

**INSURANCE PROGRAM  
PREPARED FOR  
ONTARIO UNDERWATER COUNCIL  
& MEMBER CLUBS**



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**TERM: JANUARY 1, 2014 TO JANUARY 1, 2015**

## INTRODUCTION

The following is a Summary of the Insurance Coverage which provides you with an overview of the features of the Master Insurance Policy issued to Ontario Underwater Council. For a complete description of the program coverage, exclusions and benefits please refer to the actual policy.

### Who is Insured

The Insurance Program provides coverage for the Ontario Underwater Council, Member Clubs & Club Members.

“Members” shall mean a group or person who has fully paid all dues and fees and is in good standing with all requirements of Ontario Underwater Council.

### Scope of Coverage

Coverage applies while participating in Sanctioned Activities of the Ontario Underwater Council with respect to Sanctioned and Supervised Underwater Diving, Technical Diving and Non Diving Activities (as on file with insurer).

“Sanctioned Activities” shall mean all games, competitions, sports demonstrations including related practice and training and awards banquets, authorized by Ontario Underwater Council and run by Ontario Underwater Council or your “members”. Authorizations shall be granted by Ontario Underwater Council by way of written procedural manual or specific agreement in writing by your authorized Executives.”

### Key Insurance Coverages

- \$3,000,000 Commercial General Liability Insurance/per occurrence  
\$500 Bodily Injury/Property Damage Deductible
- \$1,000,000 Errors & Omissions Liability/Directors & Officers (Wrongful Acts)/per occurrence  
\$500 Deductible

#### **Insurance Broker:**

Pearson Dunn Insurance Inc.

#### **Insurer:**

GameDay Insurance Inc. /Underwritten by Aviva Insurance Company of Canada



## **Commercial General Liability**

The Insurance Program prepared for **Ontario Underwater Council & Member Clubs** provides **Commercial General Liability Coverage** for “Registered Members” participating in **Sanctioned and Supervised Underwater Diving Activities** including **Teaching by Member Clubs**, as listed on file with insurer.

“Members” shall mean a group or person who has fully paid all dues and fees and is in good standing with all requirements of **Ontario Underwater Council**.

The **Commercial General Liability Policy** will pay those sums that the insured becomes legally obligated to pay as compensatory damages because of bodily injury to or damage to property of others, such as spectators, passers-by, property owners and others resulting from your operations or actions. Most General Liability policies contain an exclusion, which excludes suits resulting from participants who are injured while participating in a sporting activity. The coverage provided, also includes Injury to Participants that result from your association, member clubs, or individual members negligence.

The Policy even includes at no additional cost, **Additional Insured’s**, such as Municipalities, Government Departments, Sponsors and Owners of the Facilities in whose name you have agreed to provide insurance for their vicarious liability arising out of your operations.

The Insurance Program also provides **Errors & Omissions/Directors & Officers (Wrongful Acts) Liability Coverage**. This coverage protects the directors & officers, executives, employees and volunteers for consequences of their actions against suits alleging “wrongful acts”. The coverage responds to “civil proceedings” (statement of claim) and does not cover Human Rights or other Tribunal (non-civil proceeding issues).

## **Policy Requirements**

**These Requirements must be met in order for OUC Member Clubs and Club Members to be covered by this policy.**

1. All Member Clubs and all Club Members must be OUC members in good standing and enrolled in the policy.
2. All persons taking scuba courses with an OUC insured member Club must be OUC insured members, with the exception of Discover Scuba / Experience Scuba participants.
3. All activities must be sanctioned by the Member Club's Executive and by OUC.
4. All diving activities must be supervised. Unless enrolled for Solo insurance coverage (see point 9) participants must not dive solo during any sanctioned activities.
5. All divers must hold a valid certification issued by a recognized certifying organization.
6. All Recreational dives must be planned and conducted within generally accepted Recreational / Sport Scuba limits.
7. All dives (recreational or technical) must be planned and conducted within the standards, procedures, policies and limits of the certifying organization for the certification provided.
8. Alcohol must not be consumed during any sanctioned activities, with the exception of one (1) sanctioned annual banquet / dance / awards night activity.
9. Solo Divers must meet special requirements. Divers who are certified for Solo/Self-Reliant diving may choose to purchase an additional Solo insurance coverage. This coverage allows those enrolled to bypass the Supervision requirements and Solo diving restrictions of this policy. Divers enrolling for Solo insurance coverage must submit proof of certification to the OUC for prior approval.

