



March 19, 2020

COVID-19 - Frequently Asked Questions

The COVID-19 pandemic situation is continually evolving, and the following is based on the best information we have at the time of writing.

We urge all readers to continue to stay abreast of changes in the changing landscape surrounding COVID-19 through credible media sources including federal and provincial governments and health authorities.

As we navigate through these uncharted waters, we are doing what we can to respond to hundreds of inquiries regarding insurance coverages we administer. We are in consultation with the insurers we represent to gain as much clarity as possible on an ongoing basis. In an effort to assist you, the following are some of the common questions we have received and the answers you need.

For Individual/family Members of Provincial Equine Associations

- 1) I am a member of my Provincial Equine Association. Does my insurance cover me during this time?

The coverages that are provided through individual / family membership are absolutely in full force and effect and unaffected by the COVID 19 outbreak. As a reminder, you are provided with two important coverages:

- a) \$5,000,000 Personal liability insurance covering you for claims brought against you should a horse you own, borrow, lease etc. that is being used for personal purposes, cause BODILY INJURY or PROPERTY DAMAGE and you are held legally liable.
- b) \$30,000 Accident, Death and Dismemberment insurance which covers you if you suffer a serious or catastrophic injury through an interaction with a horse. (this policy does NOT cover disease)

- 2) The boarding place where I keep my horse is restricting my ability to see my horse and I am concerned that the horse might do something because he/she has not been out or worked. Will my insurance cover me in this circumstance? What should I do?

As in # 1 above, the PERSONAL liability insurance that you have as the owner of the horse is not affected by the COVID 19 outbreak. As for accessing the horse, the facility owner/manager is the sole authority to determine best practices when/if they allow boarders to attend - at any time - including during this extraordinary situation, to ensure everyone stays safe.

- 3) If I am out at the barn or riding my horse and a horse or rider gets hurt and I am held responsible - even though we have been advised to stay home- am I covered?

If you are acting outside of legislation that restrict your movements and activities, your insurance may be adversely affected. If you are unsure about what you are legally allowed to do at this time, you need to get clarification from Health and Government officials.



For Commercial Equine Enterprise Operations

- 1) I have temporarily closed my riding school/camp and some other operations to help curtail the spread of COVID 19. I also have boarders on my property and wonder if they should be allowed to come here?

During this unprecedented time, we know you will agree that you have a special responsibility to ensure the safety of guests, clients, staff, your family – and of course, the horses in your care. Our recommendation is to follow the guidelines and best practices as set out by Government and health authorities with regard to the operation of your business. In horse boarding places, this may mean allowing fewer boarders to be on site at any one time, making sure all visitors adopt social distancing strategies, that you have hand sanitization equipment available, that boarders minimize co-mingling with staff and others on the farm.

In summary, you should adopt a strict risk management and best practices plan that demonstrates to your boarders that these extraordinary measures are being taken to protect everyone and only those staff and other people that are essential to maintain the health and welfare of the horses are allowed to attend at this time.

- 2) Does essential staff and other people include vets, farriers, chiropractors and those assisting with rehabilitation exercises?

We agree that these primary caregivers and others are essential to maintain the health of the horse and should be given controlled access unless ordered otherwise by Government or Health officials.

- 3) Am I liable if someone contracts COVID 19 while on my property?

A lawyer is the best resource to answer this question. What we can say is that acting outside of regulations as set out by Government and Health authorities would negatively impact any insurance coverage.

- 4) I am an insured freelance coach who travels from barn to barn and some of my client's barn are still open. Am I covered if I provide a lesson during the outbreak?

You have the same responsibilities as any of us to do your part to slow the spread of the virus. Travelling from barn to barn may be putting yourself and others at risk. Our recommendation is to contact local Health and / or Government authorities to get clear direction.

Your Provincial and National Sport Organizations are working very hard to offer assistance to the community by offering best practice guidance that considers the overall health and welfare of everyone involved – including the horse. If you are in doubt of whether you are operating your business as required in the current environment, you should consult your local Government and Health authorities.

We will continue to monitor the situation with the intent of providing assistance where we can.

If you have any further questions, we're here to help. Contact us by email at equine@capricmw.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike King".

Michael A. (Mike) King, Partner