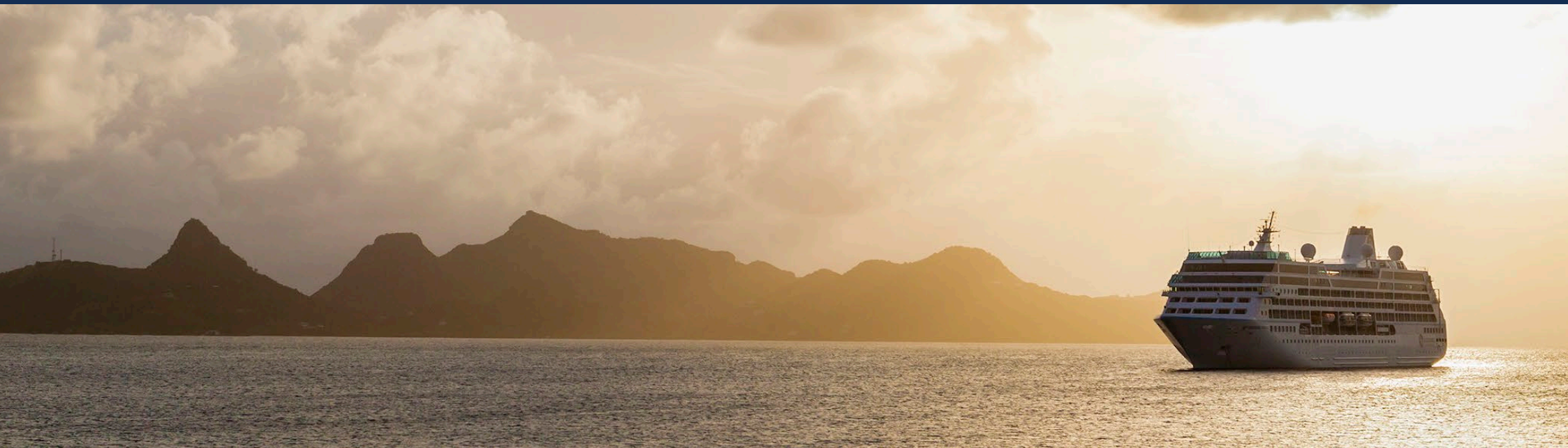


# Tour Operators' Passenger Liability Cover







In a world of increasing complexity,  
our objective is to  
**help our Members and clients**  
manage the totality of their exposures -  
both to existing and developing risks.



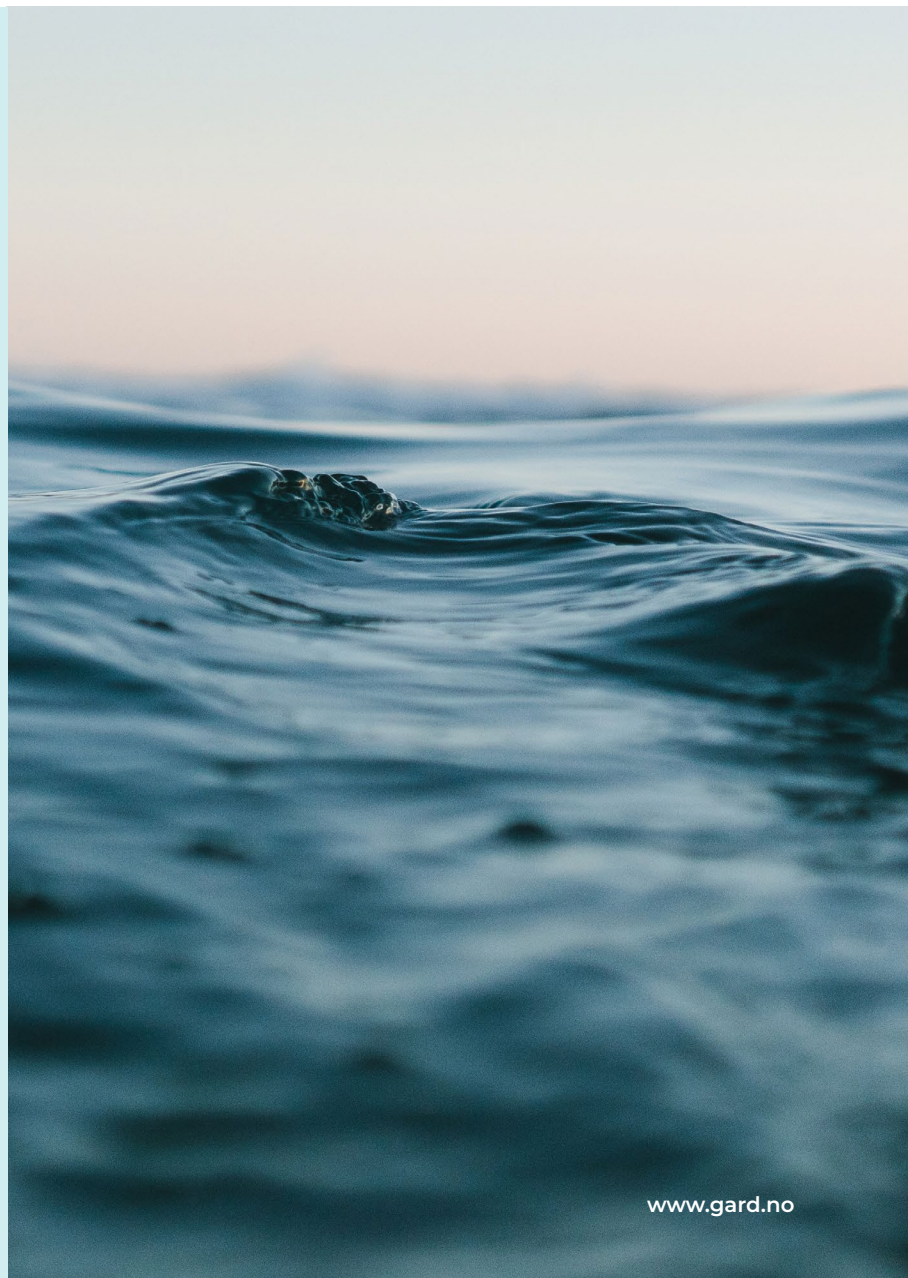
# Providing the widest range of risk solutions

