



29th June 2015

Re: DEFINITION OF A "MEMBER"

Dear Sir / Madam,

There appears to be some who are still not quite sure about the definition of "Member", when it comes to affiliation fees payable to the Association.

We can answer this simply by saying; one membership, one family, one fee. If a child is studying full time, living at home and under 25, they can remain on their parent's membership whilst attending trips in their parent's vehicle. We have been informed that some clubs have two membership fees for one family i.e. husband pays single membership and wife/partner pays a single membership; in this case we also require one payment per person. If a family has split and becomes two families, then each family is required to pay an affiliation fee.

Our insurance in the past did not define the term "member", and therefore the public liability cover was open to a number of interpretations. As part of our ongoing improvement in matters of insurance we have been able to define a Member not as one person but as one family, being mum, dad and their dependent children up to the age of 25. The same applies to same sex relationships, and de facto relationships, one family one fee.

The next question relates to Honorary Members of clubs. An Honorary Member is still a member, and therefore an affiliation fee is due as they are not honorary members of the association, only honorary members of the club. If a club provides honorary membership, they are saying that this person is a valued member of their club and do not require them to pay a membership fee. Effectively the club then subsidises that person so that he or she receives all the privileges of club membership. It therefore follows that the club must pay an affiliation fee to affiliate that member, and their family who are then also covered under the club's insurance policy.

If a member is classed as an Associate Member of a club then they too are a Member, and an Affiliation Fee applies.

Our insurance protection is significant for our members, and it is important that the correct number of memberships be completed on both the Annual Affiliation Renewal Form and the Monthly New Member Affiliation Renewal Form to ensure that you are insuring all the members of your Club. The legal rule of "*acting in good faith*" is very important.

In your club you may have other examples of membership, and further information can be obtained on these forms of membership by contacting the Association Office.

Yours Sincerely,

Wayne Hevey
Chief Executive Officer

FOUR WHEEL DRIVE VICTORIA

North Balwyn RSL, Centreway Greythorn

PO Box 1015G Balwyn North 3104 Phone: (03) 9857 5209 Fax: (03) 9857 5260

Email: office@fwdvictoria.org.au Web: www.fwdvictoria.org.au

ABN 40 891 301 368 ASSN No: A0013539S RTO 21605

Driving in a sustainable environment.



FOUR WHEEL DRIVE VICTORIA **2016 - 2017 INSURANCE PROGRAM**

Four Wheel Drive Victoria (FWDV) in association with Affinity Insurance Brokers has arranged a comprehensive Insurance Program to protect the activities of Affiliated Clubs and their Members.

The principal covers arranged are:

- Combined Public and Products Liability Insurance
- Personal Accident Insurance
- Management Liability Insurance
- Professional Indemnity Insurance

FWDV has sourced the following insurance policies, which are arranged through independent financial services provider, Affinity Insurance Brokers.

Please Note: FWDV does not hold an Australian Financial Services Licence and have sourced this insurance on behalf of Affiliated Clubs. For any questions or advice you may have or require regarding these insurances, please contact Affinity Insurance Brokers on 1300 655 850.

You may also contact FWDV if you would like to confirm that you are entitled to cover under these policies.

The information below is a general summary of the cover arranged. When considering the cover provided by these policies it is important that you refer to the Policy and Product Disclosure Statement for the full terms and conditions. These documents are available free of charge from Affinity Insurance Brokers. Please call Affinity on 1300 655 850 or FWDV on (03) 9857 5209.

FWDV must notify Affiliated Clubs by announcement on their website and/or newsletter if a Club or one of its members will not be covered under these insurance policies during a period they should expect to be covered, or if it is likely that the cover will be cancelled or not renewed. If FWDV fails to do so, FWDV is obliged to compensate the member(s) for resultant loss or damage.

Affinity has also arranged a unique Comprehensive 4WD Motor Vehicle Policy and Home Insurance Policy for members of Affiliated Clubs. The Association obtains a commission of 5% on all policies and we seek your support by using Affinity for all your insurance needs.

The FWDV covers are arranged in the name of Victoria Association of Four Wheel Drive Clubs Inc. trading as Four Wheel Drive Victoria.

Four Wheel Drive Victoria

(Victoria Association of Four Wheel Drive Clubs Inc)

6/27 Thornton Crescent, Mitcham VIC 3132

PO Box 292, Mitcham VIC 3132

Tel: (03) 9874 7222 Fax: (03) 9874 7233

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Combined Public & Product Liability Insurance

Description of Business: Events and activities of Four Wheel Drive Victoria that have been approved as Four Wheel Drive Victoria and/or Club Activities, including but not limited to community volunteer work, training days, events, four wheel drive trips, attendance at and participation in trade shows, expos and club association meetings and events.

