

Indemnity- Guide for Users of NERC Services & Facilities

This guide covers loss and/or damage to equipment which is loaned from NERC facilities. NERC facilities include those within the NERC Service and Facilities Portfolio, NERC Marine facilities and NERC Aircraft facilities.

1. Customers are expected to take all reasonable steps to protect the assets of the Facility, and all borrowers are required to sign a form on which their institution acknowledges receipt of the equipment in good condition and agrees to exercise due care and attention while the equipment is in their possession.
2. Customers awarded free access to equipment are not formally required to indemnify NERC against loss of, or damage to, its equipment. However, they should be aware that they remain liable for the total costs of replacing or repairing such equipment lost or damaged whilst in their care, whether through theft, or other causes. Customers are strongly encouraged to insure against such loss, or otherwise they will be considered to have accepted responsibility to self-insure.
3. It is recommended that customers borrowing equipment add this to their Institution's block insurance for the duration of the loan, especially if the customer is taking equipment overseas. Often this does not cost anything extra (or involves only minor additional premium) and, as well as covering the insurance of the equipment, provides customers with peace of mind. Insurance costs should already be factored into Universities' Full Economic Costs.
4. Examples of negligence:
 - Leaving equipment in an unlocked car
 - Leaving equipment on the roof of a car and driving off
 - Running over pieces of equipment with a car
 - Not taking appropriate steps to obtain compensation for damage incurred whilst equipment is in possession of a third party e.g. a transit carrier.
5. NERC assumes responsibility for equipment while it is in transit arranged by the NERC facility. However, this is only applicable to transit within the United Kingdom (UK), and customers assume liability once the equipment has left the UK.
6. Commercial loans (whereby users pay for access to Facility equipment) will be expected to indemnify NERC against loss of, or damage to, its equipment, either within the UK or overseas.