



Directors' and Officers', Property and General Liability Insurance Program

Helping You
Help Those In Need



ESTABLISHED 1918



BINKS

Expert Guidance In A World Of Risk.

The new program offers affordable insurance for members and agencies of the Ontario Association of Food Banks, especially those with smaller capacity, and incredible savings for those that currently carry coverage. The low premiums can only be offered by having many members participate.

By joining this program, not only are you protecting a valuable asset to your community, you are helping other food banks keep their insurance costs down.

**“Binks Insurance Brokers Limited saved us over 70% on our insurance!
I highly encourage other members to participate in this program.” ~ Brampton Food Bank ~**



Insurance Program

Binks is proud to be the exclusive Insurance Broker for the members of the Ontario Association of Food Banks (OAFB). We are pleased to be appointed by the OAFB to administer the insurance program tailored to meet the specialized needs of Food Banks and their associated agencies.

Binks Insurance Brokers and the OAFB have been working together to help you get the protection you need at a reasonable price. These insurance policies are designed to take the hassle out of finding reliable coverage for you and your agency food banks. Best of all, buying coverage endorsed by the OAFB means affordable group rates.

Group Directors' and Officers' Liability Insurance Program

As a Director or Officer of a non-profit association such as a Food Bank, you face personal liability for your actions (or non-actions) in carrying out your duties.

Many non-profit associations carry D&O to protect their board members from losing their personal assets and savings in the case of an expensive and unpleasant lawsuit.

Defence costs can be excessive. Claims can be frivolous in nature, however once brought forward these must be defended. If the claim against you is decided to have merit, judgements can be devastating to the organization, as well as to your own personal savings and assets.

Property and General Liability Insurance Program

Our main goal was to offer a package policy that was both an easy administrative process and which provided exceptional coverage at extremely affordable prices.

The package developed includes sector-specific items, such as coverage for volunteers and 100% additional coverage for peak season, when food banks are at their busiest and have their largest inventories. Food banks across the province are already benefiting: smaller operations are now insured for the first time, thanks to the affordability of the package, while larger operations are saving as much as 70% while actually increasing their coverage.

Significant member participation is needed to be able to continue to offer this valuable program.

Why should your Board of Directors carry this coverage?

1. D&O insurance is protection against actual or alleged breach of "duty" by the directors and officers.
2. This policy covers legal costs, defence and lawyer's fees.
3. D&O insurance covers you, the board and the organization wrongful acts (misstatement, misleading statements, or breach of duty) Without it, you and your spouse's personal assets are at risk.

If you have any additional questions, please do not hesitate to contact

Claude Miron at 1-877-302-4657 or e-mail c.miron@binks.ca



Property and General Liability Insurance Program

Product Information Sheet

Specially suited to those members and agencies of The Ontario Association of Food Banks eligible for coverage under this program.

The basic policy includes Property, Business Interruption, Crime and General Liability.

Property Coverage Features

Insures all property owned by the Insured or for which the Insured is responsible against any accidental loss or damage which is not specifically excluded.

Functional replacement cost coverage applies to building and equipment. There is no requirement that replacement be at the same location. Actual Cash value on stock.

Unlike traditional property policies, coverage is included for:

- Peak Season - increasing values by 100% from November to March
- Business Interruption - Actual Loss Sustained
- Sewer Back Up, Flood & Earthquake
- Stock Spoilage
- Property in Transit
- Contents at Unnamed locations
- Crime - including - Employees, Volunteers, Directors & Trustees

Automatic coverage is provided at no extra charge for:

- \$25,000 Contents (Higher limits can be purchased)
- Peak Season Increase 100% (November 1st to March 1st)
- \$1,000,000 at newly acquired locations
- Contingent Liability from Enforcement of Building By-Laws Blanket
- Blanket Glass
- Inflation Protection
- \$10,000 Fire Department Service Charges
- \$10,000 Outdoor Signs
- \$25,000 in transit
- \$25,000 Professional Fees
- \$10,000 for fire department charges
- Replacement Cost, except Stock - No "same-site" requirement
- \$50,000 Contents at Unnamed Locations
- \$25,000 Stock Spoilage
- \$10,000 Courier and Parcel Post
- \$50,000 Electronic Data Processing Systems
- \$10,000 Electronic Data Processing Media
- \$10,000 Electronic Data Processing Breakdown
- \$10,000 Exhibition Floater
- \$10,000 Personal Property of Officers and Employees
- \$50,000 Valuable Papers and Records
- \$10,000 Land and Water Pollution Clean Up

Boiler & Machinery Coverage (Optional)

This coverage insures all property at the premises against loss or damage due to sudden and accidental breakdown of heating, refrigerating and air conditioning equipment, pressure vessels and boilers, electrical apparatus and electronic equipment.

