

MEMO

Date: May 8, 2020
To: Sport Partners involved in the Sport Insurance Program
From: Barb Smith, Finance Officer
Re: Insurance Policy endorsement added for Contagion Exclusion

In connection with the COVID-19 pandemic, the Insurer responsible for our Sport Partners Insurance Program has been mandated to add an endorsement to our policy called the Contagion Exclusion Endorsement. Effective April 1, 2020, this Endorsement indicates there is no coverage for any claim in any way caused by, arising out of, or resulting from any disease or contagion, including but not limited to COVID-19.

This endorsement covering the Sport Accident and Sport Group Liability policies reads as follows:

Appendix A – Market Contagion Exclusion Endorsement

CONTAGION EXCLUSION ENDORSEMENT

READ THIS ENDORSEMENT CAREFULLY AS IT MAY AFFECT COVERAGE UNDER THE POLICY

This Insurance Policy provides no coverage for any **Claim** in any way caused by, arising out of, or resulting from any disease or contagion, including that designated as such by any of the following:

- A. Federal, Provincial, Territorial or Municipal authority or agency;
- B. Minister of the Federal, Provincial or Territorial Crown;
- C. a person occupying the position of Chief Medical Officer of Health (or similar position) of a Province, Territory or Municipality;
- D. the World Health Organization;
- E. the Center for Disease Control/Centre for Disease Control of
 - i) Canada or any Canadian Province or Territory;
 - ii) the United Kingdom of Great Britain and Northern Ireland; or
 - iii) the United States of America and any American State or Territory.

For purposes of this Endorsement, disease or contagion so designated shall include:

- any derivative, mutation or variation of the disease or contagion;
- any fear or threat of the spread of the disease or contagion;
- any failure to prevent, contain or eradicate the disease or contagion.

For purposes of greater clarity, the following are diseases or contagion that are excluded pursuant to this endorsement:

- 1) Coronavirus disease (COVID-19);
- 2) Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- 3) Ebola;
- 4) Avian Influenza (Avian Bird Flu); and,
- 5) Legionella (Legionnaires' Disease).

Our Broker has noted that members should not participate if they are ill, however, some may be carriers with no symptoms, so this is very hard to control. It is also important that coaches, etc., follow all guidelines implemented by the Government.

It has also been suggested that your association (after consulting legal advice) consider stating in any waiver you may be using that you can't be held responsible for anything COVID-19-related. As an example, the attached PDF is the updated Waiver and Release and COVID-19 Declaration that Sport Manitoba will be using.

If you require further information or clarification, please contact me at barb.smith@sportmanitoba.ca.