

Church Liability Insurance

Presented by: Keith Thomas
Company: Cole Murray Group Limited



Introduction



Keith Thomas Insurance Adviser

▶ Keith Thomas has worked in the Fire & General insurance industry for over 17 years.

Keith has held senior management roles within the insurance industry and has a wealth of experience and knowledge within industries such as Christian Churches, Community Organisations and Not for Profit Organisations.

Working with the Cole Murray team is exciting for Keith as he enjoys the commitment in finding and designing the best comprehensive solutions for his individual clients.

Keith is able to use his in-depth knowledge of the New Zealand Insurance market to design individual policies to suit specific personal Church requirements whilst retaining group scheme advantages.

Keith is an Associate (by qualification) of the Australian and New Zealand Institute of Insurance and Finance.

Keith strongly believes in cultivating a “partnership” with his client which means he is there “for the long haul” to assist with selections of cover and also to champion any claims that may arise.

Church History



Historically Churches have tended to take out only basic liability cover such as Public Liability. This cover personal injury and / or third party damage.

In today's more litigious world Churches face a variety of potential exposures as many Churches operate Trusts, Schools, Childcare Services, Youth Groups, Camps, Counselling Services and other Community Activities.

Churches Face significant potential risks if they do not have insurance cover for the Trustees, Directors, Staff or Volunteers they appoint for Counselling, Pastoral Care, Investment, Youth Activities Communities Activities etc. General Management of the Trust and its assets.

It is very important when considering Insurance to look at the full exposures and activities that your Church Operates within the community and to check if your current insurances are adequate.

Church Liability Package



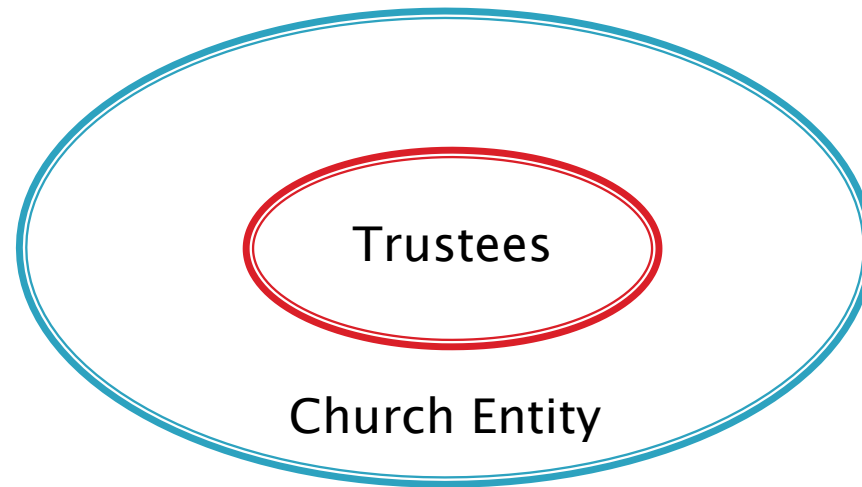
- ▶ Cole Murray Group Limited are able to offer a complete comprehensive Church Liability Package which can include the following covers:

Items Available
Trustees Liability
Professional Indemnity
Statutory Liability
Employers Liability
Crimes Act Cover
Employment Dispute Cover
Broadform Liability
▶ Includes Products Liability
▶ Care Custody & Control
▶ Punitive & Exemplary Damages
▶ Forest & Rural Fires Act

Exposures



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Trustees Liability & Professional Indemnity

Trustees Liability

Covers the Insured Persons named in the Schedule for all losses for which such Insured Person becomes legally obligated to pay on account of any claims made against him/her individually or otherwise which are reported to the Insurance Company during the period of Insurance and which arise out of a wrongful Act committed or allegedly committed or attempted in New Zealand.

Professional Indemnity

Covers the Insured Church against all claims (including claimants costs and expenses arising as a result of any claim) for which the insured becomes legally liable to pay, as damages up to the Limit of the Indemnity stated in the Insurance Schedule are in the aggregate any one Period of Insurance which are notified to the Insurance Company during the period of Insurance. And which arise by reason of any negligent breach of Professional Duty

Definition of Professional Indemnity Shall mean the control and management of the insured's church by or through its Board of Trustees, specifically in relation to:

- (a) The implementation and delivery of objectives set by the Trustees
- (b) The establishment and operation of policies and procedures for counselling

Statutory Liability

This policy is designed to cover the Church against Defence Costs and Penalties arising out of an Occurrence notified to the Insurance Company during the period of Insurance provided that the Occurrence has taken place on or after the Retroactive date stated in the policy.

- ▶ Definition “ Statutory Act” means the Statutory Acts of the New Zealand Parliament or any amendment to or re-enactment of any of those Acts and any and any Code or Regulation or other subordinate legislation made under those Acts.

Example of Acts: Building Act, Fair Trading Act, Privacy Act, Consumers Guarantees Act, Resource Management Act etc.

In relation to the Health & Safety in Employment Act

Any Damage, restitution, compensation or reparation imposed by a tribunal or court of competent jurisdiction except a reparation order imposed by the Court on the Insured upon conviction for an offence under the Health and Safety in Employment Act.

Employers Liability

- ▶ Employers Liability is designed to protect the Church for all claims that the Church becomes legally liable for Injury where ACC does not provide cover during the course of their employment.

- ▶ Definition

“**Personal Injury**” means bodily injury sickness or disease including death resulting therefrom and shall further include disability shock or mental anguish or injury.

For the purpose of this insurance disease shall be sustained when the employee is first exposed to conditions in New Zealand out of which the disease the subject of the claim arose.

Broadform Liability

- ▶ **Public & Products Liability**

Protects the Church if you shall become legally liable to pay for compensation in respect for third party injury or third party property damage happening within New Zealand.

- ▶ **Care Custody & Control**

Protects the Church for any property that is in your Care Custody or Control that has been damaged that you become Legally Liable for.

- ▶ **Punitive & Exemplary Damages**

Protects the Church against a person who has suffered an injury resulting from an event in connection with the Church, or the Church ownership, occupancy or tenancy of a building, structure or land.

- ▶ **Forest and Rural Fires Act**

Covers Costs that the Church becomes legally liable for in relation to the following

- 1) Costs (but excluding levies for expenditure under Section 44 and 45 and fines and penalties) incurred and apportioned by any Fire Authority under the Rural Fires Act 1977.
- 2) Costs claimed by any other party in order to protect their property from fire.