Business Interruption Coverage Features

- Profits and/or "Rental Income" Broad Form - Actual Loss Sustained
- Interruption by Civil Authority - Actual Loss Sustained - 2 weeks
- \$25,000 Off-Premises Power
- Limited Contingent Loss of Income
 - \$25,000 Neighbouring Premises
 - \$25,000 Contributing/Recipient Property
- \$25,000 Extra Expense
- \$25,000 Additional Lease Expense

Crime Coverage Features

- \$10,000 Employee Dishonesty - Form A
- \$10,000 Broad Form Money & Securities - Inside & Outside
- \$5,000 Depositors' Forgery
- \$5,000 Messenger or Custodian Home
- \$5,000 Money Order & Counterfeit Paper

These limits can be increased for an extra premium.

Liability Coverage Features

Provides coverage for compensatory damages and defence costs arising from the Insured's contractual or legal liability for food bank and food bank related activities. The activities must cause:

- bodily injury, or
- personal injury (which includes defamation), or
- damage to others' property not in the Insured's care, custody or control

Employees, Volunteers, Directors are additional insureds.

The following important extensions are included at no extra charge:

- Advertising injury
- \$250,000 for employee benefits errors and omissions
- Voluntary Compensation - Employer's Liability
- Tenant's Legal Liability
- Occurrence form

Non-owned Automobile Coverage Features

Provides coverage for damages and defence costs arising from the Insured's legal or contractual liability for the business use of any automobile not owned by or licensed in the name of an Insured.

In addition, \$50,000 coverage is provided for damage to hired automobiles.

Conditions, limitations and exclusions apply. Please refer to the full policy wordings for details.

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Send application to:
 Attention: Claude Miron
 Binks Insurance Brokers Limited
 100B-2625 Queensview Drive
 Ottawa, ON K2B 8K2
 Ph: 613-226-1350
 1-877-30-BINKS (2-4657)
 Fax: 613-226-7029

General Liability & Property Program

Full Name: _____

Corporation _____ / Partnership _____ / Individual _____

Name of Contact Person: _____ Phone: () _____

Mailing Address : _____

Location Address: _____

Full Description of Operations: _____

Previous Insurer: _____ Policy #: _____ Expiry Date: _____

Previously Declined or Cancelled? Yes No If yes, provide full details:

Any Claims in the past 5 years? Yes No If yes, provide full details including date, type of loss, amount paid and outstanding:

How many volunteers do you have? _____ How many Full / Part time Employees? _____

What were your annual revenues last year? _____ What is your estimate for this year? _____

List of Activities/programs, including the revenue generated from each:

List of Activities that include the sale of alcohol:

Commercial General Liability Coverage required : \$2,000,000 \$5,000,000

Building Limit _____ Equipment Limit _____ Stock Limit _____

If Building coverage is required – the attached Location Information Sheet must be completed.

Boiler & Machinery option? Yes No If yes, please contact Binks Insurance Brokers Limited for additional cost.

I declare that to the best of my knowledge the statements set forth herein are true. Signing of this application does not bind the applicant or company to complete the insurance, but it is agreed that this form shall be the basis of the contract should the certificate be issued.

Signature: _____

Date: _____



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NAME OF APPLICANT:	Individual:	Partnership:
	Corporation:	Other:
	Years in business:	
		Fiscal year end:
Mailing address:		

