



## Chapter Nine – Insurance and Injury Schemes

1. Liability Programme
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In Association with





## CLUB MANUAL

### Chapter Nine - Insurance and Injury Schemes

#### 1. Liability Programme

Covers Legal Liability to Third Parties and Employees, including participants in FAS and other State Employment Schemes

Policy Period:	12 months from 18 February 2005
Insurer:	S.L.E. Worldwide Limited Europe and others
Policy No:	A2500284
Arranged By:	Coyle Hamilton Willis 7 – 9 South Leinster Street Dublin 2

#### Public Liability

This section of the policy provides cover up to €127m in respect of any one occurrence, or all occurrences of a series consequent on or attributable to one source or original cause. There is an aggregate excess €1.75m, meaning the GAA bears the first €1.75m in claims in any one year, which is, effectively, self-insurance. It is therefore imperative that all clubs take all reasonable steps to prevent accidents and ensure that claims are kept to a minimum. The club is responsible for minor claims.

Participation in the Public Liability scheme is compulsory on all GAA units. The scheme covers the GAA as a Sports and Cultural organization involved in related fundraising, social, recreational, and other incidental activities.

All clubs contribute considerable monies each year to fund the Liability Insurance schemes. This explains why we as clubs have a vested interest and indeed a responsibility to ensure that claims are kept to a minimum.

Public Liability Insurance provides indemnity to the club in respect of its liability at law (ie. where negligence is proven) for the death, injury, and/or property damage of third parties. This is particularly relevant where non- GAA members ("Third Parties") are visiting our grounds, club-houses, and/or other properties in the Association's care and control.

The key to avoiding liability claims is the introduction of sound risk management practice involving the identification and control of all our exposures.

#### **In the interest of safety of players and spectators it should be ensured that:**

- As far as possible, no obstacles such as sideline seating, corner posts or walls should be within 5m of the sideline/touchline.
- Dangerous objects such as cement blocks should not be left lying around or ladders left lying against walls which might tempt children to climb.
- Make sure there are no barbed wire fences within reach of the players and/or spectators
- Great care should be taken with Juvenile Goal Posts. Do not use homemade and potentially dangerous posts.



They should be manufactured by a recognized firm and conform to all safety standards. Goalposts should be anchored properly and blocks and other material should not be used to secure the nets.

- Clubs with Bars should make sure that emergency lighting and fire alarms are installed, also that exit doors should have panic bolts fitted and all exit routes are clearly marked.

Where the GAA use the property of others the GAA Public Liability Insurance automatically transfers to this property while in GAA use and covers the legal liability of the GAA club only. In the event of this property being a farmer's field used for car parking, the GAA will only be liable where injury or loss is sustained due to its negligence. If the negligence is that of the farmer it is his Public Liability Insurance which will be called upon. The club cannot take out insurance to indemnify against the negligence of another party. The Farmer should extend his own Public Liability Insurance to cover such an event if his existing insurance does not already cover it.

In the event of a local farmer using his tractor on Club Property to mow the field or other work the farmer should extend his insurance cover with his own insurer if his existing insurance does not already cover such usage.

As mechanically propelled vehicles are not insured under the Public Liability Insurance, the club that owns its own tractor should have it insured whether or not it will be used on the public highway.

### Employers Liability

This section of the policy provides cover up to €63m in respect of any one occurrence. The GAA is responsible for the first €150,000 during any one period.

#### Participation in this scheme is compulsory for all GAA units

The scheme provides for indemnity against all sums that the association shall become legally liable to pay as compensation for a claimant's costs and expenses in respect of accidental bodily injury to any employee arising out of and in the course of his/her employment by the association. This covers the legal liability of clubs to persons employed under GAA sponsored FAS schemes on GAA property. It should be noted however that cover only applies in respect of employees directly under the control of the GAA unit and where the club is the sponsor of the FAS scheme.

