



THE UNIVERSITY OF THE THIRD AGE

THE THIRD AGE TRUST

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U3A LIABILITY INSURANCE

This document is designed to be an 'at a glance' guide to the very complex subject of Liability Insurance. Should you need further clarification then please refer to Lin Jonas at the National Office (0208 466 6139).

Public & Products Liability

The cover will indemnify U3A members against all sums which you may become **legally** liable to pay as a result of

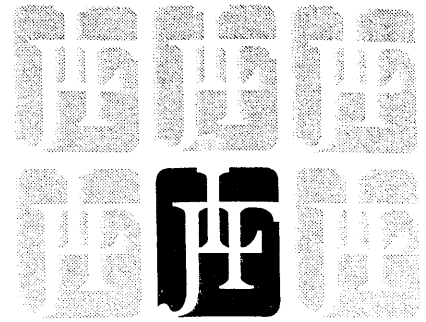
- Accidental bodily injury to, or death of, any person.
- Accidental loss or damage to material property not belonging to you.

arising from or in connection with a **U3A activity**.

Incidents not covered

- Injury or damage sustained due to a defect in a hired building.
- Injury or damage sustained whilst under instruction with a third party i.e. a specialist instructor.
- Injury or damage sustained whilst participating in hazardous activities such as abseiling, handgliding, whitewater rafting, bungee jumping etc **UNLESS** the activity has been cleared in advance by Lin Jonas.
- Claims where no injury or damage is sustained.
- Injury or damage arising from the result of a motor vehicle, aircraft or boat.
- Incidents which are not attributable to U3A activities.

April 2005



To Whom It May Concern

J.L. Fisher & Company Limited
Insurance Brokers
St. Aldate Chambers
Russell Street, Gloucester
GL1 1RH
Telephone 01452 524415
Facsimile 01452 529883
e-mail enquiries@jlfisher.co.uk

Dear Sirs,

The Third Age Trust & The University of the Third Age

Please note that we act as insurance brokers to the above and in that capacity can confirm that the following insurance cover is operative on their behalf :

Insurer : Ecclesiastical Insurance Group

Policy Number : O2/CBP/0069255

Period of Insurance : 1st January 2005 to 31st December 2005

Insured : The Officers &/or Committee Members &/or National Executive Committee &/or Trustees of the Third Age Trust &/or The Officers &/or Members for the time being of such local groups of the University of the Third Age which are members of the Third Age Trust

Cover : Public & Products Liability

Indemnity Limits : Public Liability £5,000,000 any one event
Products Liability £5,000,000 all insured events in any one period


Excess : £250

Another policy is also currently in force with ACE Insurance raising the overall total Limit of Liability to £10,000,000.

Reference should be made to the policies for full terms and conditions.

Should you have any questions with regard to the above then please contact the writer.

Yours faithfully,


Antony Carlile

ACCIDENT REPORT FORM -

U3A

Name of Injured party/address/telephone number :

Name/address/telephone number of others involved :

Date/Time of Accident :

Location :

Nature of Accident/Circumstances :

Injury Details/Property Damage :

Name/address/telephone number of person causing injury/damage :

Witnessed by :

Address :

Telephone number :

Action Taken :

Was any specialised assistance required at the scene? If so give details.

Was medical advice sought afterwards? If so give details.

Name of Group Leader Telephone number.....

Signed(injured party) Signed (group leader)

Date

PUBLIC LIABILITY INSURANCE

All Local U3As who have paid their annual membership subscription to the Trust are covered for Public Liability Insurance. Underwritten by Zurich and ACE Europe. Indemnity Limit - £10,000,000.

Question No.1

What do we mean by Public Liability Insurance Cover? Does the cover dilute with the number of claims?

Answer:-

In general, Public Liability Insurance is intended to cover the liability which the policyholder may incur following some incident due to his negligent act or omission which has given rise to the personal injury, or illness of a Third Party, or has caused loss of or damage to Third Party's property. By Third Party is meant any person or legal entity (other than an employee) who is not a party to the contract, i.e. other than the policyholder or the insurer.

The Limit of indemnity is £10m on any one claim arising from one incident or a series of incidents with no limit on the amount payable in the aggregate in any one period of insurance. There is an exception to this, however, in respect of goods sold and supplied. Under this section of the policy in respect of 'Products Liability', the indemnity limit is still £10m, but it is also £10m in the aggregate. If, therefore, a claim arises from one Local U3A which is settled for £500,000, this would automatically reduce the cover for the remainder of period of insurance to £9,500,000. It would normally, however, be possible to buy additional cover to restore the full limit if this was thought to be necessary.

