

March 8, 2023

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# Spotted: The AICP Newsletter

## *Where Communications Meet Craft*

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### DOING BUSINESS

#### Omnicom MPPA: Are Your Foreign Productions Insured?

Omnicom's wrap up insurance program does not provide insurance for foreign productions.

If you are considering working with an Omnicom agency under their Motion Picture Production Agreement ("MPPA"), you or your foreign production service company will be responsible for obtaining the insurance policies and limits as required in the exhibit "Insurance Requirements for Contractors and Subcontractors Not Domiciled in the U.S. or Canada", formerly known as "Exhibit D".



The insurance policies required in this exhibit are not available in every country and many foreign production service companies do not have the required policies limits, policies listed (e.g., non-owned and hired automobile liability coverage does not exist in every country), or are able to comply with the language in the exhibit as written (e.g., additional insured status does not exist in every country).

If you are producing a job outside the U.S. or Canada, AICP advises you to treat foreign production insurance like any other special risk and discuss with the agency's wrap up insurance broker the coverage you or the foreign production service company can provide and subsequently amend the MPPA to reflect the accurate coverage/limits that will be supplied.

Over the past two years AICP has been in discussions with Omnicom about their Exhibit D to improve this process for their agencies and our members. In response Omnicom has included country specific language in the newly entitled exhibit, but unfortunately these changes do not work from a practical standpoint. To ensure your foreign production service company carries the required insurance, you will need to provide them with a form containing the correct information in a format they can understand. Expecting a foreign entity to follow the new language as written (especially in a language that is foreign to them) that weaves and back tracks through sections of the contract instructing them to strike "X" and replace with "Y" is asking for trouble.

[Insured?](#)**COMMUNITY AFFAIRS**[AICP East Board Host Winter Member Mixer; Raises Funds for the AICP Foundation](#)[Second Cycle of AICP Mentoring Program Kicks-Off With 39 Participants Paired with AICP Mentors](#)**AMP PLAYLIST**[Anomaly's Leanne Amann Named Chairperson of the 2023 AMP Awards for Music & Sound](#)[A Recap of AMP's January Agency Producers' Roundtable](#)**MEMBER SERVICES**[AICP Membership Continues to Grow](#)**HAPPENINGS**

Visit the [AICP Calendar on aicp.com](#) for all upcoming dates and events...

March 9th, 2023 - [Weekly AICP Virtual Town Hall](#)

March 13th, 2023 - [Extended Deadline to Enter the 2023 AICP Awards](#)

March 14th, 2023 - AICP East Board Meeting

March 15th, 2023 - Labor Roundtable in New York City

March 15th, 2023 - AICP West Board Meeting

March 16th, 2023 - Weekly AICP Virtual Town Hall

March 23rd, 2023 - Weekly AICP Virtual Town Hall

March 23rd, 2023 - Post Production Roundtable in Chicago

March 28th, 2023 - Labor Roundtable in Los Angeles

If you are bidding with an Omnicom agency and are planning to shoot outside the U.S. or Canada, you should ask the agency to supply you with an insurance exhibit that contains the correct information for the country in which you're planning to shoot. This will enable you to verify that the local service company can provide the desired coverage or provide you with the information needed for discussions to amend the MPPA accordingly.

**Steps to take:**

- Request an insurance exhibit applicable to the foreign country where the shoot will take place.
- Send the exhibit to the foreign production service company and ask them to comment on the policies and limits they have and don't have, including policies they are unable to obtain in their territory.
- Forward the annotated exhibit to the Omnicom insurance broker to confirm that the coverage your foreign production service company will provide is acceptable.
- If Omnicom requests additional coverage (that is available), go back to your foreign production service company for a quote for the additional coverage.
- If the foreign production service company is unable to provide coverage as stated in the exhibit, request an amendment to the MPPA that reflects the actual policies and limits that your foreign production service company can supply.
- Finally, amend any other part of the exhibit that is not applicable in the country of your shoot.

Please note, if you don't amend the MPPA to reflect the actual coverage you or your subcontractor will provide, you are at risk of being in breach of the representations and warranties in the general terms of the MPPA and may be liable for claims which would otherwise have been covered.

For more information on the Omnicom MPPA please see AICP's bulletin, [found here](#).

If you have any questions regarding this or any other business affairs issue, please contact me at [deniseg@aicp.com](mailto:deniseg@aicp.com)



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