

FREQUENTLY ASKED QUESTIONS

Below is a list of frequently asked questions by Pony Club NSW or individual members.

1. "Participation"
 - a) Is a member who is sitting on a stationary horse waiting to compete in an event "participating?" - NO
 - b) Is a member, whilst warming up his horse prior to commencing to compete "participating?" - YES
 - c) If two members are competing in different events on the same field & one horse runs into another, is this considered to be "participating"? - YES

2. "When is a riding member acting "on behalf of the association?"
When under the instructions of PCANSW including clubs, officials and volunteers during official and authorised PCANSW activities.

3. When is a riding member acting on behalf of the assn? If a member travels from home to a Pony Club fixture,
 - 3.1) On horseback? - Personal Accident cover is in place when directly to and from an official/authorised PCANSW activity or event
 - 3.2) Towing a horse float? - Personal Accident cover is in place when directly to and from an official/authorised PCANSW activity or event. There is no cover for the float and as per State requirements under registration CTP should be in place.
 - 3.3) Participating? - Yes, insurance coverage extends to Insured Persons when engaged in official and authorised PCANSW activities and events.

4. When is a riding member acting on behalf of the assn? At a pony club fixture,
 - 4.1) Instructing? - For insurance cover to extend, coaches must be approved PCANSW instructors (either voluntary or paid).
 - 4.2) Assisting conduct of events, including in the field, - YES
 - 4.3) Catering, cleaning, giving first-aid etc.? - YES
 - 4.4) Being instructed? - YES
 - 4.5) Competing? - YES
 - 4.6) Whilst riding at a Pony Club function? - YES

In relation to the above answers it will always depend on individual circumstances in each case.

5. What is the situation in the event of a horse escaping from grounds being used for a pony club function and causing injury or damage? - If at an official and authorised PCANSW activity or event, due to the proven or alleged negligence of an Insured, the horse causes third party bodily injury or property damage, the Broadform Liability policy will extend.
 - 5.1) After a child has fallen from it? - As above, where there is proven or alleged negligence that has caused the horse to escape and cause the injury/damage.
 - 5.2) After being tied up/tethered and pulling away? - As above, where there is proven or alleged negligence that has caused the horse to escape and cause the injury/damage.
 - 5.3) From a stable or yard? - As above, where there is proven or alleged negligence that has caused the horse to escape and cause the injury/damage.

6. What cover is provided for: -

- 6.1) Members who are voluntary instructors - If approved by PCANSW, instructors are covered under the PCANSW Broadform Liability and Personal Accident policies.
- 6.2) Paid Instructors Panel. These are qualified instructors who have been approved by our association and are employed on a casual basis. - If approved by PCANSW, instructors are covered under the PCANSW Broadform Liability and Personal Accident policies.
- 6.3) Professional Instructors who are used for Specialist Schools either for advanced students or to train our voluntary instructors at instructor's schools.- If approved by PCANSW, instructors are covered under the PCANSW Broadform Liability and Personal Accident policies.
- 6.4) Employed State Coaches. These are qualified coaches who conduct Instructors Schools and Assessments, that is they hold schools to train new voluntary instructors or to update current instructors in their knowledge and skills; and Squads where they instruct Riding Members. - If approved by PCANSW, instructors are covered under the PCANSW Broadform Liability and Personal Accident policies.
- 6.5) Non- Member Voluntary Instructors. These may fall into two categories: -
 - i) Professional instructors who, for an example, may be a parent of a junior member or friend etc who is prepared to instruct for no remuneration - If approved by PCANSW, instructors are covered under the PCANSW Broadform Liability and Personal Accident policies.
 - ii) An acknowledged expert in a particular activity, for example, Polo, who as a member of his own association and in promotion of it, is prepared to coach pony club children in his particular interest e.g. Polo - As such instructors are promoting their own Association and sport in an area or discipline not usually conducted at Pony Club, this instructor must have their own insurance coverage – possibly through their own Association or private coverage.

