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\* based on exchange rates at time of print



In 20 years of service, the P92 worldwide fleet now stands at nearly 2000 aeroplanes in both ULM/LSA and VLA categories.

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**TECNAM**



contributed by Bill Beard

## Aircraft Liability Insurance

Insurance policies cover much more than just damage to your own aircraft. Bill Beard from Avsure explains the issues.

**IT IS IMPORTANT** for every aircraft owner and pilot to have a basic understanding of the principles of liability and the way it relates to their aviation insurance policy. The most common form of aviation policies are divided into three main sections as follows.

**SECTION 1:** Loss of or accidental damage to the aircraft hull.

**SECTION 2:** Legal Liability to third party property and bodily injury or death other than for passengers.

**SECTION 3:** Legal Liability to passengers when entering, on board or alighting from the aircraft.

In general terms however all incidents resulting in death or injury to persons in New Zealand are covered under the ACC Legislation and as such there is no provision in NZ for anyone including aircraft passengers to issue proceedings in New Zealand courts seeking compensation for death or personal injury. The Law however does not prevent claims for mental shock, distress or trauma so you still need passenger liability cover.

The main liability risk for New Zealand aircraft owners therefore are claims for accidental damage to third party property and the associated legal fees.

The main events likely to result in a third party property claim are as follows.

- Taxiing into another aircraft (biggest risk in the vicinity of fuel pumps or in tight manoeuvring areas).
- Damage to other peoples property as a result of a forced landing.
- Loss of direction on take-off or landing and running into other aircraft, fences, hangars or whatever. There was a close call at Ardmore not long ago when a landing aircraft lost directional control and crossed the adjacent taxiway at high speed just missing a highly valued brand new aircraft backtracking on the taxiway (it could have been a corporate jet!).
- Simple ground handling incidents such as pushing your aircraft into another aircraft or worse – a helicopter.
- The worst scenario – a mid-air collision where you may be found at fault.

If you damage another aircraft resulting in the owner of that aircraft having to

make an insurance claim, it is the third party insurance company which will look around to see who was responsible for the damage and they'll be on your case in a flash to recover their repair costs. You need to ensure the aircraft liability coverage or limit of liability is adequate to cover you for any negligent acts. Half a million dollars is not nearly enough in today's world. The absolute minimum industry standard would be NZ\$1M but with the price of aircraft and associated equipment on today's market, most operators are insuring for at least \$2M to \$5M.

In aviation circles the amounts awarded can be quite large, therefore it's important to carefully consider purchasing higher limits in order to have an adequate limit of liability to cover all possibilities.

All policies should include the "Pilot Indemnity Clause" which extends the policy to cover the pilot as if they were the insured. This gives the same protection to the pilot as to the policy holder but does not increase the liability of the insurers beyond the declared indemnity.

To discuss this topic or any other questions relating to aviation insurance or to seek quotations, contact Bill Beard at Avsure on 0800 322 206.

### Accident and Incident Reports are provided courtesy of **Avsure**

**Type:** Schleicher ASW 27-18E GRT  
**Location:** Tapapa **POB:** 1  
**Operation:** Private Other **Injuries:** Nil  
**Date:** 27 November 2012  
**Report:** Glider's sustainer motor failed to start, requiring an out-landing. Approximately 35m into the landing roll the glider struck a fence, damaging the canopy and wing.

**Type:** Innovator Mosquito XE IXE  
**Location:** Okuku River **POB:** 1  
**Operation:** Private Other **Injuries:** Nil  
**Date:** 3 January 2013  
**Report:** A spark plug in the helicopter's engine blew out. An autorotation was conducted at the Okuku River, during which the tail boom struck the bank, destroying the helicopter.

**Type:** Hughes 369D HSD  
**Location:** Hanmer Springs **POB:** 2  
**Operation:** Training Dual **Injuries:** Nil  
**Date:** 11 December 2012  
**Report:** Tail rotor touched ground during training in a paddock. Tail rotor drive shaft broken and blade went through h/stab.

**Type:** Pipistrel Sinus GIM  
**Location:** Te Horo **POB:** 2  
**Operation:** Private Other **Injuries:** Nil  
**Date:** 9 December 2012  
**Report:** When the motor was started on the motorised glider, severe vibration was experienced necessitating it to be shut down immediately. The pilot decided to make an out-landing. During the out-landing, the glider flipped.

**Type:** Fly Synthesis Storch S JES  
**Location:** Dargaville **POB:** 1  
**Operation:** Private Other **Injuries:** Minor  
**Date:** 13 December 2012  
**Report:** Aircraft landed heavily, bounced and overturned. The pilot received minor injuries.

Please note: These weekly accident reports are sourced from www.caa.govt.nz and contain information as reported to the CAA recently. As such, the accuracy of the information supplied cannot be guaranteed. Refer to www.caa.govt.nz for other details which may be added as more information is received by the Authority.



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