

## **Recreational Aviation Australia Member's Liability Policy**

The Recreational Aviation Australia Board has approved the establishment of a member's liability policy to provide liability protection for those members of Recreational Aviation Australia Inc. who hold a current Flight Crew Certificate and Affiliated Clubs.

Because this policy impacts on all members, it is obviously very important that this cover is precisely understood by all. In particular, members must be aware of the limitations of this policy and how this policy may interrelate with any other insurance held by an individual member or corporation.

The cover provides excellent insurance protection at a very low cost (included in your membership fee) for the vast majority of members, particularly 95.10 owner/operators, who would otherwise find the individual cost of this insurance to be prohibitive. It is important for many reasons, some of which are:

- A low cost basic liability cover for every member.
- The cover, being applicable to the member (not the aircraft), means that the cover is "portable" even when piloting an RA-Aus registered aircraft owned by some other person anywhere in Australia.
- This cover partly addresses the moral issue of risks to the general public when members operate RA-Aus registered aircraft uninsured.

Below are some brief comments on certain aspects of the cover that may assist your understanding:

- (a) The cover has an indemnity limit of up to **\$5,000,000** for liability arising from third party property damage or bodily injury including a sub-limit of up to **\$250,000** for liability arising from injuries to passengers (including student pilots). Depending on individual circumstances, you may require more than the limits described above, so you may need to maintain additional individual insurance.
- (b) There is a \$500 excess on this policy for Property Damage occurrences.
- (c) Liability to Pilot in Command is **NOT INCLUDED**. This cover is an important consideration for any RA-Aus registered aircraft owner who allows others to hire or borrow his/her aircraft because, as owner, you may have a legal obligation for injuries to the pilot. If this cover is required you will need to investigate the purchase of cover to attach to the aircraft itself.
- (d) The policy limits cover to **"Financial members of Recreational Aviation Australia who hold a current Flight Crew Certificate and Affiliated Clubs"**. Unless you fall within this definition, you will not be covered! (Remember the person injured need not be a member – the policy **covers the member** for legal liability he/she may be required to pay to the person injured). It is vital that all owners/operators of RA-Aus registered aircraft are Affiliated Clubs or Flight Crew Certificate holders. If the aircraft is owned in the name of a company, or say jointly owned by a member and his/her spouse who is not a member with a flight crew certificate, then no cover or only partial cover may apply.
- (e) **No cover** is provided for **Airfield Operators Liability**. A separate policy is required for this purpose.
- (f) **No cover** for **Rotary Wing or Auto-Gyro/Gyro-plane** operations.
- (g) Participation in Air Shows or Air Displays is **INCLUDED**, as is cover for flying in and out of Air Shows. All flying must be within CASA & RA-Aus regulation, and within the aircraft manufacturers' performance limitations. The definition of Air Shows or Air Displays **DOES NOT** include Air Races or Competition Flying.

**FOR THE ABOVE REASONS, WE RECOMMEND THAT ADDITIONAL INDIVIDUAL INSURANCE SHOULD BE MAINTAINED BY MEMBERS.**

This policy is a responsible and cost effective measure for the benefit of members and (indirectly) the general public. However, this policy was never intended as a total insurance solution and careful thought by each member will be necessary regarding the need for additional insurances.

We recommend that every RA-Aus registered aircraft owner or operator should seek individual and detailed insurance advice. We also recommend that every member obtains and studies a complete copy of the policy terms and conditions. We are happy to provide a copy of the policy and advice notes (at a cost of \$5 for costs, postage and handling) to any member who writes to us enclosing a stamped self-addressed envelope, together with a copy of their membership card.

**DISCLAIMER**

The details appearing in this article are to be read purely as a very basic summary of some aspects of Recreational Aviation Aust. Member's Liability policy. As circumstances will vary, individuals **MUST NOT** rely on this information alone but **MUST** obtain specific and detailed advice. Thus, no warranty is made as to the accuracy of any details contained in this article.

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