



# NEWSLETTER

## Winter 2003

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**'OUR NAME IS YOUR PROTECTION'**

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We are now firmly ensconced in our new premises at 5a Willerton Avenue, New Lynn which gives us much more space to spread out. In the event that you are in the area feel free to give us a phone call and perhaps pop in for a coffee and a chat.

### The Industry

In terms of the insurance industry, although most policy types are experiencing premium increases we're not seeing the dramatic figures that came about post-September 11. There appears to have been a general settling down – although commercial insurance premiums are apparently at the same level as 7-8 years ago. From an underwriting point of view I'm told that in reality the premiums should have continued at this level over the past few years and that it is pleasing to see that strict underwriting criteria is being adhered to again – a safeguard for all parties concerned. The majority of insurance underwriters are, however, becoming more risk averse and rather than simply increasing premiums to accommodate a high perceived risk, they are now opting to decline to insure. In this regard it is now important that we do our utmost to minimise risk by ensuring that we have good risk management procedures in place. We are able to provide risk management advice should you wish to pursue this option.

In regard to **Travel** insurance the covers provided have changed dramatically in response to new risks such as SARS, Terrorism, etc. Although more expensive, there is still one insurer who provides the full terrorism cover which existed pre-September 11. Please feel free to call to discuss the options with us.

### General Tips

- Many who participate in 4WD treks through forests are unaware of their responsibilities. In the event that there is a fire in a forest, the individuals travelling through it at the time – irrespective of whether they had anything to do with causing the fire or not – are all charged a share of the cost (by the fire service or the forest owner) for putting out the fire. Those on 4WD Association organised treks/safaris are covered by the Association's insurance cover for this eventuality. However, if you are on a private event you will probably not have that privilege. It pays to check with the organisers to ensure whether or not they have a policy to cover you for this cost and if it is a run sanctioned by the 4WD Association.
- When purchasing a house or car on finance the financing bank/company will require a Certificate of Insurance. Without this document settlement cannot take place. Keep this in mind when organising finance, because it often happens that you won't be advised until the last moment and it can be extremely stressful trying to contact the right people at 3.55 pm on a Friday to get the documents organised when settlement takes place at 4.00 pm. The insurers (and Barley Insurances) appreciate as much advance notice as possible.
- There have been recent changes to the Health & Safety in Employment Act which all employers need to take note of – we have included an excellent Checklist produced by Chapman Tripp for your reference.
- Don't forget to check that your computer backups are working correctly. A test run to retrieve a file from disk/tape every week or so is worth the feeling of relief you'll feel when you find that it has worked. The level of stress is heightened after a virus or breakdown and you find that there is no back-up data or copy of the software. Reinstating is time consuming and costly. The 'Backup Verified' message is not always correct.

If you have any insurance queries please don't hesitate to phone.



*John Barley*

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*In ancient Celtic times Barley was used for protection and for prosperity.  
Barley water is still used today for medicinal purposes.*

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# A Checklist for Employers

In the latest Chapman Tripp 'Counsel' Newsletter they provided an excellent editorial on changes to the Health & Safety in Employment Amendment Act. Part of this included a checklist for employers which we believe is well worth examining. We have noted the details below.

- ◆ Initiate good faith discussions regarding the systems required to comply with your duty to involve employees in health and safety matters. Consider and develop a proposed system for dealing with employee participation in all health and safety matters. For employers of 30 or more employees, ensure that the system is agreed and finalised by 5 November 2003. The Act allows for flexibility in the system, but if the system is not set up within the required timeframe, then the system set out in the Act, which incorporates health and safety representatives, will apply.
- ◆ Review all existing health and safety and employment policies to ensure that they comply with the proposed amendments. In particular ensure that you:
  - Have in place processes for monitoring fatigue levels and for eliminating, isolating or minimising them when they present the risk of serious or long term harm. Review overtime and rosters and consider providing workplace facilities for avoiding or relieving fatigue – for example, a quiet place for employees;
  - Develop processes to assist employees working in stressful environments or for those employees that have indicated that stress is an issue;
  - Cover mobile employees, volunteers, trainees, secondees and persons on work experience.
- ◆ Review processes for information gathering and information sharing about health and safety issues. The information sharing process should include the provision of information to health and safety representatives, not just to employees.
- ◆ Become familiar with the processes by which health and safety representatives can issue hazard notices and the process by which OSH may issue infringement notices. Train line-managers or those responsible for addressing such issues on how to deal with such processes.
- ◆ Adopt a practice to stay abreast of all relevant codes of practices issued by OSH regarding employee participation and have in place a process to incorporate such codes of practice (together with all other relevant codes of practice) into your policies.
- ◆ Review your contracts with suppliers of plant and ensure that they have undertaken to arrange, design, make and maintain equipment they supply.
- ◆ Ensure that the company is providing protective clothing to the employees (as well as ensuring they are wearing this clothing). Review your employment agreements to ensure that they do not require employees to provide their own protective clothing as such provisions will no longer have effect.
- ◆ Ensure that your accident register extends to recording accidents to self-employed persons who are contracted

to work for you.

- ◆ Contact your insurer regarding the termination of insurance cover for liability under the health and safety legislation. This relates to insurance for payment of fines, and does not relate to the insurance for the costs of defending a claim, eg legal costs.
- ◆ Be aware that health and safety representatives are entitled to paid leave for approved training courses.

## Would you like fries with that?



Other types of insurance we are able to provide include:

- **Professional Indemnity Insurance**
- **Business Insurances**
  - **Material Damage**
  - **Business Interruption**
  - **Motor Vehicle**
  - **Legal Liability**
  - **Statutory Liabilities**
  - **Life Insurance (Partnership Insurance and Business Insurances)**
  - **Corporate Travel**
  - **Trade Debtors Insurance**
  - **Accident Insurance Cover (ACC)**
  - **Product Recall**
- **Directors & Officers Liability**
  - **Trustees Liability**
  - **Association Liability**
- **Marine Insurances**
  - **Cargo Insurance**
  - **Hull Insurance (Commercial & Private)**
  - **Consequential Loss Insurance**
  - **Export Credit Insurance**
- **Contract Works Insurance**
- **Domestic Insurances**
  - **House & Contents**
  - **Motor Vehicle (including Classic Car & 4 Wheel Drive)**
  - **Travel & Leisure**
  - **Pleasure Craft Insurance**
  - **Life Insurances, Medical, Loss of Income, Critical Care**
- **Bonds**
  - **Retention Bonds**
  - **Environment Bonds**
  - **Performance Bonds**
  - **Franchisee Bonds**
  - **Export Bonds**
- **Franchise Insurances**
  - **Fire & General**
  - **Professional Indemnity**

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