

**SCHEDULE OF COVER**  
**Public/Products Liability**  
**Our Reference: 10110228**

**BROADFORM LIABILITY INSURANCE**

**Name of Insured:**

Harness Racing New South Wales, Harness Racing New South Wales Industry Fund, Harness Racing New South Wales Race Course Development Fund, Australian Pacing Gold Ltd, Tabaret Management Pty Ltd, Tabcorp Holdings Limited, Integrity Auditor (in respect of their involvement with Harness Racing New South Wales only), Investigator (in respect of their involvement with Harness Racing New South Wales only), licensed drivers, licensed trainers, stable hands, stewards, swab attendants, starters, mini and maxi trot licensees, stewards/officials from interstate in respect of their involvement with Harness Racing New South Wales, veterinarian employees of HRNSW and veterinarian contractors in respect of advice (including taking of swabs) given to registered clubs of Harness Racing NSW only at race meetings, affiliated bodies/clubs (listing attached), together with all members, coaches, officials, first aid personnel, administrators, voluntary workers, work experience personnel whilst licensed by the appropriate licensing authority and licensed visitors from interstate and/or overseas whilst competing in events sanctioned by the Insured

**Description of Business:**

Principally but not limited to the management of Harness Racing NSW, including racing, trialling and training of harness racing horses by licensed drivers, Trainers and Stable hands, show racing, registered clubs operations in respect of any Harness Racing Business including but not limited to:

Operators of Raceways including licensed premises, Club House, Bar, Bistro, Beer Garden Lounge/Games room, Organisers of Markets, Management, Totalisator Operations, Trialling Sales, Fundraising, Promotion and organisation of Harness Racing in Australia, property owners, use and management of Retention Barn (Menangle) and all associated activities undertaken by the insured.

**Note:**

Property Owners activities extend to Registered Clubs, Associations and Nominated Registered Tracks as noted within the policy schedule.

The policy also extends to provide coverage for licensed trainers, drivers or Stable hands at their own personal property in respect of their own personal liability as a property owner in respect of harness racing activities. Insured person is required to carry separate property owners liability insurance for non-harness racing related activities at their own personal property.

**Period of Insurance:**

From: 4.00pm 1st September 2014

To: 4.00pm 1st September 2015

Both Local Standard Time at the Insureds Australian head office.

**Products:**

Principally food, drink, sporting goods and equipment and including any goods, products or property manufactured (including deemed manufacture), grown, extracted, produced, processed, assembled, altered, constructed, erected, installed, repaired, serviced, treated, sold, supplied, distributed, imported or exported by the Insured.

**Interest Insured:**

The Insureds legal liability to third parties to pay compensation in respect of death, illness, personal injury and/or property damage occurring during the

period of insurance as a result of an occurrence and happening in connection with the business/sporting activities or caused by any of their products.

**Territorial Limits:**

Worldwide excluding USA and Canada

Noted u Worldwide coverage applies (including USA and Canada) in respect to declared drivers travelling overseas to represent Harness Racing New South Wales.

**Limits of Liability:**

Public Liability \$50,000,000 In respect of any one occurrence or series of occurrences arising out of the one event during the period of insurance.

Products Liability \$50,000,000 In respect of any one occurrence or series of occurrences arising out of one event and in the aggregate during the period of insurance.

**Sub Limits of Liability:**

Property in  
Physical or  
Legal Control \$2,000,000 In respect of any one occurrence or series of occurrences arising out of the one event during the period of insurance.

Sub limit of \$200,000 any one harness racing trainer(s)

Professional  
Liability \$2,000,000 Limited in the aggregate for Errors and Omissions (This sub section is limited to declared vets). Retroactive date 30th June 2002. Advertising

**Deductible**

1. \$1,000 each and every occurrence (costs inclusive) in respect of claims arising out of a licenced drivers harness racing, trainers activities or mini/pony and maxi trotting claims.
2. \$20,000 each and every occurrence (costs inclusive) in respect of driver versus driver claims where the claimant driver(s) is (are) entitled to claims workers compensation benefits arising out of the accident (whether the workers compensation benefits have been claimed or not).
3. \$10,000 each and every occurrence (costs inclusive) in respect of all other claims.

**Definitions:**

"Driver" means:

A person holding a current licence granted under the Australian Harness Racing Rules and drives a horse in a race or does other things which are only done or usually done by drivers.

"Trainer" means:

Trainer is a person holding a licence granted under the Australian Harness Racing Rules and trains a horse or does other things which are only done or usually done by trainers.

**Endorsements:**

**Service Providers Vicarious Endorsement**

This Policy does not cover liability in respect of Personal Injury or Property Damage arising out of or caused by or in connection with the Insured's service providers. A service provider means anyone engaged by the Insured to provide goods or perform a service. Service providers include but are not limited to security services, amusement operators, pyrotechnicians, entertainers, food vendors, stall holders, sound & lighting companies & Contracted Labour but does not include volunteers or the Insured's employees. However, this exclusion shall not apply to the Insured's vicarious liability arising from an act, error or omission of service providers that have provided the Insured with proof of liability insurance.

