



**Kin Canada  
National Comprehensive Liability Insurance 02/2017**

**SPECIAL NOTICE**

For more information, contact:

**Amanda Shyhinskyj or Alan Hollingsworth at HUB International HKMB Limited**

Phone: (800) 232-2024

Phone: (416) 597-4018

Fax: (416) 597-2313

E-mail: [amanda.shyhinskyj@hubinternational.com](mailto:amanda.shyhinskyj@hubinternational.com) or [alan.hollingsworth@hubinternational.com](mailto:alan.hollingsworth@hubinternational.com)

The following events/activities are **EXCLUDED OPERATIONS**:

- **SPORTS PARTICIPANTS LIABILITY EXCLUSION** - With respect to the following activities; Boxing; Cliff Diving; Hang Gliding/Sky Diving; Tackle Football; Rugby; Scuba Diving or Snorkeling; Alpine Skiing or Snowboarding; Parasailing; Rafting; Mixed Martial Arts; Bungee Jumping; Aircraft or Balloon Rides.
- Rodeos, Circuses or operations of Midway/Mechanical Amusement Devices
- **PYROTECHNICS & EXPLOSIVES EXCLUSION**
- Detonation of Fireworks (Sale of Fireworks is covered, provided there is no altering or repackaging and subject to approval by HUB International HKMB Limited)
- Trampoline activities

**Coverage is provided for most events. Please contact National to verify .**

If your club is involved in sponsoring such events, separate coverage may be obtained, in some cases, at an additional premium. Coverage for excluded events would need to be handled separately from Kin Canada's insurance policy & it is the responsibility of the club to seek out this coverage. Please contact HUB International HKMB Limited with full particulars FOUR (4) weeks in advance of the event.

**Policy is subject to an Employment-Related Practices Exclusion.**

For every item (e.g. piece of land, building, sports complex, swimming pool, piece of playground equipment etc.) that your Club donates to a third party (e.g. municipality), you are required to have a nationally approved waiver signed by that third party. Keep a copy of the waiver and submit the original to National Headquarters. For monetary donations, please obtain a certificate of insurance adding name both Kin Canada and your local Club as "Additional Insured", and/or obtain a signed waiver of Liability.

For every item that your Club owns or leases (e.g. a daycare business, housing complex, piece of land, building, club room, swimming pool, piece of playground equipment, etc.) you are required to take out a separate property and liability insurance policy for your Club. This policy must name both Kin Canada and your local Club as the insured parties and must have a minimum of \$2,000,000 per incident coverage. You must also have every item that you own inspected by a qualified, professional inspector on an annual basis. A copy of this inspection must be sent to the National Headquarters.

Do not, at any time, admit responsibility of liability. You may advise any claimant that you are referring the matter to your insurers and they will be contacted in due course.

This resume is intended to give you a basic description of the protection afforded. However, any claim that occurs will be subject to the terms, conditions and exclusions of the actual policy wording on file at National Headquarters.

**THIS IS NOT A POLICY. THIS IS INTENDED FOR INFORMATION PURPOSES ONLY. ORIGINAL POLICY ON FILE AT NATIONAL HEADQUARTERS.**

## Kin Canada National Comprehensive Liability Insurance 02/2017

The basic insurance is designed to protect you and your club in case of lawsuits resulting from Bodily Injury and Property Damage to third parties. In addition to the basic coverages, the following extensions are included:

### 1) Property Damage Liability Insurance

Provides protection against loss from legal action (liability) for damages to the property of others (third party). The loss must be caused by an occurrence taking place within the coverage territory.

### 2) Personal and Advertising Injury Liability

Personal injury includes protection for any liability arising out of:

- a) False arrest, malicious prosecution, wrongful detention or imprisonment;
- b) Libel, slander
- c) Invasion of privacy, wrongful eviction or wrongful entry;
- d) Misappropriation of advertising ideas;
- e) Infringement of copyright.

### 3) Employers Liability

Provides protection for the employer (when being held negligent) for those bodily injuries, whether accident or disease, sustained by employees in the course of employment, not otherwise covered under Workers' compensation law.

### 4) Products Liability

Products Liability provides for Bodily Injury or Property Damage claims arising out of the consumption, handling or use of goods or products manufactured, sold, handled or distributed, providing such claim occurs away from the premises and after possession of the said goods or products has been relinquished.

### 5) Contractual Liability

A standard Comprehensive Liability policy limits Contractual Liability cover for liability assumed only under certain reported contractual agreements, such as: "Railway Sidetrack Agreement, Easement Agreement, Elevator Agreement, etc." This policy is amended to broaden the contractual liability cover so as to cover all contracts under which the insured assumes liability of another, if the contract is made prior to any Bodily Injury or Property Damage actually occurring.

### 6) Incidental Malpractice

Coverage is provided for the club members who are held responsible for the injury caused to a third party by the administration of first aid.

### 7) Additional Insureds

Association coverage has been extended to include all members and volunteers, while acting on club activity. In addition to indemnifying the member, the costs of defence are also paid, even though the club may eventually be held entirely liable. Certificates for additional insureds may be obtained from HKMB Insurance Brokers.