**NB: Employers Liability is STRICT, negligence does not have to be proven**

#### Under Health and Safety Legislation clubs can be strictly liable if they fail to:

- Provide suitable and safe equipment
- Provide safe place of work
- Provide a safe system of work
- Engage suitable and competent employees

Apart from these Health and Safety obligations as with all Employers Liability Policies various additional endorsements, extensions, exceptions and conditions apply.



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### 2. Property Programme

Covers the assets of the GAA against loss or damage occasioned by an Insured Peril. As an extension to the Material Damage section of the policy, cover is also available in respect of Loss of Revenue following an insured Property Loss.

Policy Period:	12 months from 1st July 2005
Insurer:	Allianz Corporate Ireland plc and others
Policy No:	CO CFL 1582378 (AOC)
Arranged By:	Coyle Hamilton Willis 7 – 9 South Leinster Street Dublin 2

#### Property Damage and Business Interruption Insurance

This cover is compulsory for all clubs and protects its real and personal property against loss of or damage to its insurable assets such as Buildings, Contents, Machinery, Stock and property in the care, custody and control of the club.

Where there has been a covered property loss and, as a consequence, a reduction in turnover during reinstatement (the indemnity period), Loss of Revenue is covered for the same Insured Perils.

#### Insured Perils:

ALL RISKS including, but not limited to, Fire; Lightning; Explosion; Storm; Flood; Burst Pipes; Impact, Riot, Strike, Civil Commotion, Malicious Damage, Glass Breakage, Theft and Subsidence.

Loss of Money: whilst on club premises or in transit to a bank (subject to custodial Warranty)

Excess: The club is liable for the first €4,000 of each and every claim.

For clubs with bars, it is essential that fire detection and security systems be fitted and maintained. All external doors should be non-penetrable and fitted with appropriate mortice deadlocks. Windows/skylights should be reinforced with steel mesh/bars. Bar stock and fixtures should be kept further secured by installation of an alarm system linked to a security company. Where money is present, an approved safe is required above specified amounts. Fire blankets and fire extinguishers to scale should be installed and employees trained in their proper use.

Valuable items such as computers, office equipment, and personal effects are also covered but subject to the €4,000 excess per loss.

#### Third Party (Outside Bodies) usage of GAA property

It cannot be emphasized strongly enough the importance of ensuring that outside bodies which are granted the use of GAA facilities have current liability insurances in place which are appropriately extended to fully indemnify the clubs and the Association for the duration of their usage/occupancy of the GAA property in question.



Third party indemnity agreement forms can be had from the County Board. Clubs should be very strongly urged not to allow access to their property until such an agreement has been formally entered and the insurance requirements as outlined are in place.

### 3. Player Injury Programme

Scheme Period:	12 months from 1st February 2005
Insurer:	Not applicable – self funded
Policy No:	Not applicable
Administered By:	Coyle Hamilton Willis 7 – 9 South Leinster Street Dublin 2

The GAA has operated player injury schemes in one form or another since 1929.

The current scheme is mandatory and provides benefits to members playing the national games of Hurling, Gaelic Football, Handball and Rounders only. Clubs must register with the scheme administrators and include players and accredited club personnel performing designated duties in connection with the activities of Clubs.

The GAA Players Injury Scheme does not seek to compensate fully for injury but to supplement other schemes. Ultimately the responsibility to ensure that adequate cover is in place lies with the individual member, commensurate with his specific needs.

#### Scope

The scheme applies to:

- 1.1 Players on a team registered with the Scheme who incur accidental injury while playing Hurling, Gaelic Football, Handball or Rounders only, either:
  - (a) in the course of an official competitive game or a challenge game or
  - (b) in the course of an official and supervised team training session.
- 1.2 Match officials i.e. referees, linesmen or umpires injured whilst officiating at an official game of Hurling, Handball, Gaelic Football or Rounders as specified in Rule 1.1
- 1.3 Voluntary coaches, team managers, selectors and members of official team parties injured during games or training as specified in Rule 1.1
- 1.4 Members performing designated duties under request/instruction of an authorised Club Officer, in a strictly voluntary capacity, on GAA property or on property under the exclusive use of the GAA.
- 2 The scheme covers Adult and Youth members of the GAA and, also, players registered with the Scheme through Primary, Post-Primary and Third-level Schools and Colleges and Inter-Firm Units
- 3 For the purpose of the Scheme, an Adult is a Full Registered member of the GAA who was 18 years of age or over on registration of his team(s) with the Scheme.



