

Insurance

Sky's insurance brokers are Media Insurance Brokers and the MIB Sky Client Managers are:

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Production companies must maintain public and employers' liability for the company.

Under the Sky scheme, insurance is calculated on direct costs. The rates vary depending on genre and budget size and may be advised on a per shoot basis. Your Sky Production Contact will advise MIB of the insurable rate for the production, and MIB will then contact you directly. Please highlight any hazardous or higher risk activity to MIB/insurers and provide details of all stunts or stunt-type activity, e.g., vehicle handbrake turns and use of action vehicles, pyro, working at height or depth etc.? If in doubt, MIB will confirm its requirements for disclosure purposes.

Independent producers are responsible for effecting and maintaining all necessary and appropriate insurances during the production at levels approved by Sky with MIB. In exceptional cases, producers may be able to use other reputable insurance companies as agreed with Sky and on the basis that at least the same levels of cover and rate are applicable as per the MIB facility.

Insurances should include but are not limited to:

- 1) Public liability and employers' liability.
- 2) Additional expenditure, losses and liabilities incurred in completing the production or incurred because of the production being aborted and valueless resulting from damage to or loss of film/recordings.
- 3) Keyman/cast insurance for additional expenditure, losses and liabilities incurred in completing the production or incurred because of the production being aborted and valueless, including expenses incurred as a result of the cancellation, postponement or interruption resulting from accident to or illness or death of the individual producer or any contributors or other principal personnel as may be required by Sky.
- 4) Such other insurance as may be prudent in the circumstances of the production of the programmes or as may be required by law and paid for by Sky, including crew/equipment and any insurances that may be required under local laws and regulations when working abroad, e.g., auto liability, workers compensation etc.
- 5) You should notify your Sky Production Contact immediately on the happening of any event or accident, which may give rise to a claim. Any claims or circumstances that could give rise to a claim should be notified to MIB/insurers as soon as reasonably practicable and according to the policy's claim notification steps and requirements.

Insurances not covered under the MIB blanket facility:

- 1) Personal Accident and Travel
If the production contains activities with potential personal accident risks, such as stunts, pyro, height, racing or other higher risk filming, and/or travel outside of the UK, please contact your Sky Production Contact, who will approve insurance cover as necessary.
- 2) Weather Insurance
- 3) Driving in Vision
- 4) Errors and Omissions (where possible, producers' E&O should be held by the production company regarding the content being made). Note: Any production claims relating to Covid-19 (e.g., shoot cancellation or delay, claims brought by third parties etc.) are excluded by insurance. This exclusion is a market-wide blanket position.
- 5) Terrorism is not included (but can be as and where required).

Covid-19 is **not** excluded under Employers Liability Insurance.

From a risk management and risk mitigation view, as regards Covid-19, all applicable in-country Government guidance and FCO, WHO, PHE requirements must be complied with, e.g., PPE, maintaining social distancing, mandatory quarantine, or isolation requirements etc. Compliance with such requirements is essential from a reputational and legal perspective, as well as insurance. Such steps should be reflected in the risk assessment as appropriate.

Budgeting for Insurance

Developments

- Do not include an insurance line in development budgets with paper deliverables only.
- If additional deliverables/filming is a requirement for development then Production Insurance should be included below the line, calculated at 0.434% + 12% IPT on direct costs only. This will be recouped from the series budget.

Commissions

- **Standard Production Insurance** should be included in all budgets for Commissions; calculated at the applicable insurable rate on direct costs only plus Insurance Premium Tax (IPT), calculated at 12% on the insurance premium. This should sit on the budget top sheet, below the line under Production Fee and Overheads, and is not included in direct costs.
- **E & O Insurance** E&O should form part of your international budget (if applicable). This should also sit below the line on the top sheet of the budget.
- **Additional Insurance:** if additional insurance is required for high-risk activities/cover for anything that falls outside of the Standard Policy, this requires further discussion between Sky/MIB and the Producer. Any premium should also sit below the line on the top sheet of the budget. This estimate will be ringfenced and reported against in the monthly cost report. In the event of any underspend, this will be discussed with your Sky Production Contact.
- **Invoicing:** All insurance costs must be included in the top sheet of budgets and MIB will invoice the Producer directly.