**Notification No. 74 to Members – AFA Public Liability Insurance coverage.**

The AFA wishes to advise all members that there has been a change to our Public Liability Insurance cover effective from 1st January 2019. Our Brokers have advised that it is no longer possible to obtain cover for personal injury or property damage of any person arising directly or indirectly out of or caused by or in connection with **their participation in the sport of flyball**. This includes participation in race meetings, demonstrations, training days or at Club/Team training.

Our Insurance Brokers have advised that despite many negotiations with insurers in Australia and London (Lloyd’s syndicates) they have been unable to find any Insurer who was willing to continue to provide “**participation” cover** in sports events. Note – we are informed that this exclusion will now apply to all sports and not just flyball or dog sports.

In effect this means that members who take part in the sport of flyball **must now do so at their own risk from viewpoint of their personal injury or property damage.**

Our Public Liability Insurance **continues to provide coverage** to the AFA, its clubs/teams and its members for **third party** property damage and **third party** bodily injury, but unfortunately this cover does not extend to **members that are actually participating in flyball**. It must be stressed that participants must do so at their own risk and the AFA and its member clubs cannot be held accountable for any injury to a **member** **whilst participating in any flyball event**, **including training**. Clubs that register can still be covered by the AFA Insurance for damage or injury to third parties at club training. Members however do not have injury cover whilst participating in Club training.

Our Brokers have confirmed that the definition of “participating” means involvement in the sport of flyball whilst racing or training a dog. Handlers, box loaders and ball shaggers are all considered to be “**participants”.** We are advised that a member taking part in flyball simply as an official, such as a judge, steward or timekeeper, is not deemed to be **participating** in the sport and accordingly public liability insurance coverage will continues to apply to these officials if injured.

The AFA is in the process of including a warning regarding **participation in flyball being at members own risk from a personal injury viewpoint** on the AFA Website and in relevant Forms.

The AFA is an Incorporated legal entity and in the event that legal action was instituted against the AFA in respect to an injury not covered by insurance then the AFA does have limited legal liability. The AFA strongly advises member clubs to consider taking the following actions:

* Any member club or team that is not incorporated consider the desirability of Incorporation in order to obtain similar protection for the club and its officers;
* Ensure their members are aware of the changes to insurance and the extent and limitations of the cover they will enjoy as of 1 January 2019;
* Ensure the wording of their club membership application forms and club policies includes recognition that every member and Associate participates in Flyball at their own risk.

The AFA will however continue to accept affiliation from both incorporated and non- incorporated organisations.

The AFA continues to hold a Group Personal Accident Policy for all AFA members and cover under that policy will continue to apply in respect of injury to a member whilst taking part in flyball. This cover is for loss of income whilst permanently or temporarily incapacitated (limits apply) and for certain medical expenses not covered by Medicare.

B.Lindsay (AFA Secretary).