

Your Hospitality Business Interruption Claim

Dear Client,

Before any action is considered please note that your Establishment must remain open. Failing this could be considered as disinclination. Disinclination is a word that has been used to describe the choice not to operate a business or deal with customers due to fear of the Coronavirus rather than an instruction received from the Local Authority to close.

Please kindly note the following with regards to your Establishment and initiating a Business Interruption claim:

The key words to trigger a claim:

1. Losses
2. resulting in interruption or interference
3. from NOTIFIABLE disease (A notifiable disease is any disease that is required by law to be reported to government authorities)
4. occurring 50km from Premises
5. WHICH the competent Local Authority has stipulated shall be notified to them

Point 5 above – this is the most important part in the claims stage – has your Local Authority stipulated that you must notify them if any of your guests or staff have been exposed or tested positive for Covid-19? A collaborative and purposeful effort by industry is required. In order to gain momentum a coordinated initiative should be executed as soon as possible. Kindly please use the below text for your convenience to communicate with the Local Authority or please email us on your letterhead a copy of the text to info@grib.co.za to join the initiative.

For the Attention of the Local Authority:

Dear Sir / Madam

Please note that there has been an outbreak of Covid-19 within 50 km of our Establishment. As the decision maker in terms of our Health and Safety Policy we will be limiting our operations in order to protect our staff and guests from contracting the virus. A skeleton staff however, will remain so that in the event should any guest choose to check-in they are fully aware of the current infectious outbreak and that our Establishment cannot accept liability for any guest contracting Covid-19, nor can our Establishment allow infected guests to use our Establishment for self-Isolation or quarantine purposes until they are tested. "communicable disease" is defined as an illness due to a specific infectious agent or its toxic products which arises through transmission of the agent or its products from an infected person, animal or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector or inanimate.

Further, according to Chapter 2: General Provisions Relating To Health Nuisances Section 6: Behavior and Conduct 4.(k) A health nuisance exists or occurs if any of the following occurs on any land or

Covid-19

Premises where conditions exist that are conducive and contributively to the spread of a contagious and communicable disease.

Although regulations make it mandatory for carriers, contacts and infected individuals to comply with instructions from health care providers regarding Covid-19, as responsible business operators precautionary measures to prevent or restrict the spread of Covid-19 is prudent, however as non-medical practitioners we are unable to measure the potential risk of guests and in order to not discriminate or prejudice our guests we request that the Local Authority acknowledges and confirms Covid-19 is indeed a communicable disease as defined.

Should the Local Authority not agree we request a certificate of fitness from the Department of Health to continue operations.

Your Truly

Client

Garden Route Insurance Brokers has a team of Business Interruption specialists who are equipped to calculate your sum insured and check whether your cover is adequate. Business Interruption is a complex and specialist commercial insurance and we are here to help you formulate your claim.

Please contact our Commercial Experts tollfree 0800 434948 or email us at info@grib.co.za.

Should you wish to make a claim call tollfree 0800 434948 or email us at claims@grib.co.za.

Kind Regards

Dan Payton