者主要用来从事商品、期货或外汇交易的实体或类似实体；以及任何其他专业服务。

本批单不适用于指称未能对履行或者未履行上述专业服务的**被保险个人**进行监管的**衍生诉讼**。

以下附加定义适用于本除外条款：

**衍生诉讼**是指，由**被保险公司**的一位或多位股东代表**被保险公司**提出并维持的**赔偿请求**，且该**赔偿请求**不得由**被保险公司**或**被保险个人**发起，**被保险公司**或**被保险个人**亦不得参与或给予有关指令。

本保险单的所有其他条款、除外责任和条件维持不变。

### Professional Financial Service Exclusion

It is hereby understood and agreed that the **Insurer** shall not be liable to make any payment for **Financial Loss** in connection with any **Claim** made against any **Insured** alleging, arising out of, based upon or attributable to the **Company's** or any **Insured's** performance of or failure to perform professional services, or any act(s), error(s) or omission(s) relating thereto, including but not limited to, services performed as a securities broker, securities dealer, financial advisor, investment advisor, merchant or investment bank, insurance broker, insurance agent, insurance company, reinsurance company, hedge fund, investment trust, asset management company, fund manager; or services rendered in any entity established principally for the purpose of carrying on commodities, futures or foreign exchange trading or any other similar entity; or any other professional services.

Provided, however, this exclusion does not apply to **Derivative Actions** being filed against any **Insured Person** alleging a failure to supervise those persons, who performed or failed to perform such professional services.

The following definition additionally applies:

**Derivative Actions** is a **Claim** made and maintained on behalf of a **Company** by one or more of its shareholders without this being done on the initiative of a **Company** or an **Insured Person** and without a **Company** or an **Insured Person** participating therein or giving instructions in this connection.

ALL OTHER TERMS, CONDITIONS AND EXCLUSIONS REMAIN UNCHANGED.