**AIDS/HIV Exclusion**

This Policy does not cover liability in respect of Personal Injury or Property Damage arising out of or caused by or in connection with - 1. The human immune deficiency virus (HIV) or any mutation, derivation or variation thereof:  
2. Any HIV related illness including but not limited to acquired immune deficiency syndrome (AIDS) or any mutation, derivation or variation thereof.

**Construction Limitation**

This Policy does not cover Personal Injury or Property Damage arising out of or in any way connected with the construction, erection, alteration, demolition of and/or addition to buildings by or on behalf of the Insured. However, this exclusion shall not apply to the construction, erection, alteration, demolition of and/or addition to buildings by or on behalf of the Insured where the total value of such works does not exceed \$100,000.

**Molestation Exclusion**

This Policy does not cover liability in respect of Personal Injury arising out of or caused by or in connection with the molesting, interfering or assault with any person by

- The Insured,
- Any of the Insured's employees,
- Any person acting on behalf of the Insured,
- Any person for whom the Insured may be held legally liable.

The Insurer shall have no obligation to defend any action, suit or proceeding against the Insured either directly or vicariously seeking damages for such Personal Injury.

**RSA Exclusion**

This Policy does not cover liability in respect of Personal Injury, Property Damage or Advertising Liability arising out of or caused by or in connection with the service of alcohol conducted by or on behalf of the Insured unless the Insured and all bar staff hold the legally required licenses & responsible service of alcohol certificate.

#### **Various Endorsements**

All trainers holding a license granted under the Australian Harness Racing Rules should carry their own Public Liability Insurance for activities outside sanctioned Harness Racing NSW events and Care Custody Control whilst on registered tracks.

Professional Liability Sub Limit is extended to indemnify veterinary contractors in respect of advice given to the harness racing authorities and nominated clubs only. No coverage is provided where a fee income is received for treatment to horses or any other animal by the veterinary contractor and is conditional upon all veterinary contractors having their own insurance cover.

Professional Liability Sub Limit does not extend to Australian Pacing Gold Ltd.

Coverage extends to indemnify retired qualified veterinary persons in respect of advice given to NSW Harness Racing Authorities and Nominated harness Racing Clubs only where such persons do not have indemnity under a current professional liability policy by reason of retirement.

Cover is extended to licensed drivers whilst they are driving track work for trainers, provided the drivers are not employed by the trainers and/or are entitled to workers compensation.

Driver to Driver cover only applies to Registered Drivers at official race meetings, show racing and/or trials, whilst under the control of Harness Racing Officials.

Show Racing or Trials at non registered tracks are excluded with the exemption of mini trotting, subject to being administered and supervised but the NSW Mini Trotters Association.

Cover is excluded in respect to claims arising from drivers/trainers failing to wear helmets and protective vests whilst in control of a sulky in official races, official trials and on registered training tracks as specified by the Australian Rules of Harness Racing.

Liability arising directly or indirectly caused by, arising out of or in any way connected with celebrity or other non -official races or non-official trials that do not conform with the Australian Rules of harness Racing are excluded.

Licensed drivers or trainers connected with the usage of wooden shafted sulkies and separate wooden shafts in races, official trials, qualifying trials, club and unofficial trials and run-arounds on all club registered tracks and trialling tracks or trainers own premises are excluded for liability directly or indirectly caused by, arising out of or in any way connected with any injury or damage.

All trainers holding a license granted under the Australian harness Racing Rules should carry their own Public Liability Insurance for activities outside sanctioned Harness NSW events and Care Custody and Control whilst on registered tracks.

Licensed Drivers or trainers found to be under the influence of or impaired by any drug or intoxicating liquor as determined under the Australian Rules of Harness Racing are excluded for liability arising directly or indirectly caused by, arising out of or in any way connected with any injury or damage.

**Declared Clubs:**

Albury  
Armidale  
Bankstown  
Bathurst  
Blayney  
Broken Hill  
Bulli (Bulli at Menangle)  
Canberra (ACT Harness Racing Club)  
Coolamon  
Cootamundra  
Cowra  
Dubbo  
Eugowra  
Fairfield  
Forbes  
Goulburn & District  
Griffith  
Inverell  
Junee  
Leeton  
Lithgow  
Maitland  
Muswellbrook  
Narrabri  
Newcastle  
NSW Harness Racing Club  
- Menangle 1  
- Menangle 2  
Orange  
Parkes  
Peak Hill  
Penrith  
Tamworth  
Taree  
Temora  
Wagga  
West Wyalong  
Young

