**Important notice to all EA Clubs regarding Veterinary Advice at Equestrian Events**

EA has advised EV that Equine Veterinarians Australia (EVA) has issued Equestrian Australia with two notices related to the issue of Risk Management for Hendra virus at equestrian events.

EA has suggested that all affiliated clubs be encouraged to familiarise themselves with the EVA’s position statement on Hendra as well as the new Indemnity form which EVA is encouraging Vets to use from the beginning of 2015. [Available here](http://www.ava.com.au/node/27459)

Vets who are approached to provide professional service at an equestrian event may seek to require the organising committee to complete the indemnity form. Please note the form is not compulsory and it is up to each individual Vet to decide if he or she will seek to use it. If a Vet chooses to use the form and the event which he/she is providing a professional service to does not wish to sign it, then the Vet may refuse to attend an event.

However, given the advice obtained by EA from Gow Gates described below, **EV does NOT recommend** that any club or event grant such an indemnity as it may expose the club, its directors, officers, committee members and general members to an uninsurable risk of damages and costs that could potentially be very substantial. If a club or event does intend to consider the grant of such an indemnity it should first obtain very clear legal advice as to the risk of its exposure to a substantial claim for damages and costs.”

The indemnity form effectively seeks to provide protection from liability where there is a failure to follow the veterinarian’s Hendra disease prevention biosecurity advice - in particular, the indemnity is granted by the Club in favour of the Vet for any loss, damage, sickness, injury or death resulting from a confirmed OR suspected Hendra case in any way connected with the relevant event.

Equestrian Australia has sought advice from its insurance brokers Gow Gates and offers the following information:

**If a Club or Organising Committee of an event signs the EVA indemnity Waiver**

In this case, if action was taken against the club and the Vet, the EA policy should respond to cover the club, and the Vet’s insurance should respond to cover the Vet. However the EA Club insurance **will not provide cover** to the club **for the additional liability** that they have assumed by indemnifying the Vet (this liability would not exist for the club if they hadn’t signed the indemnity to the Vet).

If a club signs the indemnity, and a Hendra related incident occurs, the club may be able to make a claim under the insurance policy in relation to any action taken against the club, however such claim could **not cover** any liability it assumed under the indemnity.

It is very important for clubs to note that, depending on the individual circumstances, if a club DOES NOT follow the biosecurity advice of their competition Vet about an actual or suspected Hendra case(s), and legal action is taken against the Vet, then the insurance may not respond to cover the club.

It is EA’s recommendation that all affiliated clubs thoroughly critique the EVA Hendra Disease biosecurity advisory notices and undertake a biosecurity risk self-assessment <[see here](http://farmbiosecurity.com.au/wp-content/uploads/2012/12/Horse-Venue-Biosecurity-Workbook.pdf)>. Clubs and event organisers should self-assess their personal liabilities under circumstances of a Hendra case, a case of human infection, or a suspect case at events they hold.

**Given the advice obtained by EA from Gow Gates, however, EV does NOT recommend that any club or event grant an indemnity of the type being distributed by EVA.**