Question No 2.

If a Local U3A uses a hall to run a conference, are they covered for Public Liability?

Answer:-

Yes, subject to the normal test of legal liability. Any and every claim is subject to a £250 policy excess.

Question No. 3

Does the Public Liability Insurance cover the Local U3A against accidents whilst using machinery, such as power lathes, drills, saws and the like, either owned by the U3A or others?

Answer:-

The Public Liability Insurance does provide cover for your legal liability to others following incidents whilst using machinery whether it is owned by the U3A or others. It does not cover the machinery itself since in common with other Public Liability insurance policies, it excludes liability in respect of property within the custody or control of the insured. With regard to particularly hazardous activities, it is important that insurers are made aware of any U3A involvement through the National Office.

Question No. 4

If I drive a Mini Coach on behalf of my Local U3A am I covered against accidents on the coach other than vehicle accidents and would the same apply if I was using my own private car?

Answer:-

The question of accidents in motor vehicles is complex. Any accident arising from the driving of a vehicle would fall outside the scope of a Public Liability Insurance because Motor Insurance is an entirely separate matter and such incidents are properly covered under a Motor insurance policy. This would normally include accidents which occur whilst mounting or dismounting a vehicle. However, on a motor coach where one member is injured by the actions of another member, in circumstances which have nothing to do with the fact that they are driving in a motor vehicle, it would be covered by the Public Liability Insurance. For example, should one member accidentally cause a cigarette burn on another's clothing, this would properly be dealt with under the Public Liability Insurance.

Question No. 5

Does the Public Liability cover my Local U3A against loss of equipment on the one hand, U3A property or alternatively the property of others, i.e. Videos, Typewriters, Computers, Televisions, Musical Equipment, Tape Recorders, etc?

Answer:-

The Public Liability Insurance is not intended to replace properly arranged cover on your own property, or property for which you are responsible. This needs to be separately arranged and can be obtained at extremely favourable rates through the National Office.

Question No. 6

What happens if I parked my car in a recognised car park whilst on U3A activities?

Answer:-

As explained, the policy is an insurance against the legal liability of the U3A and so any claim would have to prove negligence in some way against the U3A, for example, it would have to be shown that any accident to a parked car, whether in a recognised car park or not, has been occasioned wholly or in part by the negligence of the U3A. This would not normally arise just because the car owner had permission to use a recognised car park at, for example, a local school or village hall. For a claim to succeed against the U3A, the car owner would have to show that he had been led to expect that his property would be protected and would have to show that the U3A or its agents, had been negligent in failing to provide the proper level of protection.

Question No. 7

If any members lost personal property whilst on a U3A activity would they be entitled to claim against Public Liability?

Answer:-

The Public Liability does not automatically cover loss of property, but if such loss or damage is caused by an act of negligence or omission by the U3A, or any member (other than the member whose property it is), a claim could be made. Here again, it should be remembered that most Household Comprehensive insurance policies cover the policyholder and members of his family living with him for personal liability.

Question No. 8

If a Local U3A runs a function and serves meals or light refreshments and someone is taken ill as a result - can a claim be made against Public Liability Insurance?

Answer:-

Public Liability insurance which has been arranged for the U3A does extend to include liability arising out of food and drink supplied.

Question No. 9

Does Public Liability cover the Local U3A against accidents whilst out walking or any other type of outdoor or strenuous activity?

Answer:-

So long as it is remembered that the Public Liability policy is an insurance against legal liability, the answer to the question about accidents happening whilst out walking etc., is in the affirmative. The Policy is not an automatic Personal Accident insurance. It would have to be shown that U3A, its agents or members had in some way been negligent in causing injury to the victim.

Question No. 10

If a Local U3A makes goods and sells them, would they be covered against faulty workmanship, assuming that this caused an accident?

Answer:-

Legal liability in respect of injuries or damage caused by goods sold and supplied having been made by the U3A would be covered by the policy. In this connection, the limit of indemnity is £10m for the aggregate of all claims made in any one period of insurance.

If you find it necessary to make a claim under the terms of this Public Liability policy please contact the National Office.