

SUMMARY OF PCAQ INSURANCE FOR 2010



BROKERS

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SUMMARY OF PCAQ INSURANCE FOR 2010

All Insurers with whom we have cover are Australian Prudent Regulation Authority (APRA) approved Insurers.

We have renewed our Directors and Officers (Association Liability) Policies through brokers Elkington Bishop Molineaux Insurance Brokers Pty Ltd (EBM). Our Public Liability and Personal Accident Insurance will be renegotiated on 31st March 2010.

Mr. Anthony Chapman will continue to manage our Insurance arrangements. He has a good understanding of our requirements as an equestrian organisation.

EBM have negotiated all insurances for both ourselves and PCANSW, and are also brokers for the Australian Polo Clubs and the Australian Campdraft Association.

Because the anticipated cost of these policies, paid up front by PCAQ, will be more expensive than last year the member insurance component of the affiliation fees has increased in 2010.

Our Professional Indemnity policy is renewable in March 2010. This policy covers EFA, NCAS, PCAQ and equivalent overseas accredited instructors, who are being paid to teach at pony club organised musters/camps/schools/seminars. Once again, the cost of this policy will be paid in full by PCAQ when it becomes due.

Our Public Liability cover has been underwritten by QBE (Australia) Ltd and provides a **\$20,000,000** cover. All financial Affiliated Members have 24 hour public liability cover for any equine related damages for which they may be held negligent and liable. This Policy is renewable on 31st March 2010.

Compensation for juniors (under 18 years) under our personal accident policy is the same as that for seniors - \$200,000, except for death benefit, which for juniors will remain at 10% of the senior amount, \$20,000.

Cover under the Directors & Officers Policy will remain at \$10,000,000.

We appreciate the efforts of EBM to obtain for us the best insurance cover possible, and also the co-operation and helpfulness we always receive from Anthony Chapman, Jessica Quick and the EBM staff.

All Clubs, please make safety and risk management your priority to enable Pony Club to continue to appear in a favourable light!

John Diegan

Administration Manager, Queensland

BROADFORM PUBLIC LIABILITY

The insured are the Pony Club Association of Queensland Inc, Directors, Officials, Volunteers, Employees, Affiliated Pony Clubs, Pony Club Members, Pony Club Activities, Landowners in respect of grounds used by Pony Clubs for authorized activities.

Insurer: **QBE (Australia) Limited**
trading as QBE Commercial
An Australian authorised insurer

Public Liability cover \$20,000,000 any one occurrence
Products Liability cover \$20,000,000 in the aggregate any one period of insurance

Excess: \$1,000 each and every claim

Geographical Limits: Worldwide (excluding claims made and actions instituted within the United States of America or Canada or where the laws of those countries apply) other than from the presence outside Australia of any member who is normally resident in Australia and who is not undertaking manual work or supervision of work.

Clauses and Conditions:

Property in Care, Custody & Control

The indemnity under this policy is extended to include liability arising out of property in the Insured's Legal Care, Custody & Control providing the Limit of Indemnity does not exceed \$50,000 each & every occurrence and subject to the Insured bearing the first \$1,000 each & every occurrence.

Member to Member liability cover is included

Participation is excluded in respect to injury of the participant **unless that participant can prove a legal liability against the above named insureds.**

Landowners (private, councils, trusts etc) whose grounds are used to conduct authorised pony club activities **are included and named in the persons insured.**

Coaches (instructors) are fully covered as long as they do not receive a fee for coaching. ("Paid Instructors" means payment for actual teaching services, i.e. so many dollars per day, per rider etc.. Instructors can receive re-imbursment for travel expenses, accommodation and reasonable and provable out-of-pocket expenses, without losing their voluntary status.)

Personal Liability

The Insurer agrees to include cover for personal liability of any of the Insureds under this Policy for any Equestrian activities where no other personal liability Policy is in place or will not respond except where negligence can be proven against the PCAQ and or an Affiliated Pony Club and or a Member of an Affiliated Pony Club.