PROPERTY INFORMATION			
INSURED LOCATION Address:			Location # (Complete for each location)
Construction Notes:			
Year Built:	Total Square Feet:	Sq. Ft. Occupied by Insured:	Height (Stories):
Wall/Floor Type:		Age:	
Roof Type:	Updated:	Age:	
Heating Type:	Updated:	Age:	
Electrical Type:	Updated:	Age:	
Plumbing Type:	Updated:	Age:	
Occupancy:			
Occupied by Insured as:		Occupied by others as:	
Protection			
Hydrant Protected:		Distance to Hydrant:	
Fire Hall Protected?	Distance to Fire Hall:	Paid or Volunteer Fire Department:	
Fire Extinguishers:	Smoke/Heat/Fire Detectors:	Are detectors connected to Alarm system?	
Sprinklered (Full/Partial)?	Sprinkler Alarm: (Central / Monitored / Local / None)		Alarm Company:
Intrusion Alarms?	Central / Monitored / Local:		
Watchman or Guard Service?			
Adjacent Exposures:	Front	Left	Above
	Rear	Right	Below
Operations: <i>Please describe the extent of your operations at this location.</i>			



Mail to:
 Binks Insurance Brokers Limited
 100B- 2625 Queensview Drive
 Ottawa, Ontario K2B 8K2
 Telephone 613-226-1350
 Facsimile 613-226-7029



Application

Non-Profit Organization

Directors and Officers Liability

1. Name: _____
 Contact: _____
 Telephone Number: _____

2. Address: _____

3. Attach a list of all directors and officers.

4. For the last fiscal year-end, indicate:
 (a) Total Revenue: \$ _____ (b) Surplus or (deficit): \$ _____

5. Has any similar insurance to that proposed herein, on behalf of the organization, been declined, cancelled or renewed? YES NO

If yes, give date(s) and attach details.

6. (a) Has any claim or suit been made or is any claim now pending against the organization or any other person(s) proposed for this insurance? YES NO

(b) Has any suit or legal action been filed by or on behalf of the organization against any person(s) proposed for this insurance? YES NO

(c) Has the organization within the last three years been the subject of any inquiries, complaints, notices or hearings by any Federal or Provincial regulatory authority? YES NO

(d) Is the undersigned or any other person(s) proposed for this insurance aware of any fact or circumstance involving the organization, the Directors or Officers of the organization which he/she has reason to believe might result in any future claim which would fall within the scope of the proposed insurance? YES NO

If yes to the above, attach details.

WITHOUT LIMITATION TO ANY OTHER REMEDY AVAILABLE TO THE INSURERS, THE PROPOSED INSURANCE WILL NOT AFFORD COVERAGE TO ANY CLAIMS OF WHICH ANY PERSON PROPOSED FOR THIS INSURANCE HAS KNOWLEDGE NOR ANY CLAIMS RESULTING FROM ANY FACTS OR CIRCUMSTANCES OF WHICH ANY PERSON PROPOSED FOR THIS INSURANCE HAS KNOWLEDGE.

7. Limit Requested: \$1,000,000 \$2,000,000 \$5,000,000

8. Effective Date: _____

APPLICANT'S CONSENT TO THE TRANSMISSION OF THE INFORMATION CONTAINED IN THE APPLICATION FORM

I hereby acknowledge that the information collected in the Application form is acquired by my insurance broker to be transmitted to ENCON Group Inc. for the sole purpose of obtaining an insurance policy, and will be kept confidential.

Moreover, I authorize ENCON Group Inc., its insurers or service providers to:

- conduct verification, using outside sources, of the information contained in the Application form, in attached documentation and in subsequently provided documentation;
- in the event of a claim, transmit the submitted and verified information to loss adjusters, lawyers or other similar offices for the purposes of investigating, defending, negotiating or settling any claims, as required.

For more information on ENCON's privacy policy, please contact privacy-officer@encon.ca.

DECLARATIONS AND SIGNATURE

The undersigned authorized officer of the organization, on behalf of the organization and all person(s) proposed for this insurance, declares that, to the best of his/her knowledge and belief, the statements set forth herein are true and correct and that reasonable efforts have been made to obtain sufficient information from each and every person proposed for this insurance to facilitate the proper and accurate completion of this Application form. The undersigned further agrees that if any significant change in the condition of the applicant is discovered between the date of this Application form and the effective date of the policy, which would render this Application from inaccurate or incomplete, notice of such change will be reported in writing to ENCON Group Inc. immediately. Although the signing of this Application form does not bind the undersigned on behalf of the organization or any person(s) proposed for this insurance, to effect insurance, the undersigned, on behalf of those persons(s) proposed for this insurance and organization, agrees that this form and the information furnished pursuant hereto shall be the basis of the contract should a policy be issued and this form will be attached to and become part of the policy.

