

## **PUBLIC LIABILITY INSURANCE**

A public liability insurance policy is necessary for an organisation to protect itself against claims of negligence made by third parties in relation to injury or property damage arising from the organisation's operations.

Should every Caller/Club/Association be covered by Public Liability Insurance?

There is no specific un-arguable answer to this question, each individual or executive will need to make their own decision based on their own interpretation of the risk involved and their conscience toward potential injuries or losses liable to be sustained by others, " the public " during the process of their activities.

What is Public Liability insurance? As the name implies it protects the insured against the cost of compensation for bodily injury and/or damage to property for which the insured can be proven to be legally liable during the public performance of their normal activity. It should be noted that liability is extended to property damage as well as personal injury, and particularly the need for legal liability to be established. Liability is usually occasioned by negligence on the part of the insured, which precludes compensation for accidental events where no negligence or liability will exist. It follows that accidental personal injury or damage to property is not covered by this insurance. It may therefore be in the best interest of principals to consider alternative types of insurance in addition to Public Liability if these eventualities are also required to be protected e.g. Personal Accident and/or Equipment insurance.

Consider the following 'SAD' Story -

An insured club hires and engages a Caller for a function. - a dancer trips over a loose floorboard and sustains injury - the owners of the hall are liable for not maintaining the hall in a safe condition for public use and hopefully will have their Public Liability insurance to cover this eventuality.

- one of the speakers falls from the stage injuring a dancer. - the club will be liable for negligently securing the speaker and will be fully covered by their insurance.

- at the end of the night the club as hirer fails to secure the entrance doors to the hall as specified by the owners and clean up before leaving. Winds blow through the open doors upsetting ashtrays (not emptied) and the hall burns down. - the club will be liable for the loss of the hall but will be fully covered by their insurance.

Not a great square dance event, but adequately covered by Public Liability insurance. Some not-for-profit organisations believe that because they have become an incorporated association, they cannot be sued. This is not the case.

Incorporation creates a legal entity that is separate from the individual members. Board members of unincorporated bodies can be sued as individuals. Incorporation provides a certain amount of limited liability for members. However, it may not protect the organisation or individual directors in cases where negligence can be proven.

The policy may also cover injuries resulting from products sold or supplied by your organisation. You should check the extent of your cover to ensure that product liability is included in your policy if relevant. This is particularly important for organisations that sell food or products as part of their day-to-day activities or for fundraising. I.E sausage sizzle. Covers you and your club for losses or damage a third party suffers (or alleges to have suffered) as a result of your clubs activities.

Provides protection against legal and court costs in the event that someone is injured, or has their property damaged during a club activity. This type of insurance covers incidents that occur not only in your studio, but also at events you may produce in external locations.

It also includes Molestation/abuse claims

PLEASE NOTE: The policy held by our Society will cover all functions directly organised by the Society or a Sub-committee duly approved by the Society. If a club or group wishes to be covered this way they must apply to the Society and must be prepared to run the function through a committee duly approved as a subcommittee of the Society. Other than this, each function will need to make a decision whether or not to take out a cover.

Functions that COULD be covered by our existing policy would be the Christmas Party, Sunshine State Round Up, Nth Qld Delegates meeting/dance, Nth Qld Convention, "Festivals" which donate a substantial proportion of their profits to the Square Dancing Society of Queensland, Inc. BUT REMEMBER - organisers must apply for Society approval for this cover. Other than in these circumstances, a club wishing to be covered must take out its own cover in either of the 2 ways.

1. Your club may opt for a Public Liability insurance through a private insurance company or broker.
2. or through DanceSurance details below.

The Square Dancing Society of Queensland Inc. does not and cannot provide Public Liability Insurance to Clubs. The Society provides to its individual members an "ACCIDENT COVER". For information on this Policy please contact Society Treasurer.

If interested please contact DaanceSurance; Address: 425 Burwood Hwy, Wantirna South  
Vic 3152 P.O. Box 4408, Knox City Centre, Vic., 3152 T: 1300 55 22 05 W:  
[www.DanceSurance.com](http://www.DanceSurance.com);

Email: [Info@DanceSurance.com](mailto:Info@DanceSurance.com)

Aussie Insurance Brokers Pty Ltd Incorporating DanceSurance International & Showtime  
Entertainers & Production Insurances ACN 060 208 951 ABN 88 648 356 372 AFS Licence  
No: 432882