



Information sheet

Leaving items unattended in a public place

Travel insurance policies often contain exclusions for belongings left unattended in a public place. Read this guide to understand what you need to do with your belongings while travelling, to avoid your insurer declining your claim.

What is an unattended in a public place exclusion?

Insurance policies contain reasonable care conditions that require you to take care of your insured property.

Travel insurance policies often exclude claims for belongings that have been left unattended in a public place. Each policy will contain its own wording and details of what situations are excluded. Check your policy for details before you travel.

Generally, if you leave your belongings unattended in a place like a train station, park, restaurant or beach, any theft or loss will be excluded by the policy.

Why is it an issue for consumers?

Experiencing a theft while overseas is a stressful experience. Consumers expect insurers will pay claims where belongings have been stolen or lost. However, travel insurance does not cover every situation.

If you have contributed to the theft or loss occurring due to leaving your belongings unattended in a public place, you may find your insurer declines your claim.

Consumers need to ensure they take appropriate precautions to keep their belongings safe while overseas.

Things to know about unattended in a public place exclusions

What “unattended” means

Your travel policy will likely contain a definition of what “unattended” means. This is the definition that applies to you.

Generally, “unattended” means that you are not able to see the item and you are not in a position to have a reasonable chance of preventing it from being taken.

Examples include:

- Storing your bags a distance away from you, where you cannot see them or stop a theft, if needed
- Putting your phone and watch by the pool while you go for a swim
- Leaving your laptop on a café table while you use the bathroom.

What a “public place” means

Your travel policy will also contain details of what is considered a “public place”. Your policy may give examples of public places, to help you understand your obligations.

Generally, a public place is an area where members of the public have access. This can include places like airports, stations, beaches, pools, movie theatres, hotel foyers and restaurants.

Circumstances where an insurer cannot rely on an unattended in a public place exclusion

An insurer cannot rely on an unattended policy exclusion if the insured can show leaving the items unattended did not cause or contribute to the theft or loss.

For example, if your bags were in a different area of the bus and they were damaged when the bus crashed, the fact they were not closer to you probably had no impact on whether they would have been damaged. The damage would probably have occurred regardless of where the items were on the bus.

If there was no other option available except to leave belongings unattended, then the insurer may not be able to rely on an unattended exclusion. For example, if you were involved in an emergency evacuation and were instructed to leave your luggage behind.

The circumstances of the claim are important and the IFSO Scheme reviews complaints on a case-by-case basis.

What to do if your belongings are stolen while overseas

Report lost or stolen items to police immediately. Your policy will provide specific timeframes for reporting (i.e. 24 hours). Then, notify your insurer as soon as possible.

Details of a free 24-hour helpline for emergency medical and travel assistance service should be in the policy - check it out before you go and save the contact details.

My claim has been declined – what do I do now?

You can request a review of the claim decision through your insurer’s internal complaints process. If you are unhappy with the complaint response, you can ask the IFSO Scheme to investigate your complaint, for free.

Tips to avoid problems

Read your policy

Read your insurance policy and make sure you understand the precautions you need to take to keep your belongings safe while overseas.

Talk to your insurer if you are unsure about the cover, or your obligations.

Take care of your valuables and bags

When you're out and about on your trip, make sure your bags and valuables are always within your sight and control. Don't leave them at a distance where you are unable to take possession of them immediately, if needed.

Wear your jewellery or keep it in a safe

Some travel policies will only cover loss to jewellery that is being worn by you. If you have jewellery you are not wearing, keep it stored in a safe, if possible.

Real life examples

Ms Eaves'* glasses accident

Ms Eaves made a travel claim after her glasses were washed out to sea after being placed on a sun lounger. The insurer declined the claim, because the glasses had been left unattended while she was swimming. Ms Eaves said that she was visually impaired and leaving them on the sun lounger was the most appropriate option – she could not leave them in her room because she needed them to walk to the beach; if she took her bag with her to place them in, her bag risked being stolen; and she could not wear them in the ocean without risk of losing them. Ms Eaves questioned whether the insurer expected her to not go swimming because she was visually impaired.

The IFSO Scheme spoke to the insurer about Ms Eaves particular circumstances and that it was not appropriate to say Ms Eaves had failed to take care of her glasses. The insurer subsequently paid the claim.

Raj's* train station robbery

Raj was at a train station in Switzerland and had some rubbish he needed to take to the bin. Raj left his designer bag on the pavement (with \$13,000 of accessories and electronics in it) and walked to the rubbish bin about 7 meters away. His bag was stolen while he was walking to the bin.

Raj's insurer declined his claim, because he had left his bag unattended in a public place. The IFSO Scheme agreed that Raj had lost sight of his bag and didn't have control over it. The insurer was able to rely on the policy exclusion to decline the claim.

*Names have been changed