

## TO ALL MEMBERS

9 February 2018

### RENEWAL 2018/19 POLICY YEAR

Here follows an update to members on various renewal matters:

#### 1. **Changes to the P&I, Offshore, Defence, War Risks and London class rules**

The changes set out in our circular dated 21 December 2017 were approved at the meetings of members held on 31 January 2018.

#### 2. **Limits of cover for the 2018/19 policy year**

The proposed cover limits are the same as the current policy year, and are set out below:

##### **Owners' entries**

- Oil pollution claims will continue to be limited to \$1bn any one event, subject to the usual International Group non-aggregation wording.
- Crew and passenger claims will be limited to \$3bn in the aggregate any one event, with passenger claims being sub-limited to \$2bn, subject to the full limitation wording.
- All other claims will be limited as defined in the overspill claim rules.

A number of members have enquired whether excess oil pollution cover is likely to be available for 2018/19 policy year. It is anticipated that oil pollution cover excess of \$1bn will be available to poolable members to purchase for 2018/19 and they should contact their broker or the club if interested. If arranged by the club it will certify the cover only as agents on behalf of underwriters.

##### **Charterers' entries**

Cover in respect of charterers' entries, cover for charterers named as joint entrants and co-assureds, and cover for members' liabilities arising under consortium arrangements, is subject to a limit of \$350m for P&I risks unless otherwise stated in the certificate of entry.

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The Standard Club Europe Ltd

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Charterers' P&I cover is provided pursuant to reinsurance placed separately from the International Group Pool. This reinsurance can accept risks with a combined single limit (P&I and Damage to Hull) of up to \$1bn subject to agreement.

The cover for charterers can include, if agreed by the managers and against an additional premium, cover for liabilities of the charterer in his capacity as owner of the cargo.

### **Additional covers**

For additional covers, such as fixed premium P&I, P&I war risks, offshore and specialist risks, contractual covers, K&R, professional liability, traders etc., limits are as specifically agreed and are dependent on cover under the non-poolable reinsurance programme (currently not exceeding \$1bn) or other specific reinsurances. These are specific to the member concerned and set out in each certificate of entry.

### **3. War risks**

Cover for excess war and terrorism risks in respect of standard P&I cover continues, as before, with a limit of \$500m. Cover for war and terrorism risks in respect of additional covers continues to be limited to the amounts specifically agreed by the club and set out in the certificate of entry, or \$100m, whichever is the lesser. Cover for bio-chem risks for owners continues to be limited to \$30m.

### **4. US terrorism risks**

The board has resolved that cover for acts of terrorism as defined in the US Terrorism Risk Insurance Program Reauthorization Act 2015 will be made available for the forthcoming policy year. The Act applies to very few ships entered in the club but, for those that are eligible, a premium of US cents 0.25 per gt will be deemed attributable to these risks and will be included within the overall premium. Under the terms of the Act, the US Government pays a proportion of covered terrorism losses exceeding the statutory established deductible paid by the insurance company providing the cover.

The Act, as amended, also imposes a program trigger on the Government's compensation, i.e. insurers cannot have the benefit of the Government's compensation unless the aggregate industry insured losses from a certified act of terrorism exceed a certain insured loss or 'trigger' amount (currently \$160m). In addition, if the aggregate insured losses exceed \$100bn during any program year, the Government shall not make any payment for any portion of the amount of such losses that exceeds \$100bn and no insurer that has met its insurer deductible shall be liable for the payment of any portion of that amount that exceeds \$100bn.

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## 5. Blue cards

The club will provide blue cards in respect of CLC, Bunkers and Wreck Removal Conventions and the EU Passenger Liability Regulation for ships entered in the club for the forthcoming policy year. Blue cards will also be issued prior to agreement of renewal terms provided the member gives a written undertaking to the club to renew with the club or another International Group P&I club.

## 6. MLC Certification

The club can provide MLC certificates of financial security in respect of outstanding wages and repatriation of seafarers together with incidental costs and expenses in accordance with MLC Regulation 2.5, Standard A2.5.2 and Guideline B2.5, and compensation for death or long-term disability in accordance with Regulation 4.2, Standard A4.2.1 and Guideline B4.2. Upon completion of the relevant application form, the club is able to provide MLC certificates of financial security on the basis set out in the MLC Extension Clause. This provides that the club will pay claims advanced by seafarers which fall within the scope of the Regulations and Standards specified in the MLC Certificates of financial security. The clause also provides that where such payments fall outside the scope of standard cover, members will be obliged to reimburse the club. In such circumstances, all members and joint entrants are reminded that they are jointly and severally liable to reimburse the club for any MLC liabilities falling outside standard P&I cover. Where the P&I policy excludes crew risks, the insurers who provide owners with P&I cover for crew risks should provide the MLC certificates of financial security, however, in certain circumstances, the club may still issue the certificates upon receipt of a club approved indemnity.

