

2.0 Insurance

Version 1, December 2000

2.1 LIABILITY INSURANCE

The Nature Conservancy of Canada maintains blanket liability insurance coverage for all lands it holds in title, including those we lease to or from other parties. This coverage applies to lands that are held privately for conservation with minimal passive public use only. In assuming this responsibility for liability, the uses and activities of the natural areas must conform to the requirements of this insurance policy.

If a particular group that we have stewardship agreement with would like to permit greater public access to a Conservancy property, they are required to take out additional insurance and name the Conservancy. If public use of an area is permitted, liability is the responsibility of the stewardship organization. The stewardship or management agreement for the property must, as a result, stipulate that the stewarding organization: i) indemnifies and saves harmless The Nature Conservancy of Canada against all claims etc. associated with the stewardship of the property; ii) maintain public liability on the property; and iii) if requested, name the Conservancy as additional insured on that policy.

NCC's current blanket insurance policy applies only where we do not encourage public use of our sites. On a yearly basis, submissions are made by the Regions recommending that particular flagship sites allow and encourage public access. The approval of such access to sites should be based on: i) availability of funds, ii) documentation of site uses and conditions through a completed site Stewardship Statement, and iii) ability of staff, volunteers and partners to steward the site as committed in the Stewardship Statement. Normally, this decision is taken by the Regional Director, with approval of the Chief Financial Officer. Following such approval, the site uses and public accessibility are submitted to the Conservancy's NCC's insurance agency, and the enhanced coverage is provided for those sites.

The particular requirements of the insurance agency may vary and the Property Information Coordinator manages this procedure on an ongoing basis. At the present time, the information requirements include:

- Buildings (if yes, specify details)
- Road Access to or on Sites (if yes, is road accessible to public)
- Ranchlands (yes/no)
- Nature Reserve (yes/no)
- Outdoor Education (yes/no)
- School Children Visits (yes/no)

Every six months, an insurance review is undertaken by the Regions and the Property Information Coordinator. This is to ensure that coverage is adequate and appropriate.



2.2 VOLUNTEER INSURANCE

If a Volunteer Steward gets hurt on Conservancy property, the Conservancy must demonstrate that it was diligent in taking steps to avoid circumstances in which any harm that could come to them. Although there are no set standards which would outline this “due diligence”, in most cases a judge would look at the safety standards and practices of other organizations doing similar work, such as the Federation of Ontario Naturalists or the Bruce Trail Association. In this light, it is imperative that we provide volunteers with the tools and training, including advice on clothing requirements (gloves, boots, etc), access to the Conservancy *Stewardship Manual*, and other pertinent materials.

Although the Nature Conservancy of Canada does not carry special volunteer insurance, some organizations do so. This Volunteer Accident Insurance (VAI) is normally held above and beyond an organization’s general liability. If a volunteer gets hurt thought no fault of NCC (e.g., they fall and hurt themselves) and they require medical attention that is not covered by their own medical insurance, then VAI would cover the cost. Some volunteers may be reluctant to work without it, and the Conservancy will attempt to ensure that the VAI of other organizations cover volunteers, where possible.

It is important that Volunteer Stewards and members of the public who are accessing Conservancy properties be asked to sign an **Access to Property Waiver (see Part IIIB)**.

3.0 Access to Property Waiver

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UNSUPERVISED VISITOR ACKNOWLEDGEMENT, WAIVER AND RELEASE

Your Name: _____

Address: _____

Phone #: _____

Type of Activity/Access: _____
(e.g., pedestrian access for jogging)

Nature Conservancy of Canada Property: _____
(e.g., Robert Goulding Nature Reserve (Mono Township))

Dates: _____

To: The Nature Conservancy of Canada:

I understand that during my activities on the Nature Conservancy of Canada (NCC) property I may encounter certain dangers, including, but not limited to, the kinds described in the attached "Tips for Visitors". I agree that I am accessing the property entirely at my own risk. I acknowledge that NCC makes no representation or warranty, express, or implied verbally or otherwise, regarding the conditions that may be encountered during the visits, and that NCC is in no way responsible for my safety.

In consideration of NCC permitting me to have access to the property, I hereby assume all risk associated with my visits to the property, and I release and agree to indemnify, defend and hold NCC and its directors, officers, employees, associates, volunteers and agents harmless from and against any and all damages, losses or injuries due to any reason whatsoever associated with my visits.

I further acknowledge that: permission to access the property is personal to me alone and I have no authority to invite others onto the property and permission to access the property may be revoked by NCC at anytime, with or without notice.

Signed: _____ Date: _____



Tips for Visitors

Tips for Visiting Nature Conservancy of Canada Properties:

- ❑ You may be hiking/walking on terrain that may be steep, uneven, slippery, or jagged, or where solid footing is obscured by vegetation. Be sure to have good walking shoes with appropriate ankle support and treads.
- ❑ You will be enjoying the outdoors in all kinds of weather, from bright sun to rainy conditions. Bring sunscreen, preferably waterproof with a high protection factor, and apply it frequently. Bring rain gear. Wear layers of clothing that will allow you to adjust your temperature during the course of the day.
- ❑ Black flies/mosquitoes and other biting/stinging insects may pose a problem at certain times of the year.
- ❑ Even with appropriate precautions, accidents can happen. The Nature Conservancy of Canada does not provide any trained medical professionals nor any hazard or emergency evacuation facilities. First aid kits are recommended.
- ❑ Since you will be visiting rich natural areas, you will encounter many types of plants and animals, on land and in the water, some of which may be dangerous or poisonous to humans. It is your responsibility to learn about the environment you'll be visiting, and how to avoid natural threats.
- ❑ You must help keep these areas beautiful by packing out everything you bring in, including garbage.
- ❑ Many of the habitats on Nature Conservancy of Canada property are ecologically sensitive, be aware of your impact, do not pick flowers, avoid crushing plants and do not feed or harass wildlife.
- ❑ Fires of any sort are absolutely prohibited on Nature Conservancy of Canada property.
- ❑ You will receive a waiver form in this mailing. You must sign it and return it to the Nature Conservancy of Canada before you visit NCC properties.