



## WHO IS INSURED?

HAs and other organizations that have a signed lease or a management agreement with Small Craft Harbours (SCH).

## WHAT IS INSURED?

The policy covers third party liability (liability to others) arising out of the day to day operations of a harbour authority, more specifically for:

- bodily injury and all loss of life;
- personal and/or advertising injury - libel, slander, defamation, wrongful eviction;
- property damage - destruction of property belonging to third parties while docking, undocking and whilst at the landing and mooring facility of the Insured or whilst otherwise in the Insured's care, custody and control.

Small Craft Harbours of Fisheries and Oceans Canada (DFO) purchases third party liability insurance for all HAs and other organizations that have a signed lease or management agreement with SCH. Although HAs are a separate legal entity, the SCH program is responsible for the renewal and administration of this policy on their behalf since DFO is also named as insured on the policy. The insurance policy is renewed annually in April.



For more information  
contact your SCH client  
service officer

# THIRD PARTY LIABILITY INSURANCE FOR HARBOUR AUTHORITIES

## SMALL CRAFT HARBOURS

## WHAT TO DO IN CASE OF AN ACCIDENT

When the harbour authority (HA), their officers, employees and/or volunteers become aware of an incident, the following steps should be taken:

- Contact law enforcement or emergency services, if required.
- Provide assistance and first aid to the party or parties involved.
- Prepare incident report by recording key information, including:
  - date and time;
  - name and contact information of the person(s) involved or injured;
  - location where incident occurred;
  - weather conditions at the time of incident;
  - names and contact information of witnesses;
  - photographs if possible.
- Block off any areas that could be a hazard and arrange for emergency repairs to minimize any damage.
- Immediately send the incident report to your SCH contact along with any photographs pertinent to the incident.

## WHAT ARE THE KEY EXCLUSIONS OF THE POLICY?

- Any loss or damage to property owned, leased or occupied by the HA.
- Injuries sustained by volunteers, employees and members of the Board of directors.
  - The Harbour Authority Corporation offer HAs optional insurances for their volunteers and Board members. Directors and officers insurance as well as accidental death and dismemberment and bodily injury insurance are available.
- Contractors on harbour property causing damage or injuries to others. Contractors must carry their own liability and property insurance.
- HA owned automobiles liability. This includes trailers and motorized snow vehicles.
- Seepage and pollution - except for a sudden and accidental pollution incident.
- Claims made against an outside organization using the HA property for an event.

## IS THE HARBOUR AUTHORITY LIABLE FOR ALL INCIDENTS AND ACCIDENTS THAT HAPPEN ON THE HARBOUR?

- In order for the accidental loss of life, bodily injury and/or property damage to a third party be covered by the TPLI policy, it must be demonstrated that the circumstances leading up to the event could not have been reasonably known, and the HA would have had no motivation or intent to cause damage.
- It is ultimately the insurance company who will make the decision if the incident is eligible to be claimed under the current TPLI policy.

## THE TPLI POLICY PROVIDES:

- Insurance coverage up to \$20,000,000 per accident or occurrence.
- Investigation on incidents for which the insurer receive reports.
- Legal representation should the HA or their employees be sued.
- Payment for claims by a third party where the investigation determines that payment is warranted.