## 7. Calls and releases

The board reviewed the club's financial position at its meeting on 31 January 2018. No supplementary calls are expected to be necessary for any open policy year for any of the P&I, Defence, London or War classes.

For the P&I and Defence classes, release call margins were confirmed at 0% for the 2015/16 and 2016/17 policy year and 6% for the 2017/18 policy year, with provisional release calls for the 2018/19 policy year set at 6%. The 2015/16 policy year is expected to be closed in May 2018.

The London and War class release call margins were confirmed at 0% of ETP for all open policy years, with the provisional release call for 2018/19 also set at 0%.

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## 8. Outstanding premiums

Members are reminded that all renewals are subject to there being no outstanding sums owing to the club at 20 February 2018. In the event that any sums are outstanding, cover will be suspended from 20 February 2018, without further notice, until such sums are paid. Members are also reminded that when they appoint a broker, the broker is the member's agent. Accordingly, payment of premium to the broker does not constitute payment to the club and it remains the member's responsibility to ensure that premium is paid to the club.

All insured parties are deemed to have confirmed that they accept to be bound by all of the club rules including, but not limited to, the rules relating to supplementary calls, release calls, overspill calls, law and jurisdiction, and accept the liability to pay supplementary, release and overspill calls as levied by the board under rules 18, 19 and 21 respectively. The reference to these specific obligations and rule provisions does not in any way derogate from all insured parties' agreement to be bound by all of the club rules.

## 9. Shared bank charges – Payment Services Regulations 2017

The new Payment Services Regulations 2017 (PSRs) give effect in UK law to the provisions of the revised EU Payment Services Directive (PSD2) which came into force on 13 January 2018. PSD2 is a European Directive which aims to promote competition, enhance consumer protection and encourage innovation in payments.

The PSRs will affect most organisations within the European Economic Area (EEA) and some organisations outside the EEA with the main impact being that the sharing of bank charges between the beneficiary and the remitter is now mandatory. The payment remitter no longer has the option to accept all the bank charges and therefore the beneficiary will receive the payment amount less their share of the bank charges.

The PSRs extend to all transactions within the EEA irrespective of currency and also to transactions in EEA currencies irrespective of the remitter or beneficiary's location. All such transactions will be subject to shared bank charges.

## 10. Cyber-crime and information security

The threat from cyber-crime has increased considerably over recent years, with an increase in both the volume of activity, as well as the sophistication of cyber criminals. The club's managers have introduced a number of measures to mitigate this threat and continue to closely monitor any attempted criminal activity.

We have recently seen a number of instances of members receiving emails, purporting to be from the club, advising of new banking details. For the avoidance of doubt, the club's banking details have not been changed. Please do exercise appropriate due diligence and professional scepticism in such circumstances and do not hesitate to contact us directly should you have any doubts.

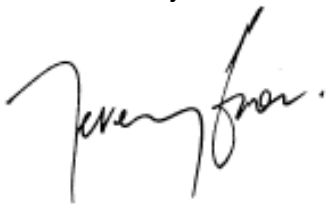
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## 11. Charles Taylor & Co. Limited

As reported to the board in Paris, with effect from 9 January 2018, Charles Taylor & Co. Limited, the agent for the managers of The Standard Club Europe Ltd, is directly authorised by the Financial Conduct Authority under their reference number 785106. As a result of direct authorisation, Charles Taylor & Co. Limited's status as appointed representative of Charles Taylor Services Limited concluded with effect from the same date.

Direct authorisation aligns the regulated activities within Charles Taylor plc with the regulated activities of its clients, enhancing Charles Taylor & Co. Limited's ability to control the regulatory risks presented to it independently of any other authorised firm (previously Charles Taylor Services Limited). It will also help ensure that Charles Taylor & Co. Limited's plans for Brexit are aligned with The Standard Club Europe Ltd.

Yours faithfully



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