

ENTERTAINMENT & EVENTS LIABILITY INSURANCE QUESTIONNAIRE

YOUR DUTY OF DISCLOSURE - CONTRACTS OF GENERAL INSURANCE

Before you enter into a contract of general insurance with an Insurer, you have a duty, under the Insurance Contracts Act 1984, to disclose to the Insurer every matter that you know, or could reasonably be expected to know, is relevant to the Insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

You have the same duty to disclose those matters to the Insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty however does not require disclosure of any matter:-

- that diminishes the risk to be undertaken by the Insurer;
- that is of common knowledge;
- that your Insurer knows or, in the ordinary course of their business, ought to know;
- as to which compliance with your duty is waived by the Insurer.

NON DISCLOSURE

If you fail to comply with your duty of disclosure, the Insurer may be entitled to reduce their liability under the contract in respect of a claim or may cancel the contract.

If your non-disclosure is fraudulent, the Insurer may also have the option of avoiding the contract from its beginning.

SUBROGATION

You may prejudice your rights with regard to a claim if, without prior agreement from the Insurer, you make agreement with a third party that will prevent the Insurer from recovering the loss from that, or another party.

Your policy contains provisions that either exclude the Insurer from liability, or reduce their liability, if you have entered into any agreements that exclude your rights to recover damages from another party in relation to any loss, damage or destruction which would allow you to sustain a claim under this policy.

GENERAL INFORMATION REQUIRED

- 1) Client / Company name _____
- 2) A.B.N. Number (if applicable) _____
- 3) Postal address _____ Post Code _____
- 4) Phone number _____ Fax number _____
- 5) Email address _____
- 6) Business activities to be insured (please describe your activities in as much details as possible)

7) Please tick one or more of the following to best describe your business activities

- Entertainer/performer/musician/band etc.
 Theatre/performance group
 Drama/dance school
 Booking agency – *Estimated bookings per month* _____
 Event organiser/Concert promoter
 Market organiser
 Community group/non-profit organization
 Film or Video Production
 Public Address, Lighting, Audio Visual, Staging or Rigging:
Number of jobs/events worked on per month _____

8) How many years experience do you have in this field and/or how long has your business been operating for?

9) Period that cover is required for:-

Annual period Dates From _____ To _____
 OR
 Short term period Dates From _____ To _____

10) Limit of cover required:-

\$5,000,000 \$10,000,000 \$20,000,000

11) Location of risk (please provide address or location of where you will be predominantly carrying out your business activities):-

12) Do you require cover for any activities outside of Australia? YES / NO
 (Please provide names of countries)

13) Please advise the estimated turnover / wages of your business for the next 12 month period?

Turnover \$ _____ Wages \$ _____

If cover only required for short term period or one-off event, please provide estimated turnover or budget for short term period/one-off event.

14) Number of employees _____

If you are a non-profit organisation, total number of members _____

15) Do you use contractors / sub-contractors? YES / NO

What activities will your contractors carry out? _____

Estimated payments to contractors / sub-contractors \$ _____

- 16) Do you insist on your contractors / sub-contractors carrying their own public liability insurance? (This will be a condition of cover)

YES / NO

GENERAL INFORMATION – PLEASE COMPLETE THIS SECTION FOR ALL OCCUPATIONS

- 17) Will you be signing any contracts that contain hold harmless or indemnity agreements?

YES / NO

If yes, please provide copies of such agreements.

Note – a hold harmless or indemnity agreement is whereby one party assumes the liability risks of another party under contract. Your public liability policy is to cover your legal liability & no one else's, therefore claims arising from these agreements are excluded. In some circumstances, your policy can be amended to include cover for these agreements providing your Insurer can review them & agree to their content. If you sign these agreements without first referring them to your Insurer, you may not be covered in the event of a claim.

- 18) Will you require cover for liability claims arising from loss or damage to other people's property whilst in your care, custody or control?

YES / NO

If yes, please advise limit of cover? \$ _____

Note – the above extension only operates if you are negligent in causing the loss or damage to the property in your care, custody or control. There can be situations where you have hired or borrowed other people's property, & such property is lost or damage not as a result of your negligence. However, you may still be responsible for compensating the owner for their loss. In these circumstances, it would be prudent not to rely on the above extension on it's own but also insure the hired or borrowed property under a General property insurance policy, which will operate regardless of fault or negligence.

- 19) Have you suffered any public liability claims or have caused incidents that could give rise to a public liability claim?

YES / NO

If yes, please provide details _____

- 20) Have you previously been insured for liability?

YES / NO

If yes, please advise name of Insurer? _____

- 21) Will your activities include the use of any of the following:-

Registered motor vehicles

YES / NO

Watercraft

YES / NO

Aircraft or hovercraft

YES / NO

- 22) Will you be directly responsible for the supply and set up of staging systems?

YES / NO

- 23) Will you be conducting any rigging activities which require a rigger's ticket?

YES / NO

ONLY COMPLETE THIS SECTION IF YOU ARE RUNNING WORKSHOPS, DANCE CLASSES, DRAMA CLASSES OR TEACHING OTHER ACTIVITIES

- 24) Please describe what is being taught? _____
- 25) Total number of students or participants? _____
- 26) Number of students per class? _____
- 27) How many classes per week? _____
- 28) If applicable, how many workshops per annum? _____
- 29) How many teachers / supervisors? _____
- 30) Do students participate in hazardous, strenuous or physical activities?

