

## Public Liability Insurance for Hirers of Council Owned or Controlled Facilities

### What is Public Liability Insurance?

Public liability insurance protects the Hirer from financial loss which you become legally liable to pay as a result of the personal injury and/or property damage which is a result of the Hirer actions or activities.

### Why does a Hirer need Public Liability Insurance?

The Hirer of a Council Facility can be sued by a member of the public for negligence resulting in personal injury or damage to property.

The sums awarded by the courts for personal injury claims can run into millions of dollars. The costs of defending these claims, even if negligence is not proven can run into many thousands of dollars.

### Who can be covered by Council's Community Liability Pack insurance?

Council's Community Liability Pack is available to casual, ad-hoc and regular hirers of Council owned or controlled facilities where the Hirer does not have their own public liability insurance. It is not available to a Hirer who is operating and running their own business.

The following conditions apply to qualify for Council's Community Liability Pack insurance.

1. Applies to council owned or controlled facilities only.
2. Attendance is limited to 1,000 people.
3. Hire duration - 5 consecutive days.
4. Only the hirer is indemnified. Indemnity is not provided to any other participant, performer or contractor who may be involved in the hire activity. The Hirer should ensure other participants have their own public liability insurance.
5. Public liability insurance is available for a maximum of 52 times per annum per hirer.
6. The Hirer is required to pay the first \$250 of any claim.
7. Tick box on the Facility Hire Form for uninsured hirer must be selected.

### No cover is available where:

1. The hire is part of a festival, street party or for a rock concert.
2. Fireworks/Pyrotechnics
3. The cover does not apply to claims arising from
  - a) Children's rides, animal rides, amusement rides and devices
  - b) Inflatable recreational equipment
4. Property Damage or Personal Injury caused directly or indirectly by the manufacture, sale or supply of children's toys and second hand electrical items / tools.
5. The hire is for a commercial entity to derive commercial gain or where a monetary gain is derived from the hire activity with the exception of a Not For Profit for fund raising purposes.
6. Any claims arising from, contributed to by or in connection with sexual and/or child assault, abuse, molestation or attempt thereof.
7. The hire involves any activity that is deemed to be dangerous or high risk as determined by Surf Coast Shire Council.
8. If you have any queries please contact Council by email on [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au).

### What is Council responsible for?

Council's legal liability extends to the building and the grounds of Council owned or operated facilities.

### What should I do if I see a hazard in the facility?

Council should be notified of any potential claims as soon as possible after the event.

- Email [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au) – please quote "Customer Request" in the subject line. Please provide a location and a description of the issue. Include as much information as possible, and attach a photograph if you can; or
- Phone our Customer Service staff on 5261 0600.