Exclusions

- Personal injury arising out of Molestation by any of the insureds
- Personal injury to any employee (any person engaged under a contract of service or apprenticeship with the insured)
- WorkCover or Workmens' compensation
- Vehicles requiring registration or compulsory liability insurance or statutory indemnity contractual liability
- Libel & Slander made prior to commencement of this insurance, or made knowing its falsity or related to advertising, broadcasting or telecasting activities
- Internet operations
- Total asbestos
- Assault & Battery
- Terrorism
- War
- Pollution
- Radioactivity
- Professional Liability
- Contractual Liability
- Loss of use from delay or lack of performance
- Product Recall
- Date Recognition
- Faulty Workmanship
- Fines, Penalties and Punitive damages
- Products knowingly exported to the United States of America or Canada
- Aircraft and aircraft products and watercraft exceeding 10 metres in length

Clarifications and frequently asked questions:

Agistment on Pony Club Grounds

The policy would cover Pony Clubs for damages caused by horses agisted on their grounds.

Normal activities of Members of Pony Club

Sports Days, Hunter Trials, other "Open Days" run by Pony Clubs, to Pony Club rules, (approved helmets, boots, no stallions present, no alcohol while horses are present etc) would be covered provided they are within the realms of activities expected of a Pony Club.

Fund raising activities are covered. At all times good risk management practices should be observed.

They should be minuted as a pony club activity and advised to the office as previously. Non-members attending such days would have no cover. **All non-members should sign a Participation Agreement.**

Certificates of Cover

May be obtained from the website at any time. All affiliated clubs will be provided with a Certificate of Cover early in the new year. Certificates listing a specific interested party (landowner, council, trustees or otherwise) may be obtained by contacting the office, who will request it from our brokers.

Venues for Pony Club

Provided the activity has been authorised and organised by the Club, it may be at any venue, keeping in mind that safety of riders and suitability aspects should be carefully monitored. Club activities do not have to be held on its designated pony club grounds, and no special permission is required to hold them elsewhere.

Lending or renting of grounds to other organisations

The other organisation should have its own public liability cover for its activities.
The pony club would be covered for any negligence claim arising from the condition of the grounds or equipment.

Hire of mechanical amusement devices

The policy will cover the hire of such devices as jumping castles, mechanical bulls etc. provided that you have obtained certificates of currency confirming such hiring parties hold liability insurance for a minimum of \$5,000,000.

PERSONAL ACCIDENT/VOLUNTARY WORKERS

Insurer Accident & Health International Underwriting Pty Ltd.

Insured Persons

- Category A - All Income Earning Members of the Insured
- Category B - All Non-income Earning Members of the Insured
- Category C - All Income Earning Voluntary Workers of the Insured
- Category D - All Non-Income Earning Voluntary Workers of the Insured

Scope of Cover

Category A & B

The coverage shall only apply whilst an insured person is engaged as a member and is participating in a Pony Club Event authorised by and under the control of the insured, including necessary direct uninterrupted travel to and from such an event

Category C & D

The coverage shall only apply whilst an insured person is engaged in voluntary work for the insured, authorised and under control of the insured, including direct uninterrupted travel to and from. Coverage shall also extend to include journeys involving an overnight stay when travelling on authorised business for the Insured.

Age Limit

The Lower age limit for all Children is 2 years old. The upper age limit is 80 years old .

Sums Insured

Death & Capital Benefits

Category A & C - \$200,000

Category B & D and persons under 18 years of age - \$200,000 except for death benefit which will be \$20,000.

Weekly Accident Benefit - Temporary Total Disablement

Category A & C - 85% of gross weekly salary to a maximum of \$700 (but not less than \$100 per week)

Category B & D - \$350 per week Out of Pocket Expenses

Weekly Accident Benefit - Temporary Partial Disablement

Category A & C - 25% of normal Weekly Benefit up to \$120

Non-Medicare Medical Expenses

90% up to \$3000 (\$50 excess)

Benefit Period

Up to and including 58 years of age - 104 weeks from the date you first become entitled to payment

59-60 years - up to 61 weeks

61-64 years - 52 weeks

65 to 80 years of age - 26 weeks

Waiting Period

7 days

Student Tutorial/Domestic Home Help

\$350 per week

Out of Pocket Expenses

\$1,000 Categories B & D

Excess

\$50

NOTES:

Incident Report Forms

Incident report form books are available from PCAQ. A copy of a form which may be photocopied is enclosed with this leaflet.

An completed incident report form should be forwarded to PCAQ as soon as possible after any accident which you feel could lead to an insurance claim being made.

If in doubt as to the seriousness of the accident, complete the incident report form and forward it.

