

## ***INSURANCE***

This is a reprint of an article that first appeared in the January 2022 Newsletter. It was published after the 2021 AGM when I was asked what the club insurance covered and did members need their own insurance when sailing?

This is a complex subject, and I am not an expert.

Several years ago, Clive Herbert, who I am sure many remember, tried to make a claim for the theft of an outboard which he had left overnight in his car. First, he tried his car insurance – not covered. Then he tried his yacht insurance – not covered. Finally, he tried his household insurance – not covered, as it was not a named item under All Risks.

## ***NOSCA INSURANCE***

NOSCA has Public Liability Insurance and Employer's Liability Insurance which cover the organising of our events.

The Public Liability Insurance will pay legal defence costs and damages to third parties for injury or damage caused during NOSCA activities.

The Employer's Liability Insurance will pay the legal defence costs and compensation to employees (volunteers) who have suffered an injury whilst on a club activity.

The policy covers us for a range of activities in the UK, including sailing. But sailing must be under the supervision of an RYA instructor.

The insurance company may insist that any claim is brought before a UK court before paying out. For the loss of property an excess applies.

## ***YACHT INSURANCE***

There is no requirement in law for a yacht to have insurance. However, all marinas and most harbour authorities insist on third party insurance as a bare minimum. Some yachts may in addition have personal accident cover for those on board. A yacht policy does not entitle any third party to automatic compensation (including loss of personal effects) unless the skipper (person in charge) was shown to be negligent.

## ***CHARTER BOATS***

Charter agreements are signed by the skipper who assumes personal liability and accepts responsibility, legal and financial for those on board. If you charter you must read the small print. A claim could only be reasonably refused by the insurance company through a wilful breach, eg lied about experience or sailed outside the permitted area. In most cases liability would be covered through the loss of the security deposit, but additional claims could be made. Collision damage waiver insurance is not available in the UK. In some countries it may be included in the charter agreement as an option.

## ***PERSONAL LIABILITY***

It is not possible to obtain insurance that covers either the skipper or crew as individuals. You would normally be covered under the vessel's policy. The only exceptions are if you are an instructor or a commercial skipper. If you charter, you may be able to claim under your travel insurance for loss of security deposit – up to a certain limit.

## ***TRAVEL INSURANCE***

Travel insurance is normally associated with package holidays. Check your policy covers the geographical region you are travelling to.

Policies are written for either single trip or multi-trip, within certain geographical limits. A multi-trip insurance will cover any number of trips. But each less than a maximum number of nights, typically 45. These policies also apply to all UK holidays provided a minimum number of nights are spent away from home – this may be as few as 2.

Very few policies cover sailing activities and most only apply to sailing in coastal waters.

If you do not have travel insurance or can no longer get insurance with your existing insurer, ask other NOSCA members who their insurance is with.

### ***GLOBAL HEALTH INSURANCE CARD (GHIC)***

Since Brexit this has largely replaced The European Health Insurance Card (EHIC) as the "passport" to free or reduced-cost emergency medical treatment when visiting European Union (EU) countries. Continue to use your EHIC until it expires and then apply for a GHIC. You are not entitled to the same level of treatment you would expect to receive under the NHS and certain items may still have to be either paid for or claimed under a travel insurance. This should be used in addition to travel insurance when travelling to the EU. The GHIC, applies to an individual – rather than a family. You apply for it on-line at: [www.nhs.uk](http://www.nhs.uk) .

### **Health card charge warning**

Bogus websites charge £15 for an GHIC card application. It is FREE.

### ***HOUSEHOLD INSURANCE***

Check your policy to see if this includes loss or damage to your property whilst on a yacht. If you have an expensive camera or watch you may need to add All Risks insurance.

### ***SPORTS ACCIDENT PROTECTION***

This type of insurance pays out if you are injured whilst participating in a sporting activity. And covers such things as consultant's fees, loss of earnings and even fees for search and rescue (maybe only in coastal waters). This insurance is relatively costly but can be taken out on a daily basis.

If you are involved in another sport on a regular basis you may already have this cover as sailing (inside 12 mile limit) is considered to be relatively low in risk. Sailing is in the same category as badminton, dancing and walking which are all considered to be less risky than football or water skiing.

Eb Brown