**The OUC "Club Insurance Requirements and Risk Management Document" has been discussed and communicated to Pearson Dunn and is acceptable as the valid implementation of these Requirements.**



## Program Overview

### Sports Liability Insurance

<b>Limit:</b>	\$3,000,000 per occurrence \$1,000,000 Errors & Omissions/Directors & Officers (Wrongful Acts)/per occurrence
<b>Policy No.:</b>	GAME00402
<b>Deductible:</b>	\$500 per occurrence
<b>Term:</b>	January 1, 2013 to January 1, 2014
<b>Insurer:</b>	GameDay Insurance Inc. / Aviva Insurance Company of Canada

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### Who is Insured

All members including Executives, Managers, Instructors, Divemasters, Directors, Officers, Officials, Employees, Participants & Volunteers while acting on behalf of the association.

### Activities Covered

OUC Member Clubs and OUC Club Members are covered under the above Policy, for the following:

- **World Wide Coverage for** - OUC Member Clubs and OUC Club Members who participate in OUC Sanctioned Diving Activities ONLY.
- **World Wide Coverage for** - OUC Club Members domiciled (living) outside of Canada who participate in OUC Sanctioned Diving Activities ONLY.
- **Non Diving Non-OUC-Club Members** who volunteer during OUC-Member-Club Sanctioned Activities are also covered under the above Policy.
- **Supervised Diving Activities** are covered by this Policy.
  - a. All open water and confined water (e.g. a pool) diving activities are to be supervised. Certified divers, must have at least one other certified diver/buddy in water on scuba to dive with them. If no other diver/buddy is present the solo diver is required to sign a waiver stating that they are not diving with the Member Club on the sanctioned activity, releasing the OUC, its Member Clubs, members, etc.
  - b. Un-certified divers must be supervised, by professional level personnel certified by and in active status with a diver certification organization.
- **Solo Diving Activities** are covered by this Policy but only for those who have purchased the Solo Diving membership insurance.
- **Liquor** at Awards Banquets is included in coverage. All other liquor exposure excluded from coverage unless purchased as an add-on as per the rating.
- **Fundraising Diving** is covered under diving activities if they are sanctioned by OUC. Other fundraising activities are not covered.



## Highlights of Coverage

<ul style="list-style-type: none"> <li>▪ \$3,000,000 Commercial General Liability/per occurrence</li> <li>▪ \$500 Deductible</li> </ul>	<ul style="list-style-type: none"> <li>▪ Worldwide coverage = suits brought in Canada and the United States of America (including its territories and possessions).</li> <li>▪ Incidental Medical Malpractice (<i>Non-Professionals</i>)</li> </ul>
<ul style="list-style-type: none"> <li>▪ Participant Liability</li> <li>▪ \$3,000,000 Non-Owned Automobile Liability</li> <li>▪ SEF 94 – Legal Liability for Physical Damage to Non-Owned Automobiles - \$50,000 / \$1,000 Deductible</li> </ul>	<ul style="list-style-type: none"> <li>▪ \$2,000,000 Blanket Broad Form Tenants Legal Liability</li> <li>▪ \$10,000 Voluntary Medical Payments (<i>Third Party</i>)</li> </ul>
<ul style="list-style-type: none"> <li>▪ Personal Injury/Advertisers Injury Liability</li> <li>▪ Employers Liability Extension</li> </ul>	<ul style="list-style-type: none"> <li>▪ Facility Owners, Sponsors, Government Departments, Municipalities as additional insured's</li> <li>▪ \$1,000,000 Errors &amp; Omissions/Directors &amp; Officers(Wrongful Acts)/per occurrence</li> </ul>
<ul style="list-style-type: none"> <li>▪ Premises, Property and Operations Liability</li> <li>▪ Products &amp; Completed Operations Liability/Aggregate Limit \$3,000,000</li> </ul>	<ul style="list-style-type: none"> <li>▪ Liquor liability for annual awards ceremonies and wind up banquets</li> <li>▪ Cross Liability Clause Included</li> </ul>

