

## 5.08 LIABILITY COVERAGE

### 5.08.1 Policy

1. The Province of British Columbia, through an applicable host ministry, accepts responsibility for volunteers while they are performing authorized services on behalf of the province. The Ministry of Attorney General is the host ministry for volunteers registered with the Provincial Emergency Program (PEP) and therefore accepts responsibility for them while they are performing training and emergency tasks.

### 5.08.2 Conditions

1. Notwithstanding that the Ministry of Attorney General accepts responsibility for volunteers registered with PEP and should take steps to minimize any personal property, bodily injury, or third party liability risk exposures to volunteers, liability protection is afforded volunteers under the following:
  - a. **Emergency Program Act Section 18.** The Act states "No person, including.... a volunteer and any other person appointed, authorized or required to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damage or injury to persons or property....". Protection under the Act applies so long as the individual is acting in good faith and there is no indication of gross negligence;
  - b. **Good Samaritan Act.** The Act protects individuals against liability when rendering medical services or emergency aid to an ill, injured or unconscious person unless through their acts or omissions there is gross negligence; and
  - c. **Commercial General Liability Policy.** The policy provides coverage both to the province and to its volunteers. The policy insures against third party legal liability resulting from claims due to damage to the property of others and bodily injury or personal injury (libel, slander, etc.). The limit of liability on the policy is \$2 million per occurrence/incident (NOT per volunteer). The policy will also provide a qualified legal defence and pay related costs. Coverage under this policy applies to individual volunteers only NOT to the societies or groups of which they are members.

**5.08.3 Procedure**

1. All volunteers registered with PEP are automatically covered when a Task Number is issued for a specific incident and the volunteer's name is entered on the Task Registration Form. Other persons volunteering for specific operations must register their names on the Task Registration Form.
2. Volunteer groups and/or societies should access and arrange general liability coverage specific to their needs beyond those addressed by the provincial coverage.