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- 4 A Youth is a Youth member of the GAA who was under 18 years of age on registration of his team(s) with the Scheme

### Registration

- 5 All teams must be registered in the Scheme which operates from 1st February to 31st January annually.
- 6 A separate subscription must be paid in respect of each named team specified in Rule 12
- 7 Team Registration is effected through the submission of a completed Application Form with the appropriate subscriptions, through the County Committee to the Provincial Council
- 8 Clubs and other units must submit applications and team subscriptions to the County Committee by 1st February each year. Such applications and subscriptions must be lodged with Provincial Council together with the County team applications by 8th February. Provincial Councils must remit applications and subscription to Croke Park by 15th February.
- 9 Refunds of subscriptions cannot be considered.
- 10 The Association reserves the right to decline renewal of any application or to apply special conditions or excesses or to waive the strict compliance with any of these rules.

### Funding/Subscriptions

The Injury Scheme shall be funded by:

- 11 Subscriptions in respect of teams registered by Provincial Councils, County Committees, Divisional Boards, Clubs, Schools and Colleges, Inter-Firm and other units and Six percent of Gross Gate Receipts from Provincial and All-Ireland Championships, National Leagues and Railway Cup Competitions etc.
- 12 The amount of team subscriptions shall be
  - a Adult (U21incl.) (See Rule 3) €650 per team- no maximum per Club or Unit
  - b Youth(see Rule 4) €200 per team to a maximum of €1200 per Club or Unit
  - c Inter-Firms-€200 per team
  - d Primary Schools €200 per team to a maximum of €1200 per school
  - e Post Primary Schools-€200 per team to a maximum of €1200 per school
  - f Third-level colleges - €200 per team no maximum per college
  - g Rounders-Adult €100 per team-Youth €50 per team

Participation in the Injury Scheme is not mandatory for categories d to g inclusive

- 13 All seven-a-side teams and teams playing in authorised competitions, whether Adult or Youth, are included in the categories listed.



## Benefits

- 14 Lifetime Disability Benefit (Payable in addition to any other benefit) €300,000

A single identifiable occurrence on the field of play resulting in permanent total physical paralysis such that the Insured Person is confined to a wheelchair for life.

(i) Capital Benefits

Permanent Total Disablement from gainful employment	€100,000
Loss of eye(s) or limb(s), or loss of hand(s) or foot/feet	€100,000
Complete and irrecoverable loss of sight in one or both eyes	€100,000
Complete and incurable paralysis	€100,000
Complete and incurable insanity	€100,000
Permanent Partial Disablement ("Continental Scale")	

A scale of benefits providing for benefits to a maximum of €50,000 for specified disabilities applies. Details are available on request.

(ii) Death Benefit

Adult (or Married Youth)	€50,000
Youth	€25,000

(Where the cause of death is solely attributable to accidental, visible and violent means, in the course of a match or training session (see 1 above) double benefit will be paid).

- 15 Medical

Otherwise unrecoverable medical expenses up to a maximum of €5,000. The first €60 of each and every claim is not covered.

- (i) Physiotherapy, Osteopathy, Chiropractic, Sports Massage, Acupuncture etc. must be medically prescribed and are limited to €200 in total per claim. Medically prescribed post operative treatment is exempt from the limit of €200 and will be considered separately as part of a medical expenses claim.
- (ii) Damage to or Loss of Personal Effects and Travel Expenses are not covered under this or any section

- 16 Dental

Otherwise unrecoverable dental expenses up to a maximum of €5,000. The first €60 of each and every claim is not covered.

