



Confirmation of Liability Cover

- Insured** The Mountaineering Council of Scotland, Club Members of The Mountaineering Council of Scotland, both incorporated and unincorporated, and Committees of unincorporated Club Members, Active Members of Club Members of The Mountaineering Council of Scotland, if declared to The Mountaineering Council of Scotland by their Club, Individual Members and Honorary Members of The Mountaineering Council of Scotland each of whom is separately insured.
- Period of Cover** 01 September 2008 to 31 August 2009 (both dates inclusive)
- Activities / BUSINESS**
- 1) **Mountaineering Council of Scotland** – National Representative Body for Mountaineering in Scotland
 - 2) **Unincorporated Club Members and their Committees and Active Members, Incorporated Club Members and their Active Members** – The authorised and recognised activities of the Insured Club and its officers, committees and members as such, consistent with the Club's constitution, including the arranging of and participation in all forms of mountaineering, hillwalking and climbing activities, instruction courses in skills relevant to such activities, social activities of interest to mountaineers, the publication of newsletters and journals about the club's activities and other mountaineering, hillwalking and climbing activities, and the maintenance of a library
 - 3) **Individual Members and Honorary Members** – the arranging of and participation in all recognised forms of mountaineering, hillwalking and climbing activities, and participation in instruction in skills relevant to such activities, and in social activities of interest to mountaineers

CIVIL LIABILITY PROTECTION

Cover is provided 50% by Royal & Sun Alliance Insurance plc (R&SA) & 50% by Insuresport Mutual Ltd (IML). This is not a joint policy, but both entities will provide cover of 50% each of the total amount covered.

RSA is authorised and regulated by the Financial Services Authority (the "FSA") and may effect and carry out contracts of insurance. Insuresport, however, is not authorised but is a mutual company limited by guarantee and does not issue contracts of insurance.

Policy Number RTT242357/IML004813

Cover

This covers legal liability for damages and legal costs arising out of Third Party loss, injury or damage, in connection with the activities described above and notified to the RSA and IML within the period noted above. Cover includes public liability, professional indemnity, liability for damage to leased and rented premises, indemnity to principals and liability arising out of goods sold or supplied including refreshments. The cover is written on a claims made wording, which means that the cover will respond when the claim is made, not when the incident occurred. All incidents that may give rise to a claim in the future should be notified to R&SA and IML through Perkins Slade Ltd., at the time of incident.

Limit of Indemnity	£ 5,000,000	any one event
	£ 5,000,000	any one period of cover for Products/ Pollution/ Directors & Officers/Abuse
	£ 250,000	Legal Defence Costs

Principal Exclusions

Liability arising out of:

- [1] Criminal Acts
- [2] The ownership, possession or use of any mechanically propelled vehicle, aircraft, hovercraft or water-borne craft.
- [3] Product Guarantee or recall, repair or replacement.
- [4] In connection with damage to any data.
- [5] Medical malpractice.
- [6] Damage to own property.
- [7] Abuse in respect of the individual accused or alleged to have committed abuse or have permitted abuse

[8] USA/Canada

- In respect of Civil Liability, any legal action brought against the Insured in a court of Law within the USA or
- Canada, other than actions brought against Individual Instructors, Teams, and Individual Members of the Association.
- In respect of Directors & Officers Liability, any activity in or action brought against the Insured within the USA or Canada

Excess: Nil

Excess Legal Liability

Policy Number FR647263

Insurer Zurich Insurance Company

Limit of Indemnity £5,000,000 in Excess of the Underlying Limit of Indemnity of £5,000,000

The above is intended to be a summary only, a full copy of the cover wordings are available on request from The Mountaineering Council of Scotland Ltd.

In the event of a claim:

You must report every claim and any incident that is likely to give rise to a claim in the future. Incident Notification Guidelines are attached to this document to assist you. Please contact Perkins Slade Ltd on 0121 698 8040 and complete the necessary report/claim form as soon as possible to avoid prejudicing your claim. Do not admit liability; do not make an offer or promise to pay.

This document should be read in conjunction with the policy wording. It is neither intended to be a full policy wording, nor a full summary of cover. For the purposes of policy definitions, this document is also the schedule.

INCIDENT NOTIFICATION GUIDELINES

It is important that all incidents that may give rise to a claim are reported to us as soon as possible after the event. This will enable Insurers to carry out investigations at an early stage whilst information relating to the claim remains fresh in the mind. This will also ensure that you are complying fully with your policy terms and conditions.

In order to achieve this, we ask that you notify us immediately of any incident that involves:-

- a fatal accident.
- an injury involving either referral to or actual hospital treatment.
- any allegations of libel/slander.
- any allegations of Professional Negligence i.e. arising out of tuition, coaching or advice given.
- any investigation under any child protection legislation.
- any circumstance involving damage to third party property.

An injury is defined as:-

- any head injury that requires medical treatment [Doctor or Hospital.]
- any fracture other than to fingers, thumbs or toes.
- any amputation, dislocation of the shoulder, hip, knee or spine.
- loss of sight [whether temporary or permanent.]
- any injury resulting from electrical shock or burn, leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours.
- any other injury leading to hypothermia, heat induced illness or to unconsciousness which requires resuscitation or admittance to hospital for more than 24 hours.
- loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent.

Please note the above list is not exhaustive and if you are unsure as to whether an incident should be reported, then please do not hesitate to contact Perkins Slade Claims Department for further advice.

We would remind you that in NO circumstances should you admit liability or agree to pay for any damage caused as this may prejudice the position of Insurers and COULD result in the withdrawal of any indemnity.

Finally, please note that this is a Liability Policy where Insurers decide if negligence attaches to you. Therefore any payments you make to any third parties will not necessarily be reimbursed.

INCIDENT RECORDING GUIDELINES

We would recommend that a designated person within your organisation is made responsible to record any reportable accident. Records must be kept for at least 3 years. Names and addresses of any possible witnesses should also be recorded.

Current legislation does not specify the format of an accident register but the Accident Book BI 510 obtainable from HMSO is frequently used and is approved by the Information Commissioner for D&A Compliance.

The register must contain the following information relating to all reportable accidents or dangerous occurrences:

- date and time of accident
- as regards a person at work - full name; occupation; nature of injury; age
- as regards a person not at work - full name; status [e.g. customer]; nature of injury; age
- place where accident occurred
- a brief description of the circumstances
- method by which the event was reported.

REPORTING INCIDENT TO HEALTH & SAFETY EXECUTIVE

You may also have obligations under the RIDDOR 95 regulations to report incidents to the HSE. For further information and to obtain a copy of the "RIDDOR explained" leaflet log onto the HSE website www.hse.gov.uk.