**Training, Trialling and Public Tracks Information:**

Armidale Harness Racing Club Inc.  
Bega Harness Racing Club Inc.  
Conowindra Harness Racing Club Inc.  
Hawkesbury Owners & Trainers Association (HRNSW in process of purchasing)  
Moama Harness Racing Club (Moama)  
Moss Vale & District Harness Association  
Nowra Harness Racing Club Limited  
Wollondilly Harness Racing Club (Bargo)  
Lithgow, and Taree Harness Racing Clubs are all Training Tracks, no racing  
Tweed Heads Coursing Club  
Portland Kremer Park trotting facilities  
Tony Luchetti Sports Precinct

Grafton  
Bega Showground  
Gunning Showground u training track and gymkhanas  
Macksville Showground u training track and gymkhanas  
Mullumbimby Show Track u training track and gymkhanas

**Training Tracks Owned and Operated by Councils:**

Albury  
Ariah  
Armidale  
Bangalow  
Bankstown  
Bargo  
Barellan  
Bathurst  
Bendick Murrell  
Birubi Point  
Blayney  
Broken Hill  
Broughton Creek boat ramp  
Bulli  
Canberra  
Canowindra  
Casino  
Cessnock  
Condoblin  
Coolamon  
Cootamundra  
Cowra  
Crookwell  
Deniliquin  
Dubbo  
Dungong  
Echuca  
Eugowra  
Fairfield  
Forbes  
Ganmain  
Gilgandra  
Gooloogong  
Goulburn  
Grenfell  
Griffith  
Gunnedah  
Hawkesbury  
Inverel  
Jonee  
Lackey Park Moss Vale  
Lake Carelligo trotting track  
Leeton  
Lithgow  
Maitland  
Manilla  
Marrar  
Marulan  
Memorial Oval u Broken Hill

Menangle Park  
Mildura  
Moonbi  
Morisset  
Muswellbrook  
Newcastle  
Newcastle Pool  
Nowra  
Nyah  
Oberon  
Orange  
Parkes  
Peak Hill  
Penrith

**Training Tracks Owned and Operated by Councils (Continued):**

Portland  
Quirindi  
Raymond Terrace  
Riverstone  
Seven Mile Beach  
Tamworth  
Temora  
Trundle  
Ungarie  
Uralla  
Wagga  
Warren Show ground & racecourse  
Weethalle  
Werris Creek  
West Wyalong  
Whitton Sports & Rec Park  
Yanco  
Yarrawonga  
Young

**Additional Council Owned Tracks:**

Orange  
Use of Public Land at Stockton Beach - Port Stephens Council  
Barellan - Showground Road, Barellan  
Ungarie - Condoblin Road, Ungarie  
Weethalle - Showground Road, Weethalle  
Moonbi Recreational Grounds - 9 - 73 Gill Street, Moonbi  
Manilla Showground

**New South Wales u Mini Trotting affiliated Associations/Clubs:**

NSW Mini Trotting Association Inc  
Riverina Mini Trot Club  
Leeton Mini Trot Club  
Shoalhaven Mini Trot Club  
Bathurst mini Trot Club  
Dubbo Mini Trot Club  
Newcastle Maitland District Mini Trot Association Inc  
Capital Region Mini Trotting Club  
Metropolitan Mini Trot Club  
Penrith/Nepean Mini Trot Club  
Inner City Mini Trot Club

**Note: Training and trialling at Public Tracks to be added to the mini trotting facilities list**

Armidale HRC  
Bega HRC

Canowindra HRC  
Hawkesbury Owners and Trainers Assoc,  
Moama HRC  
Moss Vale and Districts Harness Assoc.  
Nowra HRC  
Stanford Merthyr Park Cessnock  
Wollondilly HRC

**Vacant Land Owned by HRNSW:**

Beresfield  
Goulburn  
Hawkesbury (in process of purchasing)

**Market Days:**

Bankstown  
Penrith  
Menangle  
Fairfield

**Show Trots:**

Manilla Showground

**Other Events:**

- Annual Penrith show/fair
- Yearling exhibitions
- Penrith Spring Horse Show
- Annual Awards Night
- Charity Events
- Entertainment at race meetings
- Occasionally jumping castles and fireworks displays but all third party operators are required to have their own insurance.
- Clubs rooms may be hired out for private functions / meetings. Larger clubs such as Penrith hire out their rooms for weddings, birthdays, parties, meetings, conferences, wakes. They also hire out the grounds for music concerts, fairs/festivals, gymkhanas, school activities, annual show (organisers of these events carry their own insurance).

**Insurer Security:**

Underwritten for certain underwriters at Lloyds of London and ACE Insurance Limited by their agent SLE Worldwide Australia Pty Limited under binding authorities B0572NA14SL03 and 001-2014 respectively.

**Please refer to the policy wording for full terms, conditions, exclusions.**

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