- 17 Supplementary Hospital Benefit

€400 per day's stay in hospital in excess of 10 consecutive days to a maximum of 25 days



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- 18 Loss of Wages(Applicable (a) to Adults and (b) to Youths who are in full-time employment)

Otherwise unrecoverable loss of basic nett wages (i.e. excluding overtime, bonuses, unsociable working hours etc.) payable up to 52 weeks but excluding the first week

Social Welfare and /or other entitlements will be considered as recoverable income and will be deducted from the basic nett wage figure.

Benefit is payable for full weeks only and the maximum benefit payable per week is as follows:

WEEK 1	NIL
WEEKS 2-4	UP TO €200
WEEKS 5-52	UP TO €400

- 19 Benefits/Conditions and Team Subscriptions may be altered from time to tome at the discretion of C.L.G.

### NOTE

The injury scheme is funded entirely from Club and GAA funds with no outside (e.g.insurance) involvement. There is no legal obligation on the GAA to provide such a scheme. Risk is an inherent factor in sport, as in life. When members voluntarily take part in Club Activities, they accept the risks that such participation may bring. Legal representation is not required and there is strictly no Legal Expenses Cover amongst the benefits provided.

### Exclusions/Limitations

- 20 Benefit is not payable to a member whose injury arises from:

- (i) Assault wheren the claimant has been the aggressor
- (ii) Intentional self injury
- (iii) Pre-existing physical defect or infirmity
- (iv) The use of alcohol or drugs

- 21 In relation to categories as set out in rule 1.4 the following additional exclusions apply:

- (i) Driving of vehicles, including tractors other than grass cutting
- (ii) Use of power driven woodworking machinery including chainsaws or oxy-acetylene or welding equipment
- (iii) Work at heights exceeding 15 metres or at depths exceeding 3 metres
- (iv) Demolition, construction or other hazardous activity of any kind.

- 22 In the event of a claim being made by a member for the purpose of obtaining a benefit to which he is not entitled, the Association may suspend or expel the member making the claim and the official(s) counter-signing the claim and may seek repayment from those suspended of any monies paid.



### Claims Procedure

- 23 Coyle Hamilton Willis have been retained as professional claims handlers, and have responsibility for the day to day operation of the scheme.
- 24 Coyle Hamilton Willis must be notified of all incidents which may give rise to a claim through the submission of a Preliminary Notification form completed by the Club Secretary, within 30 days of the date of injury. This is the essential pre-requisite to the subsequent consideration of any claim. Should it be necessary to pursue a claim, the completed claim form should be submitted to Coyle Hamilton Willis within a further 30 days (i.e. no more than 60 days from the date of the injury).
- 25 Notification Forms and Claim Forms are available from County Secretaries or Coyle Hamilton Willis, on request. Some forms can be downloaded directly from the GAA website.
- 26 Claim Forms must be completed and signed by the injured member and a declaration as to their authenticity must be signed by the Club Secretary and counter-signed by a designated County Officer. The claim documentation must incorporate:
  - a Medical Certification stating the exact nature of injury and the expected period of disability (if unknown, an estimate will suffice)
  - b For Loss of Wages claims, Employers Certification stating the amount of loss of basic earnings.
  - c A copy of the Referee's Report if the injury was sustained in an official match.
  - d A letter from the Club Chairman/Secretary if the injury occurred in an official Training Session or Challenge match.
  - e Where a claim is being pursued under Rule 1.4 a letter from the Club Chairman/Secretary confirming the claimant's membership and stating the circumstances surrounding the accident/injury
- 27 If a submitted claim is not fully documented, the necessary documents, which must be submitted in a timely manner, will be requested by Coyle Hamilton Willis.
- 28 All payments in respect of claims shall be made by Coyle Hamilton Willis through the appropriate County Committee.

**These guidelines are for quick reference only and do not purport to reflect the Risk Management and Insurance structures currently in force in their entirety. If in doubt as to the protections available to Cumann Lúthchleas Gael, its members and associated interests, please refer to the Risk and Insurance department, Croke Park, Dublin 3.**