



Liability Insurance Summary

Who is Covered?

Scouts Canada maintains many insurance policies covering official scouting activities. They apply to youth members, volunteers, groups, councils, board members, committees, employees and any third parties attending scouting activities.

In order to be covered by insurance, activities must be conducted in accordance with Scouts Canada policies, procedures and other applicable standards.

What Coverage Do We Offer?

Scouts Canada maintains a Commercial General Liability Policy, which offers coverage for the following:

1. Directors and Officers Liability Insurance: *Coverage for all members acting within their roles during Scouts Canada activities. Please note that the definition of Directors and Officers in Scouts Canada's bylaws differs from the insurance coverage definition. The insurance coverage for Directors and Officers applies to all members, whereas in the Bylaws, the term 'Officers' applies only to Honorary Officers, Governance Officers and Operational Officers.*
2. Property Liability Insurance: *Coverage for property damage to third party properties incurred during scouting activities.*
3. Third Party Liability Insurance: *Coverage for third parties injured during scouting activities.*
4. Accident/Indemnity Insurance: *Coverage for bodily injuries suffered during Scouts Canada activities.*

Scouts Canada is insured for Commercial General Liability for up to \$2 million per occurrence. See limits of liability for more information.

What is Commercial General Liability Insurance?

Commercial General Liability Insurance protects members from many issues that may arise during scouting activities, so they can conduct these activities with peace of mind. A member who is named in a statement of claim in relation to a bodily injury, property damage, personal injury claim or allegation made against Scouts Canada or the individual in question sustained during a Scouting activity, is covered.

This insurance protects members with legal defence costs and any compensatory damages that may be awarded, subject to the limits and conditions of the policy, transferring the risk to the insurance policy.

Please note, **no policy** provides indemnification or defence coverage to those individuals who commit intentional and/or criminal acts.



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What is NOT Covered Under Commercial General Liability?

Scouts Canada's insurance does not cover:

- i. Intentional and/or criminal acts
- ii. Abuse and molestation
- iii. Fines or penalties for which the insured is liable, if he or she failed to comply with any government statute, rule or regulation
- iv. Personal injury caused intentionally by the insured or under his or her direction
- v. Any vehicle used in a speed or demolition contest or stunting activity
- vi. Any owned or non-owned watercraft over 40 metres in length
- vii. The ownership, use or operation of any aircraft, airport, airfield, landing strip or air cushion vehicle
- viii. Towing a person behind a motorized vehicle such as a boat, snowmobile, four-wheeler, quad bike or any other vehicle – i.e. tubing behind a boat, sledding behind a snowmobile, etc.
- ix. Activities listed on Scouts Canada's Prohibited Activities Standards:
 - On- and off-road motorized vehicle rallies and speed races
 - Power-boat races or speed rallies
 - Parachuting, parasailing, base jumping, hang gliding and similar activities
 - Flying ultralight and experimental aircraft and similar activities
 - Bungee jumping
 - Paintball or other activities where a projectile is aimed at a person
 - Trampolining

At all times, Scouts Canada's Bylaws, Policies and Procedures must be followed. Failure to do so could result in loss of coverage.

What are the limits of liability?

- \$2,000,000 per occurrence Bodily injury/ Personal Injury, Property Damage and Tenants Legal Liability
- \$2,000,000 per occurrence Non-Owned Automobile or Aircraft Legal Liability
- \$50,000 per occurrence Physical Damage to Hired/Rented Vehicles
- \$2,000,000 per occurrence Incidental Medical Malpractice Liability for MedVents



- \$2,000,000 per occurrence Forest Firefighting Expenses

What is Covered under Accident/ Indemnity Insurance?

Expenses resulting from a member's injury sustained at a Scouting event, including dental expenses, physiotherapy, family and emergency transportation, medication expenses, rehabilitation etc. are covered. Please remember that all injuries must be reported immediately to Safe Scouting, following the Incident Management Standard.

Scouts Canada's insurance coverage is a basic policy, intended to supplement personal insurance coverage for accidents that occur during scouting activities. This policy will cover up to 80% of incurred medical and dental expenses not covered by private insurance plans.

Our Procedure

When medical and dental expenses are incurred, please follow the following procedures:

1. If you have private insurance coverage, you must submit the expenses to this policy first.
2. Following this, you can submit your expenses to safety@scouts.ca. Please include the amount paid by your private insurance plan, as well as a copy of the payment receipts.
3. All submissions must be received within 365 days of the injury date. Your legal name and address is required to make payment. Most reimbursements are made through EFT (electronic funds transfer) requiring transit, account and bank numbers. Alternatively, e-transfers can be made with a valid payee email address.
4. If the injured individual is young and some of the medical or dental procedures need to be done later, all expenses may not be incurred within 365 days. In that situation, please submit a quote for what is expected to be incurred, for review and possible early payment.

Note: Any travel outside of a home province or Canada requires travel insurance. Scouts Canada will not cover any out-of-province or out-of-country medical costs.

Loss of Work

If an incident has caused a loss of work, Scouts Canada is prepared to cover their volunteers for lost wages for **up to 90 days** after the incident. For volunteers who are employed on a full-time basis, Scouts Canada will cover 85% of lost earnings, to a maximum of \$1000 per week. Volunteers employed on a part-time basis will be covered for 85% of lost earnings, to a maximum of \$200 per week. In order to qualify for lost wage coverage, you must present a note from your employer stating how many hours were missed, the hourly pay rate and a copy of your last two pay stubs.



