



Glasshouse Event Services

Frequently Asked Questions: Public Liability Insurance

Q. Why do Glasshouse Venue Hirers have to hold their own Public Liability Insurance?

A. Public Liability Insurance provides your organisation, club or community group with an indemnity against all sums which you become legally liable to pay by way of compensation for bodily injury and/or property damage to a third party resulting from an occurrence which arises in connection to your negligence or the negligence of your staff, committee or members, including voluntary workers, engaged on behalf of the organisation, club or community group.

With Product/Public Liability cover your organisation is safeguarded if it:

- works with volunteers/members, clients or customers in public spaces
- visits, hires or uses spaces owned or controlled by others
- has visitors to your premises
- manufactures/makes products

Q. Will Public Liability Insurance cover me if I fall and break my leg?

A. Public Liability Insurance only covers the insured if there is an incident as a result of a negligent act.

If a third party makes a public liability claim, they generally have to show that their injury or loss is the fault of the other person or organisation they are suing.

Q. Why do I need \$20 million dollars of Public Liability cover?

A. The Glasshouse Port Macquarie is a trading entity of Port Macquarie-Hastings Council. As such, the Glasshouse is required to adhere to Council's own organisational wide policy with regards to public liability cover which is also \$20 million.

Q. My organisation already has Public Liability Insurance for less than \$20 million. Can I just use that?

A. No. The level of Public Liability Insurance required to be held by Hirers of the Glasshouse is \$20 million dollars. There are many options available to you to increase your level of cover. You may wish to talk to your current insurance provider or broker about a temporary increase to your level of cover for the event being held at the Glasshouse.

OR

You may wish to compare insurance brokers.

- Local Community Insurance Services (LCIS) www.localcommunityinsurance.com.au have information on products and how community groups can purchase a range of insurance packages online including cover for one-off events.
- Duck for Cover www.duckforcover offers insurance services for Artists, Performers and the Entertainment industry.
- AON www.aon.com.au offers Entertainment Industry services and is approved by the Australasian Performing Rights Association (APRA)



Q. Why do Glasshouse Terms & Conditions of Hire request that the insurance policy must note the interests of Port Macquarie-Hastings Council for their respective rights and interests?

A. The insurance you pay for your organisations might be restricted to certain purposes, e.g. insurance held by a school is covered only for events within the school premises and may not include hire for external events such as an awards night at the Glasshouse.

Q. I have done other events in spaces owned by Port Macquarie Hastings Council and have been covered by Councils policy for 'Casual and Regular Hirers'. Can I be covered by this for events at the Glasshouse?

A. No. The policy only covers hirers of facilities that have been specified to Port Macquarie-Hastings Council's insurer. These facilities are primarily those that are managed by Council's Section 355 Committees and does not include the Glasshouse.

However, in the event that the Hirer does not possess a Certificate of Currency for product and public liability insurance, the Hirer may be eligible for Councils Casual and Regular Insurance cover. A hirer's eligibility for cover under Council's casual and regular Insurance will be assessed on an event by event basis, at the request of the hirer.

Definition of a Casual & Regular Hirer

A Casual & Regular Hire (Regular - no more than once a month or twelve times per calendar year) means any person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a Council facility for non-commercial or non-profit making purposes.

Council's liability insurance may cover any person or group of persons, who qualifies as a "Casual Hirer"
This cover does not extend to incorporated bodies, corporations, sporting clubs or associations of any kind.

Any persons hiring the facility as a business for the purpose of activities associated with that business (even if not for profit making purposes), is not considered a casual hirer so will need to have in place their own Public Liability Insurance.

In the event of a claim the Casual Hirer is responsible for an excess of \$2,500, which is payable by them. This cover does not extend to any external contractors that are used in conjunction with the Venue Hire, such as caterers, entertainment, external AV suppliers or event planners, therefore a "Casual Hirer" would need to ensure his or her third party suppliers have their own Public Liability Insurance.



Following are extracts from the Glasshouse Standard Terms and Conditions of Hire (Part B), which offer additional detail on a hirer's responsibilities for Public Liability Insurance.

18. PERMITS AND LICENCES

- 18.4 Glasshouse Management reserves the right to cancel the users activity should the user and/or any subcontractor or employee of the user have not taken all reasonable steps to obtain any relevant licence(s), insurance(s) or statutory requirement(s) for the activity being undertaken.

25. INSURANCE

The Hirer further agrees with the Glasshouse as follows:

- 25.1 No Hirer will do or permit to be done anything on the premises whereby the policy or policies of insurance on the premises and/or its contents against damage by fire or otherwise may become void or voidable or whereby the rate of premium thereon may be increased and shall indemnify Port Macquarie-Hastings Council in respect of all sums for which it may become liable by way of increased premiums and all expenses incurred in connection with or incidental to any such policy or policies by reason of any breach of this clause;
- 25.2 The Hirer must provide Port Macquarie-Hastings Council with a Certificate of Currency for product and public liability insurance coverage of no less than TWENTY MILLION DOLLARS \$20,000,000 noting the interest of Port Macquarie-Hastings Council for their respective rights and interests;
- 25.3 The Hirer will insure its sets, costumes, properties and equipment and all goods and materials of any kind brought into the premises in connection with the agreed use and the Hirer will produce to Glasshouse Management proof of such insurance as required;
- 25.4 The Hirer shall at all times observe and comply with the provisions of all industrial agreements awards and determinations in relation to any person(s) / contractors or other third parties engaged or employed in connection with any activity on Glasshouse premises. Glasshouse Management reserves the right to view upon request certificates of public liability and workers compensation insurance from any person(s) / contractors or other third parties engaged by the primary Glasshouse user.

For a full copy of the Terms and Conditions of Hire go to:

<https://www.glasshouse.org.au/Venue-Hire/Planning-an-Event/Tools-for-Event-Planning>