If it later transpires that a claim is to be made, PCAQ should be advised and any receipts for medical expenses etc sent to the office. The relevant details will be sent to the brokers, who will thereafter deal direct with the claimant.

Instructors

Who only ride in the course of their voluntary services at the request of their club eg. supervision of a club trail ride, demonstration while teaching etc, may be social members. Any instructor who wishes to ride for his/her own benefit in competition or on occasions where he/she is not acting as a volunteer for the club, should become a riding member.

Major Exclusions

Prior or pending claims or circumstances known or ought to have been known

Pollution and Nuclear Risk

War

Bodily Injury and Property Damage Exclusions

Fraud and Dishonesty

Terrorism

Any actual or alleged Sexual Behavior committed, attempted, or allegedly committed or attempted by an Insured Person. Sexual Behavior means any attempted or committed verbal or non-verbal act, communication, contact or other conduct or similar conduct of sexual discrimination, intimidation, molestation, harassment, abuse or lewdness.

It is agreed that Section 4, Exclusions, is amended by adding the following section:

a. bodily injury, sickness, disease or death of any person, disability or shock, mental anguish, mental injury, false arrest, false imprisonment, wrongful eviction, wrongful entry, wrongful detention or malicious prosecution, defamation, humiliation, invasion or privacy, violation of any Federal, State, territory or local law or statute pertaining to unfair labour practices, discrimination or equal employment opportunity, or for damage to or destruction of any tangible property including loss of use thereof.

b. the rendering or failure to render professional services and/or professional advice.

Additional Conditions:

That the policy includes Personal Injury or Publishers Liability that is a Wrongful Act consisting false arrest, wrongful detention or imprisonment, malicious prosecution, defamation, invasion of privacy, wrongful entry, eviction infringement of copyright or trade mark, unauthorized use of title, plagiarism or misappropriation of ideas.

PROFESSIONAL INDEMNITY INSURANCE

Insured:	Pony Club Association of Queensland Inc	
Extended Insured:	The policy shall be extended to include qualified horse riding instructors (limited to PCAQ or PCAQ NCAS qualified coaches, Equestrian Australia qualified coaches and coaches with equivalent overseas qualifications as named Insured's but only in respect of work performed for and on behalf of the Pony Club Association of Queensland Inc. Further, it is agreed the Policy shall only provide cover in respect of training advice provided by coaches referred to within this endorsement.	
Professional Business Practice:	Qualified horse riding instructors (limited to EA, PCAQ or PCAQ NCAS qualified coaches and coaches with equivalent overseas qualifications)	
Retroactive Date:	Unlimited	
Limit of Indemnity:	\$2,000,000	Any one claim
	\$2,000,000	In the Aggregate
	\$250,000	limit for bodily injury
Excess:	\$20,000	Each & Every Claim (inclusive of costs)
Insuring Clauses:	Intellectual Property	Included
	Libel & Slander	Included
	Outgoing Principals	Included
	Trade Practices & Related Legislation	Included
Policy Extensions: (Automatic)	Severability & Non-Imputation	Included
	Fraud & Dishonesty	Included
	Outgoing Principals	Included
	Loss of documents	Included (Sub-Limit \$100,000 any one claim and in the aggregate)
	Newly created Subsidiary	Included
	Official Investigations & Enquiries - Costs & Expenses	Included (Sub-Limit \$25,000 Any one claim and in the aggregate)
	Run-off Cover Insured Entity	Included

Notes

This policy was first taken out by PCAQ in March 2004. It is intended to protect accredited, paid instructors and the clubs/zones/regions employing them. It means that clubs/zones & regions can now employ and pay qualified instructors and the instructor and the club or zone will be covered in the case of any damages claim made against them.

Please note:

- To be covered, paid instructors must be accredited as above
- Cover for such instructors only applies at pony club organised activities for example, if the club arranges for extra instruction to be available for club members by a paid accredited coach on, say Thursday afternoons, then this insurance would cover the instructor and the club. Normally the fees due to the instructor would be paid by the club and recovered from the members taking part.
- However, if the club merely allows a professional instructor to use its grounds to teach members under a private arrangement between the instructor and such members, and such lessons are not a club initiative, then the instructor would not have any professional indemnity insurance cover through pony club. The club would be covered under the public liability policy for damages which may be said to be caused by its grounds or equipment.