

## **AgShows NSW**

### **Yarn Circle – Risk Management and Insurance**

#### **Summary of discussion points**

- From a risk management point of view the three most important tools at your disposal are the following:
  - The ASC Activity List which governs the dos and don'ts for the shows and your Liability policy response
  - Your risk assessment tools which identifies all probable risks for managing a safe show
  - The ASC members website portal which has plenty of useful tips and hints to guide your risk management journey
- Waivers are very much worth the paper they are written on. They have played a key role in declining one of the ASC's largest Liability claims. So please be diligent in their completion. The activity list notes the events where these are required.
- Your liability policy protects the Show for the Show's negligence giving rise to Personal Injury or Property Damage. It does not protect anyone else as they are not a named insured on the policy. Please don't give anyone the false impression that they are insured under your Show's liability policy as they are not covered. There are 3 notable exceptions – Course Designers who are not paid a fee, First Aid volunteers who are not paid a fee and Hobbyist Trade Stall Holders who earn less than \$20,000 a year in their hobby. Hobbyists are only covered for Public Liability, not Products Liability.
- NSW is the second most litigious jurisdiction in the world after California (Insurance World 7/9/2016). It remains very litigious. Court decisions are sadly stacked against you. This unfortunately means that Courts interpret your duty of care to patrons to be much higher. Please ensure you take your risk management responsibilities seriously.
- Please ensure all Gators, Golf Carts, Tractors and the like have at least conditional registration with Transport for NSW as they are mixing with patrons. Registration comes with CTP Insurance. All Liability policies have an exclusion for Personal Injury arising from vehicles that should have registration. It's very inexpensive. Please ensure vehicle movements on the show ground are carefully managed. There should be very limited vehicle movement while any event is operating.
- Your Liability policy covers the show for all events (subject to the Activity List) throughout Australia, throughout the year, not just at show time.
- Volunteers are your most valuable asset. They are covered for personal injury if working under the direction of the show. Please look after them. Ensuring they sign on and off while volunteering is a good idea.
- All goods in transit are covered if they are destroyed in transit. Please ensure you declare the total value of goods transiting throughout the year. Example: 5 steers at \$2,000 each, moving to the show and then back to the owner is 2 transits of \$10,000 each so please declare \$20,000. Declare the total sum of all assets moving throughout the year.
- Cyber risk is very real and growing. Please be wary of any threat actors trying to syphon you and the show out of hard earned funds. Be suspicious. Double and triple check. Always check with independent sources as to the validity of bank details and other payment requests. Double check bank details of suppliers using known contacts, not phone numbers on the invoice.
- Do not sign contracts put before you blindly. Especially the Guild. Be wary of indemnity clauses which can hold you responsible for matters you should not be responsible for. Use the ASC's agreement template to govern your contractual relationships with suppliers as this better protects the show.
- Do the best you can and if you get it wrong that's why you have insurance. Please don't take any shortcuts as claims can involve Personal Injury which impacts people's lives and could result in higher premiums to the detriment of all members. We certainly want to avoid higher premiums. If you get it horribly wrong, there is insurance in place for Directors and Office Bearers, so go forth with confidence in the fulfilment of your duties.
- Thanks for the opportunity to join you at your Conference in Armidale. Do feel free to reach out if you have any questions.