

CIRCULAR REF: 2017/004

**CIRCULATED TO ALL MEMBERS, BROKERS AND DIRECTORS
ATTENTION INSURANCE DEPARTMENT**

**19 JANUARY 2017
PAJ/JAK**

POLICY YEAR 2017 - RENEWAL

We hereby provide Members with an up-date on a number of issues applying to Renewal and the new Policy Year.

Rules and Terms of Entry

Various amendments have been notified to Members in the Club's Circular Ref: [2017/003](#) of 19 January 2017.

International Group Reinsurance

The International Group's ("the Group") General Excess of Loss Reinsurance ("GXL") contract has been renewed and the details of this renewal have already been notified to Members in the Club's Circular Ref: [2016/034](#). The continuing application however of US primary sanctions to the current US domiciled reinsurers has compelled the Group to not renew their lines on the contracts for 2017/18 and they have consequently been substituted with alternative capacity. As a result, the risk of a shortfall in US domiciled reinsurer contributions due to the current US primary sanctions has been removed, and there will therefore be no need to renew the current "fall-back" reinsurance programme beyond 20 February 2017.

Sanctions

Members are reminded that pursuant to the amendments to the 2011/2012 Rules, liabilities, costs and expenses that are not recovered from the Group's GXL Contract by reason of the fact that payment of such claims would expose reinsurers to sanctions, are excluded from Pooling.

Charterer's Entries

The standard limit of cover under the Club's reinsurance programme for Charterers will remain as per the Rules at US\$350 million each event for all claims under any one Entry. However, alternative limits of cover may be agreed by the Managers and will be shown in the Certificate of Entry.

P&I War Risks

The limit of cover for excess P&I War Risks cover provided by the Club in respect of an Owners entry, will continue to be US\$500 million each event in excess of the Entered Ship's value or US\$100 million, whichever is the lesser, with the same aggregate limits as at present. Members are reminded of the need to ensure that they have arranged adequate

CIRCULAR

THE NORTH OF ENGLAND P&I ASSOCIATION LIMITED 100 The Quayside, Newcastle upon Tyne, UK, NE1 3DU
Telephone: +44 (0) 191 2325221 Fax: +44 (0) 191 2610540 www.nepia.com

The North of England Protecting and Indemnity Association Limited. Registered in England No. 505456. Registered office address above.

Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

Hong Kong: Room 3011 COSCO Tower, 183 Queen's Road, Central, Hong Kong Telephone: +852 25446813 Fax: +852 25424424.

Greece: 5-7 Aghiou Nikolaou, GR 185 37 Piraeus, Greece Telephone: +30 210 4283038 Fax: +30 210 4280920.

Singapore: 80 Anson Road, #26-04 Fuji Xerox Towers, Singapore 079907 Telephone: +65 64110160 Fax: +65 62240160.

Tokyo: Shinkyobashi Building, 6th Floor, 2-8-8 Kyobashi, Chuo-ku, Tokyo, Japan, 104 – 0031 Telephone: +81 (3) 5159 5373 Fax: +81 (3) 5250 0003.

North of England Marine Consultants (Shanghai) Ltd Co.: Room 11D, Phase B, Shinmay Union Building, 506 Shangcheng Road, Pudong, 200120, Shanghai, China Telephone: +86 21 6087 5988 Fax: +86 21 6087 6198.

underlying war risks insurance with cover for P&I risks, including crew, for the risks excluded by the Club's Rule 24(1), up to the proper value of the Entered Ship or US\$100 million, whichever is the lesser.

The limits of cover in respect of P&I War Risks cover for Charterer's Entries will be as set out in each Member's individual terms of entry, and the cover will operate in excess of the Member's appropriate deductible with the Club .