Insured: Four Wheel Drive Victoria and its affiliated Clubs and Members.

Limit of Liability:

Public Liability	\$20,000,000
Products Liability	\$20,000,000
Property in Physical or Legal Control of the Insured	\$100,000

Deductible: \$500 each and every claim

Insurer: Liberty International Underwriters.

This policy is designed to protect FWDV and its Affiliated Clubs by responding to claims for compensation made against it **for negligence causing bodily injury and/or property damage**, for which FWDV and its Affiliated Clubs are legally liable, subject to the terms and conditions of the policy.

Any person, **including a member**, has the right to make a claim against the policy if they are injured or have suffered damage to their property at a FWDV/Affiliated Club approved event, provided that the injury or damage to property is the result of FWDV and/or its Affiliated Clubs' negligence. This includes bodily injury or damage to property **caused by another member** of FWDV and/or its Affiliated Clubs.

If such a claim is made against FWDV and/or one its Affiliated Clubs, they are protected under the Combined Public & Product Liability Insurance. This includes **the cost of defending the claim** where it is considered that the injury or damage to property was **not** the result of any negligence on the part of FWDV and/or its Affiliated Club. Settling and/or defending claims of this nature can be extremely costly and without a Combined Public & Product Liability Insurance policy in place, the Club would have to bear the cost of any such claims.

It must be noted that the **Combined Public & Product Liability Insurance is not a Personal Accident Policy**. A Personal Accident Policy is a **non-negligence based policy** designed to provide benefits to participants and/or volunteers where injury is sustained at an approved event.



It is important to note that this insurance does not provide cover for independent contractors and/or sub-contractors that are engaged by FWDV or its Affiliated Clubs. You should request confirmation by way of a Certificate of Insurance that any such contractors have their own current Public Liability Insurance.

Personal Accident

Insurance Benefits Schedule of Benefits:

Section	The compensation applicable under each section for each insured person.	
A	CAPITAL BENEFITS Insured Persons aged 19-65 (Events 1-19). Insured Persons aged 5-18 (Event 1 Death). Insured Persons aged 66-75 (Events 1-19): Insured Persons aged 76-90 (Events 1-19):	Benefit is limited to \$100,000 \$10,000 \$100,000 \$10,000
B	WEEKLY INJURY BENEFITS Compensation Income Earners, Event 20 Aggregate Period Elimination Period (Excess) (No Weekly Injury Benefits are payable to Insured Persons aged 66 – 90)	85% to a maximum of \$500 104 weeks 7 days
	DOMESTIC HELP (NON-INCOME EARNERS), Event 21 Insured Persons aged 5-80 Aggregate Period Elimination Period (No Domestic Help (non-income earners) are payable to Insured Persons aged 81-90)	80% to a maximum of \$500 52 weeks 7 days
	HOME TUTORIAL BENEFIT (FULL-TIME STUDENTS), Event 22 Insured Persons aged 5-80 Aggregate Period Elimination Period (No Home Tutorial Benefit (Full-Time Students) are payable to Insured Persons aged 81-90)	80% to a maximum of \$500 52 weeks 7 days
C	NON-MEDICARE MEDICAL EXPENSES, Event 23	80% of the cost to a maximum of \$5,000
	Excess	\$50

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Endorsement:

The following sections are inserted to the Table of Events:

SECTION E - FUNERAL EXPENSES

Injury as defined, resulting in Event 1 Death, we will reimburse the reasonable expenses incurred for a burial or cremation or the cost of returning the Insured Person's body or ashes to his/her home town up to a maximum of \$5,000.

SECTION F - BROKEN BONES BENEFITS

If injury results in any of the conditions listed in the "Broken Bones Benefit Schedule" within twelve (12) months of the Injury, We will pay the Benefit shown in the "Broken Bones Benefit Schedule". We will not pay any Broken Bones Benefit for more than one Injury at any one time.

BROKEN BONES BENEFIT SCHEDULE

Broken Bone Benefit - Injury resulting in: The Compensation

- (a) neck or spine \$3,000
- (b) hip, pelvis \$2,000
- (c) skull, shoulder blade \$1,000
- (d) collar bone, upper leg \$1,000
- (e) upper arm, kneecap, forearm, elbow \$1,000
- (f) lower leg, jaw, wrist, cheek, ankle, hand, foot \$500
- (g) ribs (per rib) \$500
- (h) fingers, thumb, toe (per finger, thumb, toe) \$150

Maximum Compensation any one accident \$3,000

Insured Person(s): All volunteers and declared participants who are members of the Insured or an Affiliated Club.

Insured: FWDV and its declared Affiliated Clubs.