7. Agistment of Horses – Clubs –

Clubs are covered under the PCANSW Broadform Liability policy for approved agistment where all funds are raised for the benefit of that club. When outside of official/authorised PCANSW activities, members are covered by the 'Member 24-7' extension for their liability to third parties arising out of non-income earning, recreational equestrian activities. If not a PCANSW member, the owner of the Horse must show evidence of Public Liability Policy for not less than \$10m.

- 7.1) Are clubs permitted to agist members' horses on their grounds? - YES they can
- 7.2) Are clubs permitted to agist non-members' horses on their grounds? - YES they can but need to make sure non members have Public Liability/Personal Liability cover
- 7.3) What, if any cover is in place? - Broadform Liability under the PCANSW policy is in place for all affiliated clubs undertaking approved agistment as a fundraising activity. This covers the clubs legal liability to third parties.
- 7.4) Are there any limitations or exclusions? - All insurance policies are subject to exclusions, terms and conditions. Please contact PCANSW for further information.

8. Pony Club Grounds

- 8.1) Are there any limitation/exclusions to using: -
 - a) Council grounds - NO - As a property occupier, the club has a duty of care to third parties to ensure that grounds are kept and maintained in a safe manner appropriate for their use.
 - b) Showground's managed by a trust – NO.- Clubs utilising such grounds should ensure that the owner/operator of those grounds has a current and relevant Broadform Liability insurance in place by requesting a Certificate of Currency.

- c) RLPB owned grounds - NO- . Clubs utilising such grounds should ensure that the owner/operator of those grounds has a current and relevant Broadform Liability insurance in place by requesting a Certificate of Currency.
- 8.2) Privately owned properties – NO - Clubs utilising private properties should ensure that the owner of that property has a current and relevant Broadform Liability insurance in place (perhaps through a Farm Plan policy) for their own liabilities as a property owner.
- 8.3) Are the owners of the above grounds covered by PCA insurance? - Only if they are Members of Pony Club and if they are not then they need to show proof of Public Liability Insurance

PCANSW cover will extend to official and authorised PCANSW activities/events taking place on a private property. However as a property owner you still have a duty of care to third parties. Coverage for legal liability to third parties arising out of the ownership of that property should still be in place. PCANSW policy will not cover the negligence of the property owner where unrelated to PCANSW or the activities/events PCANSW are running on that property.

- 8.4) Can clubs hire out their grounds to a third party and be covered by the PCA insurance? PCANSW clubs can hire their grounds to third parties as an approved fundraising activity. The hirer must provide evidence to PCANSW of their own current Broadform Liability coverage appropriate for their activities.

9. Are ambulance expenses covered under the PCA insurance? - YES, Ambulance cover is included in 'Non-Medicare Medical Expenses' under the Personal Accident policy. This section has a limit of \$5,000 each claim.

10. What cover is provided to both the rider and the club when a member rider has an accident on the grounds:

Depending on the individual circumstances of the accident, PCANSW Broadform Liability and Personal Accident policies are in place.

- 10.1) Not at a rally day but at an organised function? - As above, Depending on the individual circumstances of the accident, PCANSW Broadform Liability and Personal Accident policies are in place.
- 10.2) Not at an organised function? - Depending on the individual circumstances of the accident, the 'Member 24-7' extension under the PCANSW Broadform Liability policy may apply if a member was legally liable to a third party for bodily injury/property damage. Otherwise there is no coverage under PCANSW insurance when outside of official/authorised PCANSW activities/events.

11. What cover is provided to a club when a member of the public has an accident on club grounds: -

- 11.1) At an organised function – Depending on the individual circumstances of the accident, PCANSW Broadform Liability is in place if an action is brought against the club for the bodily injury incurred by the third party.
- 11.2) Not at an organised function – Depending on the individual circumstances of the accident, PCANSW Broadform Liability is in place for the club as a property occupier/owner if an action is brought against that club for the bodily injury incurred by the third party. All property owners/occupiers (including Pony Clubs) owe a duty of care to third parties and grounds must be kept and maintained appropriately for safety.