Bio-chem Risks

In view of the exclusion of bio-chemical risks from the excess P&I War Risks cover and in recognition of the absence of suitable underlying facilities in the insurance market, as first advised in the Club's Circular of 1 March 2004, the Club will, at no additional premium, continue to provide cover which is pooled with the other Group Clubs on the same basis as in the current Policy Year, namely for:-

1. damages, compensation or expenses in consequence of the personal injury to or illness or death of any seaman (including diversion expenses, repatriation and substitution expense and shipwreck unemployment indemnity); and
2. legal costs and expenses incurred solely for the purpose of avoiding or minimising claims from Bio-chem Risks.

Cover is provided in excess of the Member's usual deductible up to a limit of US\$30 million any one accident or occurrence or series of accidents or occurrences arising from one event each ship. This limit will apply to all interests (for example, Owners, Charterers and sub-Charterers) in each ship in the aggregate regardless of whether or not they are entered in different Group Clubs.

Cover is subject to a cancellation provision of 24-hours' notice and areas of particular risk may be excluded from cover by decision of the Directors. There are no current excluded areas.

Heavy Fuel Oil Cargoes

Following renewal, Members will be required to declare to the Club, which of their ships have carried heavy fuel oil as cargo in the previous 12 months. This has been a requirement since February 2006, and may result in surveys of Members' ships.

Circulars

Members are reminded of the provisions of the Club's Circulars Rule 32 and that they should use their best endeavours to comply with any recommendation made by Circular. Copies of all Circulars may be viewed at or downloaded from the "Circulars" section of the Club's website at www.nepia.com.

United States Terrorism Risk Insurance Act (TRIA)

At their meeting on 18 January 2017, the Directors have resolved that cover for acts of terrorism as defined in TRIA (which has been further extended by the Terrorism Risk Insurance Programme Reauthorisation Act of 2015, up to 31 December 2020) will continue to be made available. The Act applies only to certain 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. A separate, more detailed notice has been given to eligible Members.

Extended and Ancillary Insurance Covers

The Club's website, www.nepia.com, contains details of the extended and ancillary covers available to Members for the 2017 Policy Year. The reinsurance programme underlying many of the Club's ancillary covers is structured to provide flexibility and diversity to cater particularly for Members' non-Poolable insurance requirements.

Summary of Cover

In addition to the Certificates of Entry for the 2017 Policy Year, ships which are entered by owners will receive a Summary of Cover. This document is intended to be kept onboard ships and shown to port state authorities as evidence of the existence of P&I cover in relation to wreck removal and oil pollution. However, it should be noted that this document does not constitute any part of the Contract of Insurance and should not be construed as evidence of any undertaking, financial or otherwise, on the part of the Club to any other party. Presentation by the Member of this Summary of Cover

as evidence of insurance under any applicable law relating to financial responsibility or otherwise, is not to be taken as any indication that the Club consents to act as guarantor or to be sued directly in any jurisdiction. The Club does not so consent.

Completed Renewal Documentation

All renewal documentation including Certificates of Entry and Debit Notes, will be forwarded in electronic format only.

Laid up Returns

Members are reminded of the Club's requirements in respect of any entitlement to laid up returns and, in particular, that ships should be laid up in a safe port approved by the Managers. In addition, the Managers must be advised in advance of any ship preparing to leave a period of lay-up as the ship may be required to undergo survey in accordance with the Club's survey requirements. The Club issued a loss prevention briefing in respect of vessel lay-up in February 2016.

Premiums and Releases

As advised in Circular Ref: [2016/028](#), issued in November 2016, the Club remains in a financially stable position with an "A" Stable rating from Standard & Poor's. The Release Calls assessed in November 2016 will remain unchanged and unbudgeted premiums are not anticipated in respect of any open Policy Years.

Outstanding Premiums

Final confirmation of renewal will be subject to there being no sums due or owed to the Club. Renewal documentation will not be made available to Members until any outstanding sums are paid or appropriately secured.

The Club's underwriting department will be happy to deal with any questions arising on any of the above matters.

PAUL JENNINGS

JOINT MANAGING DIRECTOR

The North of England P&I Association Limited