What is the Coverage for different Transportation Methods?

Different methods of travel have different insurance requirements. If travel is out of province, travel insurance is required to cover any potential medical costs not covered by provincial health insurance.

Make sure to follow Scouts Canada's Transportation Standards to stay updated on all rules and regulations. And at all times, the Two-Scouter rule must be maintained.

1. Automobiles

For all vehicles, rented or owned, there must be an additional, primary liability insurance policy in place. The amount of this coverage must meet or exceed the insurance requirements of the province in which the vehicle is licensed. (It is recommended that coverage limits are at least \$2,000,000 combined single limit.)

All vehicles used for travel outside Canada must carry a liability insurance policy that complies with or exceeds the requirements of that country.

For vehicles seating more than seven passengers, please see Large Passenger Vehicles, Buses and other Commercial Vehicles below.

a. Rental Vehicles Seven Passengers and Under

When renting vehicles, primary coverage can be met by combining the limits of personal automobile coverage carried by the driver, coverage provided by credit card companies and the loss damage waiver, if purchased from the rental car company.

Carefully investigate the limits of credit card rental vehicle insurance before depending on it. There may be limits on the size of vehicle and exclusions for transporting non-family members. The renter may be personally responsible for the damages while the credit card insurer investigates the claim. The rental vehicle company insurance could be more expensive but it may be the simplest and most reliable option.

Any claims must be submitted first to the above insurance policies before submission to Scouts Canada's policy.

b. Use of Personal Vehicles

Vehicles must be fully insured by the owner. All claims must be submitted first to the personal insurance policy.



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2. Large Passenger Vehicles, Buses and other Commercial Vehicles

Vehicles seating more than seven passengers must be chartered from a third party and insured by that company. These vehicles are not covered by Scouts Canada's insurance and cannot be driven by a Scouts Canada member.

3. Aircraft

At all times, all aircraft must be chartered from a third party and insured through that company. No member can pilot the aircraft.

4. Watercraft

All watercraft used in Scouting activities must have at least \$1,000,000 in coverage. Boats 26 feet and over must have at least \$2,000,000 in coverage. Additionally, all watercraft and operators of watercraft must be licensed in accordance with Coast Guard requirements.

Non-motorized watercraft such as canoes, kayaks, rafts, catamarans and sailboats (under 26 feet) used for scouting activities need not be insured.

Scouts Canada's insurance covers watercraft up to 40 metres in length. Any watercraft longer than 40 metres requires the purchase of additional insurance.

a. Watercraft Owned by Scouts Canada

Watercraft owned by Scouts Canada must have a primary policy in the name of the property or group that owns it. This primary policy must be followed at all times and it dictates the coverage for that specific watercraft.

If for any reason, a watercraft owned by Scouts Canada is used by a third party, that party must purchase private liability insurance.

b. Privately Owned/ Rented Watercraft

In the case of rented watercraft, insurance must be provided by the owner. Scouts Canada's insurance is secondary coverage and is only General Liability Insurance. No coverage for hull damage is provided.

What is Covered if we use a Third-Party Property?

Scouts Canada will live up to its legal responsibility for anything that occurs during a Scouts Canada activity. It is important that both the property owner and volunteers do a walk-through of the property to note any restricted areas or potential issues. These issues and restrictions should be discussed with the



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group, and noted on agreement to avoid problems. If possible, any issues should be fixed and areas should be appropriately cordoned off prior to the activity. The property owner should have proper insurance in place and should ensure that it covers a not-for-profit organization. This will protect not only the property owner but Scouts Canada in case of an incident.

A signed agreement is required each time Scouts Canada uses a third-party property. All agreements must be signed by the applicable Operations Manager and property owner.

The steps and type of agreement required are determined by the nature and frequency of use of a given property as outlined below and in the Contracts Procedure, Certificate of Insurance Procedure and Third Party Waivers, Indemnification and Hold-Harmless Procedure.

a. One-Time Use of Private Property

When using a private property only one time, we only require an agreement to be signed. A copy of the owner's insurance is not required.

b. One-Time Use of an Organization's Property

When using an organization's property, we require an agreement to be signed, and the organization named as additionally insured on their property. The contract should be signed by an Operations Manager to ensure we are not taking on additional responsibilities beyond what we are legally required to cover.

c. Routine Use of Property

If use of the property is to become a routine occurrence, a more informative contract must be established, listing facilities to be used, times and dates. In this situation, we require a copy of the owner's insurance, adding Scouts Canada as additionally insured.

d. Private Property use during Covid-19

Scouts Canada has created a Private Property - Reciprocal Indemnification Agreement outlining steps that must be taken if property is used during the Covid-19 pandemic.

This agreement states that the property owner will accept his or her legal responsibility and Scouts Canada will do the same. This protects Scouts Canada and its members as well as the property owner. It must be filled in each time there is an activity, to ensure that we have permission for that specific date and time.



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Insurance and Legal Claims Procedure

If you are served with a claim, or know of a claim for any of the above policies:

1. Please contact legalandrecords@scouts.ca for further instructions immediately. Do not respond or proceed without instructions. Do not speak to anyone about the claim unless instructed to do so.
2. Date all correspondence when received and note the method of delivery.
3. Send all correspondence immediately via email to legalandrecords@scouts.ca.
4. The Business Services Department will put you in contact with a lawyer and advise you what to do. They will also handle the administrative aspects of the claim.

For more information, please see [Legal Claims Procedure](#).