

ACDS Insurance FAQs

Answers supplied by Simon Tait, Jardine Lloyd Thompson

What is Personal Liability Insurance and what does it cover?

Personal Liability Insurance is to cover Members personally against claims made against them personally, as opposed to the ACDS as an entity or for claims made in conjunction with a claim against the ACDS from the same incident. An example might be where an owner of a Horse failed to secure it correctly whilst at an ACDS event and it escapes and causes personal injury or property damage to third parties. If at an ACDS event etc a claimant would sue the ACDS and also the Owner of the Horse. The ACDS Policy protects the ACDS as an entity and also the Member personally. This is always subject to negligence being proven against one or both.

Am I insured whilst training my horse?

Training is covered.

Are just my harness horses covered?

Your Personal Liability extends to all your activities.

Am I insured at activities not conducted by the ACDS i.e. Agricultural Shows, events run by other organizations?

You are covered by the ACDS Liability Policy whilst at ACDS events. Members are covered by the Personal Liability Cover at all other times (subject to the wording and conditions).

What is Public Liability Insurance and what does this cover?

Public Liability covers the legal liability of the Insured parties against claims made by a third party for Bodily injury and or Damage to property arising out of proven negligence. It is not a Personal Accident Policy. Any claim made by a third party will be defended on your behalf by the Insurer if an entitlement to Indemnity under the Policy is agreed by them.

What is directors and officers insurance, and who does this cover within the ACDS?

Directors and Officers Cover is to protect the Office Bearers of the Association for claims made against them for a breach of their fiduciary duties as a Director, including wrongful acts, breach of OH & S regulations.

Are ACDS event organizers and voluntary workers insured?

Event organisers and volunteers are insured under the ACDS Public Liability Policy.

How much is the excess on each policy, and who is responsible for paying this when a claim is made?

Excess on Liability Policy is \$1,000 per occurrence.

Deductible on Directors & Officers cover is Nil if no claim is established. \$2,500 if claim established. Employment related claims \$1,000.

Are voluntary grooms covered?

Voluntary grooms are covered.

One Activity Insurance – does it cover an activity that lasts longer than one day? What activities are not covered under this policy?

All activities are covered as long as they are held under the auspices of the ACDS. This includes Social events.

The following conditions apply to the use of the One Activity membership:

- I must observe any instructions or advice given me by the ACDS officials conducting the activity.
- I cannot participate in any competition where speed, distance covered or time taken is used to determine winners or placegetters.
- I cannot participate in speed cones, scurry driving, or competitive obstacle driving.
- I cannot participate in any activity where the results of two or more competitions are aggregated to determine winners or placegetters.
- In the event of my being held wholly or partly responsible for an incident resulting in a claim against the ACDS insurers, I may be required to contribute towards the first \$1,000 of the cost of settling that claim.

A non-member of the Society may apply for one activity membership no more than three times in any club year.

What happens if I have an accident while driving? At home? At an ACDS Event?

If a Member has an accident at home, at an event etc. and they are injured then they would claim under a Personal Accident Policy if they have one of their own. There is no group personal accident policy in place. Please do not confuse Public Liability Insurance with Personal Accident cover. Liability covers claims made against you for personal injury or damage to property of someone other than you as a Member.

Do you insure the horse?

Horses are not covered under the Public Liability Insurance and they cannot be as they are an exclusion on all Policies.

Members can insure their horses, carriages etc by contacting Galee Mottram in the JLT offices in Sydney.

Can we pay an instructor and be covered under our insurance?

You can ask anyone to instruct if they are a volunteer and do not get paid any fees, on that basis they are already insured under the Public Liability Policy. Petrol and out of pocket expenses are OK. Your policy includes Volunteers automatically.

If you pay an instructor who is deemed to be an expert and they are paid to teach (other than out of pocket expenses) then they need to prove that they have their own Public Liability Cover and Professional Indemnity Cover. This is because they would be considered a Professional.

For further information please go to the JLT website www.jlta.com.au or contact them direct for insurance for horses, carriages, equipment etc.: 02 9290 8117.

Or, contact the Federal Secretary – contact details under Office Bearers on the Federal Website.

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