

# Insurance FAQ

## Public Liability



### **1. Why do we need to have two insurance covers in place to run an event; Public Liability and Personal accident insurance - what is the difference between the two covers?**

**Public liability** insurance is designed for people who interact with customers or members of the **public**. It protects against claims of personal injury or property damage that a third party suffers (or claims to have suffered) as a result of your business activities.

**Personal accident** insurance is a form of cover that protects you financially in the event of an **injury** sustained from an **accident**. If an incident occurs, **accident** insurance will cover you in the form of a lump sum (TPD insurance).

There is a condition of the Events Policy that a Personal Accident policy must be in place for competitors, this is so the participation cover can be included under the Events policy. If there was no Personal Accident policy, the Liability policy would exclude any claims from Participation (even if there was negligence), which is one of the main exposures the reason why it is important to ensure cover is in place.

### **2. We are a club that owns the grounds where we conduct activities, are these activities included in the annual club cover section of the policy?**

The policy states cover is extended to include meetings, working bees and other small fundraising activities (restricted to 100 attendees) during the policy period. This **EXCLUDES** any type of physical horse or bull riding activity or sporting events where animals or stock are involved.

Other areas included under the club cover are:

- ◆ Maintenance carried out on equipment at working bees
- ◆ Set-up and pack-up for the event
- ◆ Transporting to and from the event; travel is not usually an issue as registered motor vehicle is excluded under all liability policies.
- ◆ Rodeo and cabaret- the committee would be covered for cabaret so long as it is in conjunction with the rodeo; cover would include their setup and pull down. Cover would not be extended to set up gear for somebody else's event and they would require stock Contractors policy for this one.

### **3. What is a 'Working Bee?'**

A 'Working Bee' is an occasion when volunteers come together to carry out communal work.

### **4. We are looking to run Motorbike Gymkhana events in conjunction with our main event, is this type of activity included in cover and if so, are there any conditions?**

YES, the NRCA Event Public Liability policy does endorse motorbike activities under the following terms and conditions:

- GROUP Motorbike racing is excluded under cover. Motorbike racing is covered on an individual timed event basis ONLY i.e. only one rider can participate at any one time. We do not cover any type of motorbike activity where there are riders competing at the same time in a race i.e. riders racing against each other at the same time; this would include a race against a horse.
- Quad bike racing is not permitted (only 2-wheel bike racing is permitted)
- No personal accident cover provided for bike riders

### **5. What is a Sub-Contractor?**

A sub-contractor is a third party who is contracted to provide services to the organising committee e.g. Jumping Castle Operator, Food Vendor, Security Company, Cleaner or Entertainer. All sub-contractors are required to hold their own public liability policies when providing services to organizing committees, promoters or associations. Committees need to request a copy of the sub-contractor's public liability insurance certificate and check to make sure this is up to date.

#### **6. Are concerts covered under the policy?**

YES, the committee would be covered under the policy for injury occurrences relating to acts of negligence if the concert is being held in connection with the organising committee's business i.e. the committees insured rodeo or rodeo related event. However, the entertainer and persons providing the staging equipment and/or truck would be deemed as third-party providers (sub-contractors) and as part of the insurer's terms and conditions, would still be required to hold their own public liability cover.

#### **7. If the committee owns and operates their own jumping castle or mechanical bull machine, is liability included under the general NRCA event policy?**

YES, cover is extended to include the jumping castle or mechanical bull machine if owned and operated by the organising NRCA insured committee however if the committee is hiring out the jumping castle/mechanical bull machine to somebody else to operate, separate cover would be required.

#### **8. What type of first aid equipment is acceptable on site as per the insurers clause under the terms and conditions of the policy?**

The NRCA strongly recommends an ambulance is present at each event, however we do understand in some instances which could include geographical limitations that this may not be possible and the minimum first aid services accepted would be a registered nurse or qualified medical officer onsite with adequate first aid equipment to handle potential injuries.

#### **9. What events do you cover in addition to Rodeo?**

Bull and Bronc, Horsemanship Clinics, Schools, Practice Days, Stockman's Challenge, Bikehana, Campdraft, Team Penning, Cutting, Reining, Gymkhana, Horse Sports Day, Bush Sprint Races, Camel Racing, Bronco Branding.

#### **10. What is an 'excess' and how does this apply to any claims?**

An **excess** is a contribution you are required to pay towards a claim you make on your **insurance** policy. An insurer may have many types of excesses that can apply in different situations. Generally, an excess will only apply if you are at fault and the insurer can be compensated by the third party's insurer.

#### **11. What does 'Interested Party' mean?**

An 'Interested Party' is not the same as an 'Insured' party as this would provide such person or entity full cover, which is not the intention of the Policy.

The intention of noting person(s) or entity(s) on a Certificate of Currency is to provide them with limited protection if they are brought into an action purely as a result of the NRCA Affiliated Committee/Organiser's negligence. The policy will not respond to protect the Interested Party if they themselves were in anyway negligent in contributing to the claim.

The cover provided only extends to the entity named as the 'Insured' on the policy.

#### **12. What is Rain Insurance?**

Rain insurance commonly falls under Event cancellation insurance and can be applied for under a separate policy.

The 'Rain insurance' extension can be picked up by the 'adverse weather' section of the policy and will cover you for costs and expenses along with ticket sales etc., should the event need to be cancelled due to weather. It also provides cover for additional expenses incurred to help an event continue following an adverse weather event.

Please note, while we may be able to obtain a quote for this type of cover, it can be quite costly and is generally only taken out by larger scale events.

#### **13. Can we insure our board members against claims?**

Although public liability insurance will cover your organisation against claims for wrongful acts, individual board members, committee members or directors are not covered, and would need to be covered with directors and officer's liability (D&O) insurance.

An incorporated association must indemnify its office holders. This will protect these people from liability for activities they undertake in good faith on behalf of the association.

Board members, committee members and directors of Not for Profits can be sued (as individuals) for acts of negligence. For example, if a board member negligently gives wrong advice or dismisses a staff member without following proper processes, they may be sued. If this happens, and the case against them is proven, the law says personal assets of the negligent board or committee members can be seized to meet any damages.

#### **14. What should I do if a claim is lodged against our committee/myself in relation to an injury occurrence at our event held and insured under the NRCA insurance cover?**

Forward any documentation received directly to our office. We will liaise with the insurer who will act on your behalf. Remember, we strongly advise you NEVER to admit liability following an incident.