Scope of Cover: Benefits are payable if an Event listed in the Policy occurs whilst the Insured Person is engaged in approved events or unpaid voluntary activities approved and under the control of the Insured.

Please Note: There is no Weekly Benefit for non-income earners.

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Expenses associated with personal accidents would usually be covered by Medicare, Private Health Insurance or TAC, as appropriate. The FWDV Personal Accident Policy covers any additional claims for Income Protection, Non-Medicare Medical Expenses and/or Death and Capital Benefits. These benefits are subject to the policy's terms and conditions.

Insurer: AIG Australia Limited

Management Liability

This policy protects 4WDV and its Affiliated Clubs against losses which they may become legally obligated to pay on account of any claim made against them for:

- Directors and Officers Liability
- Employment Liability
- Insured Organisation Liability
- Employee Crime.

Subject to the Policy Terms and Conditions:

A **Wrongful Act** is defined as:

In respect of **Directors and Officers Liability and Company Reimbursement**, any act, omission, breach of duty, breach of trust, breach of authority, misstatement or misleading statement by an Insured Person.

In respect of **Insured Organisation Liability**, any act, omission, breach of duty, breach of trust, breach of authority, misstatement or misrepresentation by the Insured Organisation.

Insured/Insured Persons: Four Wheel Drive Victoria, its disclosed Affiliated Clubs and any of their subsidiaries Directors, Officers, Secretary, or employees.

Maximum Limit of Liability: \$5,000,000

Director & Officer Liability: \$5,000,000

Corporate Legal Liability: \$5,000,000

Statutory Liability \$1,000,000

Employment Practices: \$5,000,000

Employee Dishonesty: \$ 100,000

Kidnap & Extortion: \$ 50,000

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Excess:	Directors & Officers Liability	Ni
	Corporate Legal Liability	\$2,500
	Statutory Liability	\$2,500
	Employment Practices Liability	\$5,000
	Employee Dishonesty	\$5,000
	Kidnap & Extortion	\$2,500

Insurer: ACE Insurance Limited

Professional Indemnity

This policy protects 4WDV and its Affiliated Clubs against legal costs and claims by third parties for damages arising from acts, omissions or breaches of professional duty in the course of business.

Driver Training

Insured/Insured Persons: Victorian Association of Four Wheel Drive Clubs Inc trading as Four Wheel Drive Victoria and Affiliated Clubs as declared.

Limit of Liability: \$5,000,000

Excess: \$5,000

- Coverage Features:**
- Cover for Estates and Legal Representatives of any deceased or legally incapacitated Principal or Employee.
 - Unintentional Intellectual Property Infringement.
 - Automatic cover of 21 days for Newly Acquired or Created Subsidiaries. (only in respect to post acquisition activities).
 - Fraud & Dishonesty for innocent parties.
 - Continuous Cover where cover maintained with ACE.
 - Attendance at Inquiry sub limit of \$50,000.
 - Severability/Non-imputation of the proposal form and policy wording.
 - Subrogation protection for employees.
 - Confirmation cover is afforded for Trade Practices Act (Cth) claims.
 - Automatic run-off cover provision.

Insurer: ACE Insurance

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Notification of Special Events

It is important that FWDV be notified of all events that are outside the normal four wheel driving, camping, training and social activities of the Affiliated Club. If these unusual activities are not notified to FWDV, the club may run the risk of holding an event that has not been approved by FWDV, and therefore Affinity Insurance Brokers. In this case insurance cover may not be provided.

Notification of special events is critical to providing the insurance cover necessary for the Club's full protection.

Risk Management

What Risk Management procedures should Affiliated Clubs undertake and follow before hosting an approved Club event/training day?

In conjunction with FWDV, Affinity Insurance Brokers can assist Affiliated Clubs to develop an events checklist that covers or provides prompts for all areas that need to be addressed in preparing for and running an event. A risk assessment of all activities should be undertaken prior to any event. FWDV, in conjunction with Affinity Insurance Brokers, can assist with any issues that might arise. Our OH&S booklet, which is available through FWDV, also contains information which may assist.

In all instances the desired outcome is that the Affiliated Club runs a safe and well-managed event or training day, and to minimise the potential for injury to a third party or a fellow club member.

For further assistance please contact:

Public Liability or Personal Accident

Tony Webster or Mary Spanos
Affinity Insurance Brokers
Telephone: (03) 8587 7777
Email: twebster@affinityib.com.au
Web: www.affinityib.com.au

Motor Vehicle, House & Contents

Walter Poon
Affinity Insurance Brokers
Telephone: (03) 8587 7721
Email: wpoon@affinityib.com.au

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Wayne Hevey

Four Wheel Drive Victoria

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Facsimile: (03) 9857 5260

Email: office@fwdvictoria.org.au

Web: www.fwdvictoria.org.au

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