

PUBLIC LIABILITY INSURANCE

Please refer to the information below to see if this coverage is right for you and your organisation and the activities you intend to deliver. For further advice please refer to the Gallagher Sport Team.

Summary of Cover

The Summary of Cover below provides a general overview of the Program's Public and Products Liability Insurance including Professional Indemnity.

Public/Products Liability Cover Public/Products Liability insurance can provide protection for Motorsport Australia affiliated clubs, permit holders and Motorsport Australia members against legal and associated costs that may arise if they are accused of negligence.

Professional Indemnity insurance can provide protection for insured individuals against legal and associated costs that may arise if accused of negligent acts, errors or omissions.

The Insured Motorsport Australia Ltd and all controlled and related entities.

Who is covered: Motorsport Australia Employees; Members; License Holders; Volunteers; Officials; Motorsport Australia appointed personnel for specific events, series or championships; Affiliated Clubs (to the extent of activities not requiring a Motorsport Australia Permit); Pit Crew; Motorsport Australia Track License Holders; Series Category Managers and Series Competition Managers; Motorsport Australia Permit Holders (event organisers); Landowners, land managers, land administrators and/or lessees of property (to the extent of their respective rights and interests within Motorsport Australia Permitted events); Sponsors (to the extent of their respective rights and interests within Motorsport Australia Permitted events).

Scope of Cover: Indemnity applies to those activities as permitted or approved by the Motorsport Australia Ltd (Motorsport Australia) including preparation, lead in, lead out and similar activities associated with the permitted or approved activities.

Principally, but not limited to, activities declared by Motorsport Australia and those activities specifically provided for within the Policy Wording together with any additional activities for which Motorsport Australia may elect to specifically notify to the insurer from time to time.

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Please note the following information is an excerpt from the Motorsport Australia Insurance Program handbook - available via sport.ajg.com.au

General advice regarding insured activities:

In general, the following activities are automatically covered by the Program’s Public/Products Liability Insurance:

- **Event** activities as approved through the Motorsport Australia Permit application process (including preparation, lead in, lead out and similar activities associated with approved motorsport activities) where:
 - a) The Motorsport Australia Permit application includes a list of all motorsport and non-motorsport activities/risks; and
 - b) Does not require insurer notification (see below).
- **Club** activities undertaken by Motorsport Australia Affiliated Clubs (including Enthusiast Car Clubs and Sporting Car Clubs) where:
 - a) The activity is undertaken for club members only;
 - b) A Motorsport Australia Permit is not required; and
 - c) Does not require insurer notification (see below).
- Activities which do not require insurer notification: Such activities may include, but are not limited to, administration duties, regulatory activities, event organising and promoting, provision of medical facilities and/or fire services and/or rescue services and/or ambulance services and incidental activities including affiliated club member services and non-motorsport activities as agreed.
- Non-motorsport activities shall include, but are not limited to, committee and club member meetings/social events, fund raising activities and working bees (excluding construction or professional works of any kind).
- Property owners and/or lessors/lessees shall be indemnified to the extent of their rights and interests associated with approved motorsport activities only.

Limits of Cover:

Public Liability – Any One Occurrence	\$100,000,000
Products & Pollution Liability – Any One Occurrence and in the Aggregate	\$100,000,000
Professional Indemnity – Any One Claim and in the Aggregate	\$10,000,000

Excess:

Each and Every Occurrence (see table below)

Insured Entity	Motorsport Australia Permitted Motorsport Events	Motorsport Australia Non Competitive, Social Permitted Event (i)	Motorsport Australia Social Events (ii)
Affiliated Sporting Club (Sporting Plans 1, 2,3,4)	\$5,000	\$1,000	\$1,000
Affiliated Enthusiast Club (Enthusiast Plans 1, 2,3,4)	N/A	\$1,000	\$1,000
Landowners	\$5,000	\$1,000	\$1,000
Other entities	\$10,000	N/A	N/A

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- i. events or activities not involving motorsport activities and where general public are involved
- ii. events or activities not involving motorsport activities and where only club members are involved, e.g. committee meetings, working bees, club social drive days, club only show and shine

Professional Indemnity: Each and Every Claim \$10,000

General Exclusions (What's NOT covered?)

- Claims where the insured is liable under any Workers or Workmen's Compensation or Accident Compensation legislation;
- Driver/entrant/crew to other driver/entrant/crew in competing vehicles whilst both are competing in the same event &/or practicing in any form, for Property Damage only;
- Contractual liability except as outlined above in the extensions section;
- Liability caused by any aircraft or arising out of any work therein or thereon;
- Pollution - other than sudden, identifiable, unintended and unexpected.

Duty of Disclosure:

From time to time, certain activities undertaken by Motorsport Australia Permit Holders, Motorsport Australia Track License Holders and/or Motorsport Australia Affiliated Clubs may extend beyond the scope of motorsport activities that must be pre-approved by Motorsport Australia (for example, entertainment or non-motorsport activities). In these circumstances, you may be required to notify the insurer of these activities. The insurer, at its sole discretion, may accept or deny coverage based on the information supplied by Motorsport Australia.

The Program is designed to offer broad coverage for the agreed risks as determined by Motorsport Australia each year upon renewal of the insurance policies. Therefore, any risks considered outside the scope of cover below, must be brought to the attention of Motorsport Australia and Gallagher accordingly.

As part of the current contract of insurance, all insured organisations have a duty under the Insurance Contracts Act 1984, to disclose to the insurer (via Gallagher) every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

This duty does not require disclosure of a matter:

- that diminishes the risk to be undertaken by the insurer;
- that is of common knowledge;
- that your insurer knows or, in the ordinary course of his business, ought to know;
- as to which compliance with your duty is waived by the insurer.

If you fail to comply with your duty of disclosure, the insurer may be entitled to reduce their liability under the contract in respect of a claim or may cancel the contract altogether. If your non-disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

The insurer requires that all Motorsport Australia Affiliated Clubs and Motorsport Australia Permit Holders consider all risks associated with their insured activities carefully. If you are not sure, or would like further clarification, regarding coverage of these activities please refer to the information within.

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