### Endorsements

Aircraft or Watercraft Endorsement – see note below

Exclusion – Abuse

Liquor liability – coverage only for Awards Banquets and for events where coverage has been purchased as per rating schedule.

- **Aircraft / Watercraft Endorsement** – removes the standard watercraft exclusion but only for watercraft as follows:
  1. a watercraft while ashore on premises you own or rent;
  2. a watercraft that is:
    - less than 10 metres long if the watercraft is powered;
    - less than 20 metres long if the watercraft is not powered but only during 'sanctioned sports events'; and
    - not being used to carry persons or property for charge;
  3. 'bodily injury' to an 'employee' of the insured on whose behalf contributions are made by or required to be made by the insured under the provisions of any Canadian provincial or territorial workers' compensation law, if the 'bodily injury' results from an 'occurrence' involving watercraft

**See full policy wording for full description of coverage**

## Description of Coverages

- **Participant Liability** - Most General Liability policies include a Sports Participant Liability Exclusion, but in the broad form coverage with **GameDay Insurance**, this coverage is included. This coverage protects the insured from claims arising from "bodily injury" and "property damage" in the event that an injured athletic participant files a lawsuit. This coverage also includes "**Participant to Participant**" Liability (Player versus Player) which protects the participant in the event that one player is sued by another player resulting from an injury.
- **Voluntary Medical Payments** - Reimburses others (*third party*) for their medical expenses if they are injured as a result of your activities up to \$10,000.
- **Blanket Tenants Legal Liability** - Provides coverage for your legal responsibility for damage to premises that you rent in the course of your activities up to \$2,000,000.
- **Non-Owned Automobile Coverage** - Protection against legal liability arising from an auto accident when someone is driving their own vehicle on the association's behalf.
- **SEF 94 – Legal Liability for Physical Damage to Non-Owned Automobiles** - Legal Liability for physical damage to hired automobiles. This endorsement provides coverage for the physical damage caused to a rented vehicle.
- **Personal Injury** - Coverage against libel, slander.
- **Advertisers Liability** - Will protect the insured in the course of advertising your goods, products or services.
- **Incidental Medical Malpractice** - Protection for rendering first aid to an injured person by a non-medical professional in the course of your activities.
- **Cross Liability Clause** - This clause allows for additional insured's to sue, if necessary within the policy.
- **Employers Liability** - To protect the insured against the possibility of an employee suing for injury suffered in the course of their employment.
- **Premises, Property and Operations** - This provides coverage for the insured who is responsible in the scope of their operations for premises and property to which they have control over. It also includes coverage for their own operations (activities).
- **Products and Completed Operations** - This is simply a broader form of liability coverage normally associated with manufacturers and business.
- **Blanket Contractual** - This provides coverage for the insured when he/she signs a contract, which stipulates the legal responsibility of the insured.
- **Occurrence Basis Property Damage** - Again, this is just a broader type of coverage. Occurrence happens over a period of time, whereas, an accident wording is sudden and accidental.
- **Errors & Omissions/Directors & Officers (Wrongful Acts)** This is an Errors & Omissions coverage which protects the Association's Directors & Officers, Executives, Employees and Volunteers for compensatory damages as a result of their wrongful acts. The coverage responds to "**civil proceedings**" (statement of claim) and does not cover Human Rights or other Tribunal (non-civil proceeding issues).

The description of coverage contained herein is not complete, and reference must be made to the actual terms and conditions of the applicable policy forms  
*GameDay Insurance Inc. underwritten by AVIVA Insurance Company of Canada*