

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
COMMERCIAL COURT (QBD)
FINANCIAL LIST
FINANCIAL MARKETS TEST CASE SCHEME

BETWEEN

THE FINANCIAL CONDUCT AUTHORITY

Claimant

-and-

- (1) ARCH INSURANCE (UK) LIMITED**
(2) ARGENTA SYNDICATE MANAGEMENT LIMITED
(3) ECCLESIASTICAL INSURANCE OFFICE PLC
(4) HISCOX INSURANCE COMPANY LIMITED
(5) QBE UK LIMITED
(6) MS AMLIN UNDERWRITING LIMITED
(7) ROYAL & SUN ALLIANCE INSURANCE PLC
(8) ZURICH INSURANCE PLC

Defendants

AGREED FACTS – DOCUMENT 9

DISTRIBUTION CHANNELS

ARCH INSURANCE (UK) LIMITED

1. The Arch policies which are the subject of these proceedings were all placed by brokers acting as authorised independent insurance intermediaries for and on behalf of the policyholders.
2. The Arch1 wording has been issued only to policyholders in the categories of business set out below:

		Commercial combined		Office		Retailers		Total	
		Count	Percent	Count	Percent	Count	Percent	Count	Percent
Cat 1	Hospitality	0	0.00%	0	0.00%	24	0.88%	24	0.40%
Cat 2	Leisure	537	29.01%	0	0.00%	95	3.49%	632	10.50%
Cat 3	Essential retail	0	0.00%	319	22.11%	1992	73.13%	2311	38.40%
Cat 4	Non-essential retail	0	0.00%	143	9.91%	613	22.50%	756	12.56%
Cat 5	Service businesses	1312	70.88%	981	67.98%	0	0.00%	2293	38.10%
Cat 6	Hotels & accommodation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Cat 7	Education	2	0.11%	0	0.00%	0	0.00%	2	0.03%
Total		1851	100.00%	1443	100.00%	2724	100.00%	6018	100.00%

3. The redacted policy schedule is an exemplar policy schedule which was used for the Arch Policies issued in 2019 and 2020.

ARGENTA SYNDICATE MANAGEMENT LIMITED

4. The Argenta policies which are the subject of these proceedings were all placed by brokers acting as authorised independent insurance intermediaries for and on behalf of the policyholders.

ROYAL & SUN ALLIANCE INSURANCE PLC

5. As to RSA Type 4 policies (the Marsh / Jelf Resilience wording), Marsh / Jelf did not act for RSA. The wordings were prepared by Marsh / Jelf and agreed to by RSA. The insurance was placed by Marsh / Jelf acting for and on behalf of the policyholder.
6. As to RSA Type 2.1, 2.2, and 3 (the Eaton Gate wordings) and RSA Type 4 (the Marsh / Jelf Resilience wording) policies, the insurance was placed by an authorised independent insurance intermediary acting for and on behalf of the policyholder.

QBE UK LIMITED

7. The QBE policies which are the subject of these proceedings were all placed by brokers acting as authorised independent insurance intermediaries for and on behalf of the policyholders.

ZURICH INSURANCE PLC

8. As to Zurich Type 1 and Type 2 policies the insurance was placed by an authorised independent insurance intermediary acting for and on behalf of the policyholder. The majority of the policies were placed through online portals which could be accessed only by authorised insurance intermediaries. No policies were purchased direct by policyholders.