

R10 Million Liability

INSURANCE

Individual liability cover of up to TEN MILLION RANDS for ALL Wingshooters members at R50 per annum – that's the deal and it's a first in South Africa!

It does sound too good to be true, we know, but it's a fact! Here's the lowdown – Ed.

It is sad fact that we live in an increasingly litigious society and the escalating number of laws and regulations doesn't make things easier. We often note American TV shows and news and marvel at some of the settlements that are reached by their courts. They have a different legal system from that applicable in South Africa but it is also true that we are seeing larger settlements awarded by our courts for damages. Whilst liability policies are not often called into account, when they are, the claims can be astronomical!

An example is runaway veld fires – which could inadvertently be caused by a member – or accidents relating to firearms and dogs. These are not the only sources of concern, but the overriding point is that the policy will cover you if you are held liable in a court of law for your negligent acts. Any claims against a member will be defended by the insurer, providing additional peace of mind. SA Wingshooters will also be able to negotiate favourably with landowners for shooting rights as they will know that their interests are well protected.

Most liability settlements fall upon insurance companies to pay in terms of a liability policy. It is vital in our changing legal climate to take note of these developments and to ensure that we have adequate protection in the event of a mishap.

For this reason, SA Wingshooters approached the short term market in South Africa and overseas to try and find a solution to the exposure that we face as



an organisation and for our individual members. DAVAN Financial Services has finally come up with a solution, in association with Absolute Underwriting Managers, for a product insured by Absa Insurance Company.

The product provides cover to SA Wingshooters as an association and includes the individual members. The policy will be issued in the name of SA Wingshooters together with all its members for their respective rights and interests. It was appropriate to rate the policy on the number of individual members as it stands to reason that the premium should be related to the size of the exposure. The policy contribution payable per member is only R50.00 per year and is payable by all members.

At the recent meeting of the SA Wingshooters National Council, chairman Raoul van der Westhuizen said: 'The policy is a masterpiece of financial innovation and a breakthrough in South Africa. The premium payable is extremely favourable to SA Wingshooters members and we are delighted to be the first hunting association in the country with liability cover of this nature for its members.'

This favourable premium has been negotiated by taking into account the contribution of SA Wingshooters as cor-

porate body and the excellent risk profile of its members, most of whom already have personal liability protection included in their household or personal insurance policies. The cover that has been negotiated takes this into account and provides a limit of R10 million.

This cover is applicable even if an individual does not have his or her own personal liability cover, as the object of the cover is to protect SA Wingshooters together with its members. However, if a member already has his or her own personal liability policy the limit of R10 million also takes into account any such underlying cover.

The cover provided is applicable to all members while they are taking part in wingshooting or clay target shooting and also applies when rifle or handgun target shooting on a range under the control of a range official.

Cover will commence from the 1st January 2009 and individual contributions will be collected from members when their renewal of membership is due. New members will contribute on joining.

– Pierre van Blommestein.

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WINGSHOOTERS LIABILITY INSURANCE – Do's and Dont's

As advised in the last Wingshooters magazine, valuable liability cover has been added to the membership of the organisation. To get the most out of this programme and the cover that it provides there are a few points that you should note.

One of the most important benefits of most liability policies is that the insurer will defend any action against the insured, as this will be in the insurer's own interest, to limit or to successfully defend the insured, against any legal action taken against the insured. The cover provided by the policy is to indemnify the insured against any cost for damages or injury. This includes any legal costs that may be incurred in the defence of any action against the insured. But note that such costs can only be incurred with the written consent of the insurer.

For this reason it is important that the insurer is made aware of any possible action against the insured so that they may take early steps to provide proper legal assistance. It is conceivable that the insured does not have the ready funds to defend himself against any possible action against him.

One of the provisions of the policy is that the insurer is advised as soon as possible of any event that may lead to a claim under the policy. The clause in the policy states that this should be done within 30 days of the event taking place. It is absolutely vital that any event that could lead to a claim is reported. This may not seem important at the time that something goes wrong and the insured may not consider himself to be liable to a third party for an action. However most of us are not legal experts and may not be aware of the legal implications of our actions at law.

The policy provides cover to all Wingshooter members whilst engaged in the activities of the association on

organised and private hunts. It does not provide a general liability protection to each member in their private capacities for events or activities not connected to hunting or wingshooting.

DO:

- Report any incident, no matter how small, to Wingshooters Association. ASAP.
- Record as much information as you can regarding the incident: photos, notes, witnesses etc (treat it like a motor accident scene).
- Take any reasonable action that will limit the damage or injury.
- Inform Wingshooters of any summons or other legal process issued against you.

DON'T:

- Admit liability. Let the lawyers sort it out.
- Make any offers of compromise or payment.
- Ignore a possible event. The passing of time may prejudice the case.

NOTE:

There are several exclusions to the policy that apply to most general liability policies. One of the most important to note is, that any events caused by or in connection with motor vehicles and watercraft are not covered by this policy.

Swiss to vote on tighter gun controls – by ELAINE ENGELER

GENEVA (AP)—Switzerland's part-time soldiers traditionally store their guns in the attic, in a cupboard or under the bed. They see it as their honor and duty to keep their weapons close at hand. But campaigners said Monday they have collected around 120,000 signatures to force a nationwide referendum on whether to confine army weapons to military compounds. They say the proliferation of firearms has led to suicides and homicides throughout the nation, and they want tighter firearms controls.

"Almost every day a person commits suicide with a firearm in Switzerland," said Josef Lang, a lawmaker for the Green Party who is campaigning for the proposal

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