

Australian Campdraft Association

Frequently Asked Questions

What is covered under the section ‘Non-Medicare Medical Expenses’?

This can be an area of insurance that gives rise to some confusion in terms of the expenses that can and cannot be reimbursed. General insurers are restricted in the compensation that they are legally able to provide to claimants due to the *Private Health Insurance Act 2007* (Cth).

Cover includes:

- Expenses incurred within twelve months of sustaining an injury and payable for a maximum of twelve months of sustaining an injury.
- Expenses paid by a claimant to a doctor, physician, dentist, surgeon, nurse, physiotherapist, chiropractor, osteopath, hospital and ambulance for treatments or services.

Cover excludes:

- Any medical treatment or service for which a Medicare benefit has been or would be payable. This includes any ‘gap’ between the expense and the amount that Medicare will reimburse.

Please also remember that if you are claiming from Personal Accident insurance, you must first seek reimbursement from your Private Health fund (if applicable) and submit these receipts with your claim.

I’m an ACA judge/instructor - what cover do I have?

If you are authorised by ACA to coach at a campdraft, you are covered by the Broadform Liability, Personal Accident and Association Liability policies. These policies apply regardless of whether or not you receive payment for your coaching/judging. However, whilst acting on behalf of the ACA you must comply with all rules, regulations and risk management stipulated by the ACA.

Do I have to wear a helmet at a Campdraft?

Whilst involved in ACA activities or events, you must comply with any rules and risk management that ACA require of you as a member, volunteer or coach. For more information, you will need to refer to your own club/committee rules.

The Broadform Liability policy does not yet enforce the mandatory wearing of helmets, but we do encourage all participants engaged in equestrian activities to wear all appropriate safety gear possible.

However, the policy does specify that when helmets are worn they must be of a current Australian, New Zealand, European or United States safety standard.

When am I acting ‘on behalf of the Association’?

A member is acting on behalf of the Association when they are involved in official and authorised business of the ACA. This includes participation in all sanctioned ACA

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activities/events such as Campdrafts, committee meetings, training days, instructor schools etc. A volunteer is acting on behalf of the Association when they are engaged in unpaid voluntary work at official and authorised ACA activities and events under the control and supervision of the ACA.

This includes unpaid officials, directors, committee members, coaches, canteen assistants, and all other general 'helpers' under the direction of ACA.

Are Ambulance expenses covered under the Personal Accident insurance?

Ambulance expenses fall under the category of Non-Medicare medical expenses. Under the ACA Voluntary Workers Personal Accident policy, non-Medicare medical expenses are covered at 100% of the expense to a limit of \$3,000 with a \$50 excess per claim. For example, if your ambulance fee was \$500, you would be reimbursed \$450 (100% of \$500 less policy excess of \$50 = \$450).

What cover is in place in the event that injury or damage is caused by a horse that has escaped from grounds being used for a campdraft?

If the incident was caused by the proven or alleged negligence of the ACA or those Insured persons acting on behalf of the ACA, the bodily injury or property damage caused by the loose horse is covered under the Broadform Liability insurance.

If a third party (injured person or owner of damaged property) makes a claim/take legal action against the ACA based on the allegation that it was the negligence of the Association causing the incident, it is the Broadform Liability policy that would respond.

Are there any policy limitations or exclusions to using the following for ACA activities?

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| ▪ Council grounds | NO |
| ▪ Showgrounds managed by a trust | NO |
| ▪ RLPB owned grounds | NO |
| ▪ Privately owned properties | NO |

All of the grounds used by the ACA for activities/events should be suitable for the purpose for which they are intended and should be checked by ACA officials for hazards such as holes and debris. Wherever possible, the ACA should seek proof (a Certificate of Currency) from the land holder that a current Broadform Liability policy is in place.

What if a third party e.g. a council or venue request that we sign a document where the ACA assumes that parties liability and responsibilities?

