

POLICY TITLE: PUBLIC LIABILITY INSURANCE
REQUIREMENTS FOR HIRE OF COUNCIL
FACILITIES

POLICY NUMBER: PECS-039

CATEGORY: Council Policy

CLASSIFICATION: Strategic

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Policy Author			
Commercial Outcomes			
Endorsed by			
Director Planning Environment and Community Services			
Responsible Position			
Manager Commercial Outcomes			
Current Incumbent		Contact number	Email address
Karen Montgomery		4846 3397	karen.montgomery@isaac.qld.gov.au

Version 2
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1. Purpose

Isaac Regional Council's (IRC) public liability insurance requirements must be met by third parties when hiring facilities to ensure that in the event of a claim public liability insurance cover will enable losses to be recouped.

IRC facilities available to the general public for hire include but are not limited to:

- public meeting spaces
- parks
- gardens
- show grounds
- community centres
- halls

In making facilities available for public use, IRC is legally bound to ensure they are in safe condition and are suitable for the purpose for which they are intended to be used.

IRC has in place a casual hirers insurance cover which provides a liability cover for users known as third parties who:

- are non-commercial
- are not incorporated
- are irregular users who hire the facility for total or no more than 10 days in the applicable consecutive 12 month period

IRC's insurance does not cover casual hirers (known as third parties) if they fall into the following categories:

- incorporated bodies (including clubs)
- sporting clubs
- associations (including non-profit organisations)
- hirers who charge the general public a fee for entry

Should facilities be hired to any third party who falls into a category that is not covered under IRC casual hirers insurance, they must provide IRC with a:

- current certificate of currency for public liability of no less than \$20 million (\$20,000,000.00)
- proof of payment for public liability insurance

2. Scope

To provide assistance to IRC officers to allow them to determine whether the wider community hiring IRC facilities are covered under IRC's public liability insurance.

3. Definitions

Association: is a group of individuals who voluntarily enter into an agreement to form a body (or organisation) to accomplish a purpose

Casual Hirer: an individual or non-incorporated group who enters into a hiring agreement for facilities on a casual basis being no more than 10 days in the consecutive 12 month period

Certificate of Insurance/Currency: a certificate issued by an insurance company or its agent that provides documentary evidence that a certain insurance policy is in effect for the stated amount and coverage and names those insured

Facility: a premise owned by IRC and hired to the general public either at a nominated fee or free of charge

Clubs: a formal association of people with similar interests

Excess: policy deductible

Facility Manager/Officer: a person appointed by IRC to manage a premise

Hirer: an individual or group that engages in the temporary use of an IRC facility or venue

Irregular Users: persons who makes use of a thing contrary to rule or accepted order or general practice

IRC: Isaac Regional Council

Non-Commercial: an activity or entity that does not involve commerce, at least relative to similar activities that do have a commercial objective or emphasis

Public Liability Insurance: covers against the financial risk of being found liable to a third party for death or injury, loss or damage of property or pure economic loss resulting from negligence

4. Policy Statement

In order for IRC to meet its risk and insurance obligations, the manager/officers must ensure requirements have been adhered to as follows:

- A formal agreement for the hire of the facility must be entered into
- If the hirer falls into the 'not covered' category, they must provide evidence of public liability insurance, have the appropriate activity the casual hirer is undertaking noted on the certificate of currency and provide a receipt of payment to IRC prior to using the IRC facility
- Inspections of the facility are to be conducted before and after an event by the responsible IRC officer
- Regular maintenance to be undertaken on the facility by IRC

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- IRC facility manager/officer must determine if the facility is suitable for the purpose of hire
- Hiring conditions must be provided to the hirer in writing
- Necessary investigation and preparation of any relevant reports has been undertaken
- Acknowledgement and declaration of a casual hirer must be signed on the IRC hire form

5. Communication Channels

The Public Liability Insurance Requirements for Hire of Council Facilities Policy will be communicated throughout IRC via:

- An announcement on the IRIS
- Online Policy Library
- External website

6. References and Related Documents

- LGM Casual Hirers Cover Guidelines 2004
- LGM Queensland Facility Hire Manual 2009

APPENDIX 1

Types of activities covered by IRC's casual hirers insurance cover

- Meetings – exemptions to clubs and associations only if they are irregular meetings (no more than ten (10) times in a 12 month period). However clubs and associations should have their own insurance and evidence of this should be provided to IRC
- Public meetings
- Social get togethers
- Parties
- Weddings – if caterers will be catering at the venue this activity is not covered by this insurance and the caterers must have their own insurance policy.
- Family reunions

APPENDIX 2

Types of activities requiring insurance

- Meetings – clubs and associations that hold more than 10 meetings in the year
- Associations and clubs
- Health and Fitness groups
- Weight loss groups
- Dancing groups/lessons
- Childcare and Playgroup activities
- Church groups
- Music lessons
- Karate/Tae Kwon Do/Gymnastic groups
- Displays/Demonstrations where entrance fees are charged
- Workshops
- Corporate meetings
- Conferences
- School events/Awards nights
- Activities of any type conducted by a Lessee or Sub lessee