As a multi-line insurer – with the strongest rating in the marine market – Gard is uniquely positioned to understand how risks fit together and identify the best choice of products, ensuring seamless coverage and service.

Innovation has always been a cornerstone of Gard's business model and, over the years, we have refined and extended our standard products and introduced a range of additional products, responding to special needs and requirements from different parts of the marine industry.

Gard's tour operator passenger liability cover is a bolt-on cover to standard P&I, responding to events not arising in direct connection with the operation of the ship.

Further information can be found on our webpage ([www.gard.no](http://www.gard.no)) under Products and Services, or from your usual contact.



# Scope of cover

*Covering passenger liabilities during pre and post journey, shore excursions and other off-ship activities*

## **Risks covered**

Liabilities under governing transportation legislation in respect of:

- Illness or death of or personal injury sustained by the passenger.
- Loss of or damage to the passenger's property and for delay in the carriage of the passenger.

Liabilities under the EU Directive in respect of

- Repatriation of the passenger.
- Accommodation and maintenance on shore following such repatriation of the passenger.

The cover extends to pre and post journey transportation, hotel accommodation and shore-side excursions/activities prior to, during or after the sea journey. The insured events need not arise in direct connection with the ship.

## **Important exclusions**

- Passenger liabilities recoverable under the P&I cover cannot be insured under the tour operator passenger liability.
- The Insurer shall not cover refund of passenger money, substitute cruises, future cruise discounts or similar means of restitution.

## **Limit of cover**

- USD 10 million per event (higher limits by special agreement).

## **Who can be covered?**

- Gard clients/Members with underlying P&I cover.

# Cover in practice

## **Injury at inland hotel between ferry crossings**

A French passenger purchases a package tour from a Paris travel agent. The tour includes ferry transportation from Denmark to Norway, one week at a luxury hotel and a return sea passage to France via Denmark. Whilst at the hotel, the passenger sustains a slip and fall injury when getting into a jacuzzi. It is later found that the jacuzzis were in generally poor condition. Instead of suing the owner of the Norwegian hotel, the passenger sues his travel agent under the French Package Tour Act. The agent passes the claim on to the tour operator, who decides to settle quickly to avoid mounting legal costs.

## **The Gard solution**

The liability did not arise from a direct connection with the operation of the ship and would fall outside the scope of P&I cover. However, tour-operator insurance covers passengers before and after the sea journey, so would respond to any legal liability in connection with the injury. Gard automatically acquires the right of recourse against any third party, such as the hotel in Norway.

## **Extraordinary expenses due to delay**

A package tour offered by the client includes flights and one night's accommodation at the embarkation port. A hurricane delays the vessel's arrival in port. The client incurs expenses accommodating passengers for an extra hotel night while waiting ashore, and rebooking flights for those whose disembarkation is delayed.

## **The Gard solution**

The client would need the tour operator cover to respond to liability for those passengers waiting ashore (P&I cover would only respond to liability for passengers that have already boarded the vessel). Tour operator cover would also respond to extra costs for additional accommodation (food expenses, lodging etc.) if the trip is cancelled due to the hurricane.



# We are here to help



**1907**  
founded in Arendal,  
Norway



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Owned by shipowner  
members



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