YES / NO

If yes, please describe nature of activities _____

- 31) In addition to the classes or workshops, will you stage any concerts, performances or events?

YES / NO

If yes, please advise number of concerts/performances/events for next 12 month period, including average attendance per event?

Number of events _____ Attendance per event _____

PLEASE ONLY COMPLETE IF YOU ARE PERFORMER, BAND, ENTERTAINER

- 32) What style is your performance (please tick most appropriate)
- () Rock or pop band
 - () Children's entertainer
 - () Theatrical / street theatre
 - () Classical / folk / opera
 - () Circus / aerial / trapeze
 - () Mobile DJ / Karaoke operator
 - () Spruiker / MC / Event host (not organiser)
 - () Other, please describe _____
- 33) Number of musicians / performers / operators / entertainers etc? _____
- 34) Are you booked through an agent or by the venue or event organizer to turn up and perform (including "door-deals")?

YES/NO

- 35) Will you ever hire a venue to put on your own performance (i.e. self-promote)?

YES/NO

If yes then please complete questions #39 to #55 of this questionnaire.

- 36) Please advise estimated number of performances during annual period _____
- 37) Estimated attendance at each performance _____
- 38) Please give examples of the types of venues you will perform in? _____

**ONLY COMPLETE THIS SECTION IF YOU ARE STAGING AN EVENT OR CONCERT
(INCLUDING MULTIPLE EVENTS OR CONCERTS and INCLUDING PERFORMERS/BANDS
WHO SELF-PROMOTE)**

- 39) Do you require annual cover for all events staged during annual period? _____ **YES / NO**
- Number of events, concerts or performances to be covered?** _____
- (Please supply a separate schedule of events if possible)

- 40) **Estimated attendance at your event / events** _____
- (Please provide average attendance per event if insuring more than one event)

- 41) **Please describe nature of event** _____

**Please advise if your event will involve any of the following activities
(please attach an event program or schedule):**

Live music/theatrical/dance/artistic performances: YES/NO

**Will any members of the public or audience members participate in
any sporting, acrobatic, physically strenuous or Hazardous activities?** YES/NO

Camping facilities available to patrons: YES/NO

Motor-sport activities or displays: YES/NO

Food or market stalls: YES/NO

Amusement rides, devices or animal rides: YES/NO

*Please ensure that all amusement / animal ride contractors carry their own
public liability insurance.*

*For amusement rides/devices, will owners/operators of same remain in
attendance with their ride/device during the duration of your event?* YES/NO

Fireworks or pyrotechnic displays: YES/NO

Name of fireworks operator _____

Use of watercraft in your event: YES/NO

Use of aircraft in your event: YES/NO

Car parking facilities YES/NO

If yes, please advise number vehicles _____

Car parking charge per vehicle \$ _____

42) Date of event _____

43) Location where event is to be held _____

44) Is the event being held indoors or outdoors _____
(For larger outdoor events, please provide layout plan of the venue etc.)

45) Is there any temporary seating structures being used? YES / NO

If yes, please ensure that the contractor responsible for supplying and setting up these structures carries their own public liability insurance.

46) Name of event _____

47) Event times: From _____ To _____

48) Artists performing (if applicable) _____

49) If your event is a concert or performance, what style of music or performance is being performed?

50) Estimated ticket price (if applicable) _____

51) Do you have a risk management plan or safety procedures for your event/events?
(Please provide a copy of the plan if applicable)

YES / NO

52) Who will be responsible for security? _____
(Please ensure that the contracted security company carries their own public liability insurance)

53) Will you be serving, selling or supplying alcoholic beverages at your event?

YES / NO

If yes, please advise:-

Who is actually selling or serving the beverages? _____

Do they carry their own liability insurance for this activity? YES / NO

Who has signed the liquor license? _____

54) If your event is an exhibition or market, please provide number of stalls?

Will all stall holders or exhibitors carry their own liability insurance? YES / NO

(It is recommended that you insist on all stall holders or exhibitors to carry their own public and products liability insurance)

55) What type of products or services do the stall holders or exhibitors sell or display at your event?

DECLARATION

I/We hereby declare that the information provided by me/we in this questionnaire is true and correct and that I/we have read and understand the Important Notices at the start of this questionnaire. I/We also agree that this questionnaire can be used as the proposal of insurance and therefore the basis of the contract of insurance between me/we and the underwriter, if so approved by the underwriter.

(Signature)

(Date)

(Name)

OTHER INSURANCES

We recommend the following other insurances and ask that you contact our office if you would like further information on any of these including quotations:-

CANCELLATION INSURANCE (INCLUDING WEATHER & NON-APPERANCE)	YES / NO
VOLUNTARY WORKERS ACCIDENT INSURANCE	YES / NO
WORKERS COMPENSATION (COMPULSORY FOR ALL EMPLOYERS)	YES / NO
EQUIPMENT (INCLUDING HIRED OR BORROWED ITEMS)	YES / NO
PROFESSIONAL INDEMNITY FOR EVENT ORGANISERS	YES / NO