



## **INSURANCE - Schedule 4 of Franchise Agreement**

### **List of Mandatory Insurance Requirements for NSW Lotteries Outlets**

#### **LOTTERIES SPECIAL RISKS INSURANCE**

##### **Material Damage**

The Franchisee must have sufficient insurance to cover the maximum amount of cash held at any one time in respect of the proceeds of the sale of Lottery Products from the Outlet.

Physical loss, destruction or damage of or to cash and tickets at the Outlet or in transit occasioned by or happening through:

- Fire, lightning, thunderbolt or explosion;
- Aircraft and/or other aerial devices and/or articles dropped or falling therefrom;
- Earthquake, subterranean fire and/or volcanic eruption;
- Acts of rioters, strikers, locked out workers, persons taking part in civil commotions or labour disturbances, or malicious persons;
- Storm, tempest, flood, cyclone, wind and/or rainwater;
- Water and/or other substance discharges, overflowing and/or leaking from apparatus, appliances, pipes, sprinkler and/or any other systems;
- Impact by waterborne craft, vehicles or animals;
- Robbery, burglary and theft (including theft by deception).

#### **PROFESSIONAL INDEMNITY INSURANCE**

##### **Civil Liability**

The scope of the policy must indemnify the Franchisee and the Franchisor against civil liability for compensation, loss or damage resulting from the conduct of the professional services in connection with the sale of Lottery Products.

This is to include, but not be limited to, any civil liability arising:

(a) In respect of failure to detect or include a valid entry into any of the Authorised Lotteries due to:

- Error in the processing or scanning of tickets;
- Negligence of the insured or its employees;
- Machine/lottery terminal malfunction.

(b) Fraud or dishonest acts by any person(s) employed by the Franchisee.



Australia's Official Lotteries by

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## Defamation

Policy to include loss arising from any claim for libel, slander or defamation made against the Franchisee or the Franchisor.

## Minimum Requirements for Professional Indemnity Insurance

- Minimum policy limit in the amount specified in the Manuals which shall not exceed \$1,000,000.
- In case of claims that exceed \$1 million the Tatts Group will maintain an 'excess' insurance policy;
- The Franchisor must be named as an additional insured (interested party is not sufficient).
- A cross liability clause must be included in the policy.
- The policy must include 6 months automatic run-off cover to cover circumstances where the Franchisee either sells its business or discontinues selling lottery tickets.

If the Outlet is an Endorsed Training Outlet the scope of the cover must include trainees.

**NOTE: The insurer must be fully authorised and have a minimum Standard & Poors rating of A.**

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To assist you in meeting the insurance requirements, the brokers listed below are able to provide an insurance policy which appears to meet the mandatory requirements. This is not intended to be an exhaustive list of insurance providers and is simply provided as an aid to franchisees. Franchisees are free to use whichever insurance provider they wish provided the mandatory requirements are covered.

Insurance company/broker	Contact
Marsh Pty Ltd	Rebecca Smith Phone: (07) 3115 4542 Email: rebecca.a.smith@marshadvantage.com
Aviso Q Sure Insurance Brokers	Jennifer Rees Phone: (07) 3835 0350 Email: info@qsure.com.au
Ian Jones Insurance Broker	Ian Jones Phone: 1800 607 204 Email: ianjones@ianjonesinsurance.com.au
Newspack Insurance	Tania Treacy Phone: 1300 907 583 Email: newspack@bolderstons.com.au
Insurance House	Josh Boyd Phone: 03 9230 1226 Phone: 1300 305 834 Email: Josh.Boyd@ihgroup.com.au Website: www.insurancehouse.com.au
Fitzpatrick & Co	Daniel Holmes Phone: 03 8544 1600 Email: danielh@fitzpatrick.com.au Website: www.fitzpatrick.com.au

While NSW Lotteries has taken steps to communicate the updated requirements to each of the insurers outlined in the abovementioned table, it is the responsibility of each franchisee to ensure that their insurance covers meets the requirements.

If you are using a provider not listed in the table above, NSW Lotteries will need to review the policy to ensure it meets mandatory requirements.