### 8) Foundations

The policy has been endorsed to include any charitable subgroup of Kin Canada that mirrors the National Association from an administration basis.

### 9) Non-Owned Automobile Liability

This policy grants cover to the club itself for legal liability arising out of the operation of non-owned vehicles while on club business if you become involved in a suit arising from the operation of the non-owned vehicle. Legal liability for damage to non-owned vehicles is covered to a limit of \$50,000 and subject to a deductible of \$1000. Note that these vehicles must be rented in the club's name for this coverage to apply.

### 10) Non-Owned Watercraft

Coverage is in effect for liability claims arising out of the business use of Non-Owned Watercraft of 8 meters in length or less.

### 11) Swimming Pools

All swimming or paddling pools of any size must conform to the local, municipal by-laws, including the regulations regarding the hiring of fully certified staff to operate the pool.

### 12) Liquor Liability

This coverage is provided to protect clubs from claims that may arise from the serving or sale of liquor at club functions and fundraising activities. The intent of this coverage is not to insure ongoing bar or restaurant type operations (i.e. daily run facilities or where paid staff are hired).

### 13) Auxiliary Clubs

The policy has been endorsed to include any subgroup of Kin Canada that mirrors the National Association from an administration basis.

### 14) Claims Procedure

In the event of any incidents involving Bodily Injury and/or Property Damage to a third party, the attached incident report is to be completed immediately and forwarded to National Headquarters.

### 15) Deductible

Please note that a \$1,000 deductible amount applies to each Bodily Injury and/or Property Damage occurrence, including expenses.



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National Director's & Officer's Insurance 02/2017**

Do not, at any time, admit responsibility of liability. You may advise any claimant that you are referring the matter to your insurers and they will be contacted in due course.

This resume is intended to give you a basic description of the protection afforded. However, any claim that occurs will be subject to the terms and conditions of the actual policy wording on file at National Headquarters.

This insurance for your club is designed to protect as follows:

Limit of Liability \$2,000,000 per loss; \$5,000,000 annual aggregate limit policy year including defence costs.

<p><b>Who is insured?</b> Past, present and future Directors, Officers, Trustees, Employees, Volunteers, Committee Members of your club, including the estates, heirs, legal representatives and assigns of each of the above. Your club on behalf of the Corporation for all loss for which the Corporation may be required or permitted by law to indemnify such Assureds.</p> <p><b>What is insured?</b> Legal Liability for claims made during the policy period for Wrongful Acts.</p> <p><b>What is a "Wrongful Act"?</b> Any actual or alleged error or misstatement or misleading statement or act or omission or neglect or breach of duty by the Assureds in the discharge of their duties, individually or collectively.</p> <p><b>Loss Covered</b> "Loss" shall mean damages, judgments, settlements and costs, charges and expenses, provided, however, that loss shall not include exemplary damages, criminal or civil fines or penalties imposed by law or matters that are uninsurable under the law pursuant to which this policy shall be construed. Punitive damages will be covered where insurable by law.</p> <p><b>Important Exclusions:</b></p> <ul style="list-style-type: none"> <li>• Personal profit or advantage</li> <li>• Return of remuneration, which should not have been paid</li> <li>• Fraudulent, dishonest, or criminal acts</li> <li>• Claims insured by other valid insurance</li> <li>• Bodily Injury and Property Damage (see National Liability Program)</li> <li>• Wrongful Act or any fact, circumstance or situation where notice has been given prior to <b>June 30, 1994</b> (the date your</li> </ul>	<p>coverage began) including interrelated Wrongful Acts</p> <ul style="list-style-type: none"> <li>• Claims made by another director or officer unless it is part of and results directly from a claim not otherwise excluded</li> <li>• Claims made by the club against a director or officer</li> <li>• Pollution</li> <li>• Duties not related to club activities</li> <li>• Claims of which the Insured have received notice or of which they otherwise have knowledge prior to <b>June 30, 1994</b></li> <li>• Claims arising out of Fiduciary Liability (Liability of or pertaining to Directors or Officers acting as a Trustee or Trusteeship, i.e. Wrongful use or mismanagement of a trust fund)</li> <li>• Wrongful dismissal excluded, except to a very limited degree (i.e. If the Courts awarded a dismissed employee severance pay in excess of the amount give by the Corporation, the Insuring Company would not reimburse the Corporation for this difference; however, the policy would likely respond towards defence costs.)</li> </ul> <p><b>Claims Procedure</b> National Headquarters staff is to be immediately advised of any circumstance indicating that an eventual claim may be made against any Director or Officer. Please note that HKMB Hub International Insurance Brokers. will not accept any claim notification that has not been received by National Headquarters. It is, therefore, imperative that any such circumstance (and all relevant documentation) be communicated without delay to National Headquarters staff, who will then contact HKMB Hub International Insurance Brokers on your behalf.</p> <p><b>Information</b> For information relating to the coverages provided, please contact Kin Canada Head Office.</p>
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