We advise Committees to take care when negotiating such agreements with third parties. There is no cover for contractual liabilities that impose greater obligations on the ACA than otherwise would apply at common law. This should be considered when entering agreements such as leases for grounds that ACA committees may occupy for Campdrafts and associated activities.

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Are ACA fundraising activities covered for liability?

The Broadform Liability insurance policy extends to include fundraising activities that are authorised by the ACA as long as the daily attendance to such events does not exceed 500 people.

If the fundraising activity is going to be outside the 'usual' scope of ACA activities (for example a triathlon) or exceed 500 people in attendance, please advise EBM Insurance Brokers to arrange to have the event specifically noted.

Does the ACA Broad form Liability Insurance cover gymkhanas and pony events or any other events other than campdrafting?

The ACA insurance policies will cover campdrafting, associated Junior gymkhanas and Challenges that are authorised and made official by the ACA. Please contact the ACA office to find out if your equestrian activity is official and authorised to ensure that insurance coverage applies.

Are the volunteers of a hosting committee covered while competing?

Volunteers are covered under the ACA Broadform Liability, Association Liability and Personal Accident policies when they are acting on behalf of the Association. A volunteer is acting on behalf of the Association when they are engaged in unpaid voluntary work at official and authorised ACA activities and events under the control and supervision of the ACA. If you are competing as a member, you are riding as an individual and not acting as a volunteer on behalf of the Association.

Therefore, the ACA voluntary workers Personal Accident insurance does not apply to you when competing. However, as a member the Broadform Liability insurance covers you for involvement in all official and authorised ACA activities/events.

Do committee members, volunteers, cattle donors or sponsors have to pay membership to compete on the weekend of the campdraft?

You must be a member of the ACA for insurance coverage to apply to you whilst competing at an authorised ACA Campdraft, unless you are a recognised volunteer to the Committee.

Does the ACA Insurance cover damage to items related to the events of an ACA draft - for example Portaloos?

The ACA Broadform Liability policy covers bodily injury and/or property damage incurred by a third party as a result of actual or alleged negligence on behalf of the Association. If damage to third party property (such as Portaloos as mentioned) occurred due to the negligence of a committee at an official and authorised ACA draft, the Broadform Liability would respond. Please note this policy is subject to a \$1,000 excess each and every claim.

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What does the Care, Custody and Control cover for committees?

This is a section of the Broadform Liability policy is designed to cover the ACA's legal liability to third parties for property that they do not own but are legally responsible for. An example of this would be the cattle that the ACA take into their custody for a Campdraft.

As this is an extension under the liability policy, it is not simply an 'all risk' cover or a commercial payment policy. The ACA must be legally liable for the loss of cattle and you must have a claim of actual or alleged negligence brought against you.

For example, if you have 50 beasts in a yard at a Campdraft and they have not been adequately fed/watered and subsequently 30 beasts are dead by the end of the day. The owner of the cattle could then bring a claim against the ACA for negligence causing the loss of his property.

The care, custody and control section of the policy has an excess of \$5,000 each and every claim and does not cover the cattle whilst they are in competition. It is also not designed to cover the cattle when they are in the care and custody of a professional transport company as this company should have their own policy in place.

If a committee member/volunteer/cattle donor/ sponsors or any other competitor at an ACA event happened to have an accident due to the committee's negligence (for example - if someone was to trip over a laptop cord while in the secretary's office on the grounds receiving prize money, or if a horse was to fall into a hole in the arena and the rider was to fall off and break their arm) what happens if that committee is sued by the injured party?

The ACA Broadform Liability policy covers bodily injury and/or property damage incurred by a third party as a result of actual or alleged negligence on behalf of the Association. If bodily injury to a third party (such as a sponsor as mentioned) occurred due to the negligence of a committee at an official and authorised ACA activity/event, the Broadform Liability would respond. Please note this policy is subject to a \$1,000 excess each and every claim.

Is a rider insured for Personal Accident Insurance whilst competing?

ACA insurance does not include Personal Accident Insurance for riders whilst competing.