

Senate Economics Legislation Committee

Trade Practices Amendment (Liability for Recreational Services) Bill 2002

Submission No. 2

Submittor: Lake Macquarie Pack & Trail
Horse Riders Inc
Ms Jackie Mann
Secretary
PO Box 451
WARNERS BAY NSW 2282

Telephone: 02 4947 4356

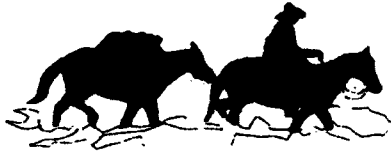
Facsimile: 02 4947 4356

EMAIL: mann@hunterlink.net.au

Attachments? No Attachments

LAKE MACQUARIE PACK & TRAIL HORSE RIDERS Inc

affiliated with the Australian Trail Horse Riders Association



P.O. Box 451
WARNERS BAY NSW 2282
Ph/Fax: (02) 4947.4356 (Hm)
Ph: (02) 4921.4840 (Wk)
Email: mann@hunterlink.net.au



7th November, 2002

The Secretary
Senate Economics Committee
Suite SG.64
Parliament House
CANBERRA ACT 2600

Dear Sir/Madam,

RE: ***Inquiry into the Trade Practices Amendment (Liability for Recreational Services) Bill 2002***

The Lake Macquarie Pack and Trail Horse Riders is one of the largest trail riding clubs in Australia. It is a non-profit community group and relies totally on the support of its membership in the organisation of regular trail rides which are generally held in the Lower Hunter and Lake Macquarie areas. Members of our club have their own horses and organise their own transport to attend the trail rides. As secretary of the Lake Macquarie Pack and Trail Horse Riders, I am writing to express our thoughts and interpretations on the paper, 'A Review of Public Liability and Professional Indemnity Insurance' released last month.

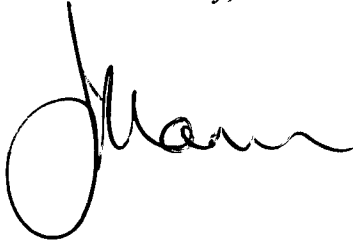
- ***National Accreditation Programme:*** The Australian Horse Industry Council is developing a National Code of Practice which will incorporate an accreditation programme for both commercial and recreational non-profit community groups. Along with the President of our club, I have contacted the AHIC to assist in the development of this project.
- ***Protection of Landholders:*** Our club has been fortunate to have access to many private properties, and has greatly appreciated these opportunities. Any measures taken to protect landholders from litigation would be supported by our group.
- ***Legally Binding Waivers:*** Your Committee appears to have some reservations in the issue of legally binding waivers. Our club have always requested that visiting riders sign a waiver, even though we have been advised that they 'would not hold up in court'. Safety is one of our club's highest priorities, and initiatives to improve safety for both horse and rider on club activities are always under consideration. We will continue to have waivers signed by visiting riders, and hope that your Committee will support these documents and instigate measures to ensure they are upheld in the event of legal proceedings.

- ***Price Exploitation by Insurance Companies:*** Our club was formed in 1998 and has a current membership of almost 170. Club rides attract an average of over 50 participants, these being held every 3-4 weeks. During this time only one claim has been made, this being a minor personal accident claim when a rider suffered arm fractures after a fall from her horse. No claim has been made for public liability, not only by our club but I suggest all clubs affiliated with the Australian Trail Horse Riders Association (ATHRA) in NSW (approximately 35 clubs in total). Insurance companies should have to justify any substantial increases in annual premiums.

Our club is affiliated with the Australian Trail Horse Riders Association and is in the fortunate position to have successfully obtained renewal of our Public Liability and Personal Accident insurance policies, albeit at a rise of \$11 per member (current membership is \$50 adults and \$38 children under 16 years). Unfortunately, no Personal Accident insurance coverage was available for our junior members.

The Senate Economics Committee's consideration of the above points is appreciated.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'J Mann', with a large, stylized initial 'J'.

JACKIE MANN
Secretary