



**Basellandschaftliche
Gebäudeversicherung**

Prävention Feuerwehr Versicherung



Property Insurance Terms

1.1.2018

Art. 1 Range of Insurance Coverage

Insured Objects

- Land, forest
- Cultures, fruit trees, decorative trees
- Gardens (incl. slopes and biotopes)
- Paths, courtyards, farmyards

Insured Hazards

- Storm winds
- High water, flooding
- Transfer of debris and boulders
- Land and rockslide
- Snow pressure
- Ice damage (broken branch due to frozen fog)
- Icy rain
- Sinkhole
- Lightning damage to forest trees, fruit trees and decorative trees
- Culture damages as a result of fire damage to buildings or external transportable objects to the extent that no third party bears liability for such

Art. 2 Exclusions

Non-Insured Objects

- Railroad property
- Technical works and facilities of all types
- Streets, squares and paths to the extent that such are owned by the federation, the canton, the residential or citizen communities
- Pipelines of all types, both above-ground or underground pipeline facilities, channels, drainages and canals
- Streambeds and body of water banks
- Platforms, barriers and weirs
- Sporting fields of all types

Non-Insured Hazards

- Damages not attributable to the effect of unusual intensity
- Damages caused by its continued effect
- Damages which can occur periodically according to past experience
- Damages which were foreseeable and whose occurrence could have been prevented with timely, reasonable measures; namely such damages which are attributable to defective care or maintenance
- Damages occurring as a result of artificially induced movement of the earth
- Damages caused by animal, plant or fungus pests
- Damages arising as a consequence of frost, drought, moisture or hail

Art. 3 Premiums

Premium Calculation

The premium is comprised of a Property Fee and Surface Area Fee together. The official Surface Index provides the standard for the calculation of the Surface Area Fee.

No premium allocation is undertaken in the event of change of ownership during the course of the year.

Maturity/Liability

The premium is paid once annually. It is due payable within 30 days following invoicing. The buyer and seller of a property are jointly liable to BGV for unpaid premiums.

Art. 4 Damage Claims

Disclosure Obligation and Default Consequences

An instance of damages must be reported to BGV without delay.

BGV is authorized to reject a compensation claim if:

- Notification is submitted so late that the cause or scope of the damages can no longer be established.
- Notification occurs after the damage has been repaired.
- The compensation claim was not asserted within 1 year following the occurrence of damages.

Damages Limitation Obligation

In the event of damages, the proprietorship and those using the property are obligated to take all reasonable, appropriate measures to keep damages as small as possible.

BGV provides compensation for such cost expenditures in accordance with its interests. This excludes expenditures for inexpedient measures.

Damage Appraisal

BGV determines the amount of the damages at its cost.

No alterations may be made to the property without the consent of BGV. This does not include alterations which serve in the interest of damage limitation or which are required in accordance with instructions from the police.

Forfeiture, Reduction, Recourse

No compensation claim right exists in the event that the proprietor intentionally caused the damages. In the event of gross negligence, compensation can be reduced in accordance with the degree of fault.

If a third party is liable for the damages, the damage compensation claims of the proprietor are transferred to BGV to the extent that it pays compensation. BGV is entitled to recourse against the responsible party/parties in accordance with the provisions of liability law.

Calculation and Payment of Compensation

The following principles apply for damage appraisal:

- In the case of properties, expenses for restoration of the earlier condition are compensated. Any resulting improvements in comparison to the earlier condition are the responsibility of the insured parties.
- In the case of damaged, healthy decorative or fruit trees, the costs for the reacquisition of seedlings of the same type and the acknowledged removal and restoration costs are compensated.
- In the case of forest damage, the complications with respect to woodcutting and the devaluation of wood will be compensated

The compensation payment by terrain and by incident emerges from the amount of damages minus a deductible of CHF 600.–. The compensation may not exceed the amount of the actual damages suffered.

Maturity and Payment of the Compensation

Compensation becomes due payable 4 weeks after the point in time at which BGV received the documentation necessary for the determination of the amount of the damages and the scope of its liability.

Four weeks after notification of the damages, a partial payment can be demanded of the sum which is the minimum to be paid in accordance with the state of the damage appraisal and facts of the case.

The payment obligation of BGV is deferred for as long as the compensation cannot be ascertained or paid due to the fault of the insured party.

Compensation will be paid first when the damages have been properly repaired. Should repair of the damages fail to occur within 1 year, then the proprietor loses his/her right to compensation. This deadline can be extended for a maximum of 1 year on important grounds.

A minimum value compensation can be paid out if

- repair is not possible.
- repair in accordance with the previous usage of the property is not necessary.
- repair costs are unreasonably large in relation to the previous earnings or measured according to the value of the land.

Art. 5 Legal Bases

These terms for property insurance are an excerpt from the following legal decrees:

- a. Legislation of January 12th, 1981 governing the insurance of buildings, properties and external transportable objects (Property Insurance Law)
- b. Decree of December 1st, 1981 on the Property Insurance Law

c. Regulation of October 26th, 1988 on the Property Insurance Law

d. Resolution of the Administrative Commission of September 20th, 2017

With the help of these terms, the insured party should receive an overview of the essential fundamentals of the insurance relationship.

The specified legal bases override these terms in any case.

Art. 6 Judicature

Objection can be filed with the BGV Directorship within 10 days against orders of the Administration.

Complaint can be filed with the Administrative Commission within 10 days against orders of the BGV Directorship.

Complaint can be filed with the Canton Court within 10 days against orders of the Administrative Commission.

Recourse claims are to be asserted through civil law channels.