Signature of the President or Executive Officer

Date

Premium Matrix (PLEASE CIRCLE AN OPTION)

Limit	\$1,000,000	\$2,000,000	\$5,000,000
Annual Revenue	Premium (add 8% PST)		
Under \$350,000	\$300	\$400	\$600
\$350,001 to \$750,000	\$500	\$650	\$1,000
Over \$750,000	\$700	\$900	\$1,400



Director's and Officer's Insurance Program

Product Information Sheet

Limits of Liability

- Limit Per Claim As per each individual certificate
- Aggregate Limit \$5,000,000

Insuring Agreements

- A. Insured Person and Entity Liability
- B. Non-Profit Outside Directorship Liability
- C. Employment Practices Liability
- D. Fiduciary Liability
- E. Penal Defence Cost Liability
- F. Duty to Defend

Description and Extensions

- Coverage will be based on ENCON's Claims-Made Non-Profit Entity Management Liability Insurance policy form EIM-NPE-2006, subject to policy exclusions
- Defence Costs included in the limit of liability
- Definition of Claim includes non-compensatory and punitive damages
- Including trustees, employees, volunteers and committee members in definition of Insured Person
- The Bodily Injury/Property Damage exclusion does not apply to Employment Practices claims alleging mental anguish
- Sub-limit of \$1,000,000 for defence costs for non-indemnifiable pollution claims
- Territory: Worldwide, however policy responds only to suits brought in Canada

Policy Extensions

- Spousal/Domestic Partner liability coverage
- Pending or Prior Litigation Date – to inception of policy

Exclusions

- Professional Services Exclusion

Deductibles/Retentions

- No deductible/retention applies

O.A.F.B Directors' & Officers' Liability F.A.Q.

Q. Who is eligible for this plan?

A. All OAFB members as well as the food banks they serve within their community.

Q. What liability limits are available?

A. \$1,000,000, \$2,000,000, and \$5,000,000. This choice allows Boards of various sizes and complexities to choose an appropriate limit for their food bank. A pricing matrix comparing operation size has been designed to assist with the decision making process.

Q. What does the policy cover?

A. "The Wrongful Acts of the Directors and Officers of your Food Bank". In other words, if Board members do not fulfill their duties as set out in the bylaws and according to any applicable legislation, they are open to being sued. If the food bank does not have Directors' and Officers' Liability insurance, ALL LEGAL COSTS AND AWARDS FALL DIRECTLY ON THE FOOD BANK, THE BOARD MEMBERS AND THEIR PERSONAL SAVINGS. In addition to the Board of Directors, coverage also extends to the organisation itself, as well as all food bank employees, volunteers and committee members.

Q. Doesn't my Standard Liability Policy or my Business Owners Policy cover these things?

A. NO. Standard General Liability policies extend coverage to include directors and officers of the food banks, but only for bodily injury or property damage. These policies DO NOT cover Boards for Wrongful Acts in conducting the business of a non-profit organization.

Q. How much does this program cost?

A: As a group insurance program, the rates will likely be much lower than what you are currently paying. Some members have seen their rates cut by more than half. Please contact Binks Insurance for more information.

Q. Can I purchase this policy from my local broker?

A. NO. This is a group program only available to OAFB members through Binks Insurance Brokers Limited.

The above explains the general purpose of the insurance described, but in no way changes or affects the coverage afforded under the policy. For a full description of the policy provisions, refer to your certificate of coverage and the master policy.

If you have any additional questions,
please do not hesitate to contact

Claude Miron at 1-877-302-4657 or
e-mail c.miron@binks.ca

“We have now completed our insurance program with Binks effective October 15/07. We have doubled our coverage under the General Liability Program and have added Directors and Officers Liability (which we did not have) at less cost than we previously paid for a very limited Liability Policy.

Please pass on our heartfelt thanks to Adam and the whole team at OAFB for working diligently to make this happen. I believe there is no reason for any food bank to not participate in the program. The coverage is much more extensive and the cost is certainly a lot less.

Again, our sincere THANKYOU.”

~ Frank – Blind River Emergency Food Bank ~

E S T A B L I S H E D 1 9 1 8



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To find out more, please contact

Claude Miron

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Ottawa, ON K2B 8K2

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