

# **CIRCULAR**

By your side

# TO ALL MEMBERS

15 January 2021

**Dear Sirs** 

#### **GENERAL MEETINGS**

#### Special general meeting of all members

A special general meeting of the members will take place on 2 February 2021 to approve directors' fees, details of which will be tabled to the meeting.

#### Class meetings – class rules and other matters

Class meetings will also take place on 2 February 2021 to adopt the rules of each class and, in the case of the Strike & Delay class, to approve class committee member fees.

Proposed amendments to the club's Protection & Indemnity class (including Offshore Protection & Indemnity), London class, War risks class and Strike & Delay class rules are set out in the attachments to this letter, including explanations for the proposed changes, and details of the meetings of members necessary to effect these proposed amendments.

The relevant meeting notices are referred to below.

#### **Meeting notices**

In Appendix A to this letter, you will find a notice of a special general meeting of all members and notices of general meeting of members of each class.

In Appendix B you will find details of the proposed rule amendments to the Protection & Indemnity rules and London class rules, together with explanatory notes. Appendix C outlines the proposed rule amendments to the Offshore Protection & Indemnity rules, together with explanatory notes. Appendix D outlines the proposed rule amendments to the War risks class rules, together with explanatory notes. Appendix E outlines the proposed rule amendments to the Strike & Delay class rules, together with explanatory notes.

#### **Meeting arrangements**

Due to the current pandemic the meeting will be held virtually originating from the club's office in Bermuda. If you wish to attend the meeting please send an email to <u>Clare.Harbridge@standard-club.com</u>.

Registered Address: The Minster Building, 21 Mincing Lane, London, EC3R 7AG

Telephone: +44 20 3320 8888 E-mail: pandi.london@ctplc.com





## **Proxy forms**

Proxy forms for the meetings are enclosed. It is important that the proxy forms should be completed correctly, and your attention is drawn to the notes at the bottom of the proxy forms. A proxy need not be a member but you are reminded that, to be valid, the forms, duly completed, must reach the club's secretary by email to <u>pandi.bermuda@ctplc.com</u>, not less than 48 hours before the time of the meetings. Completion and return of the proxy forms will not prevent you from attending and voting in person if you so wish.

Yours faithfully

we

Jeremy Grose Director and Group Chief Executive The Standard Club Limited

Email: jeremy.grose@standard-club.com

## **APPENDIX A**

## THE STANDARD CLUB LTD

('the company')

Registered no: 1837

## NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a General Meeting of the members of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST) for the purpose of considering and, if thought fit, passing the following resolution:

#### Approval of directors' remuneration

1. THAT the directors' remuneration, as set out in the schedule tabled to the meeting, be approved.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited (Bermuda) Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- 1. A member of the company entitled to attend, speak and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same) is sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.

('the company')

Registered no: 1837

#### NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a general meeting of the members of the Protection & Indemnity class (class 1) of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/ AST) for the purpose of considering and, if thought fit, passing the following resolutions:

#### Adoption of class rules

- 1. THAT with effect from noon GMT on 20 February 2021, the rules of the Protection & Indemnity class of the company be adopted, including amendments as set out in Appendix B to the letter to the members dated 15 January 2021.
- 2. THAT with effect from noon GMT on 20 February 2021, the Offshore Protection & Indemnity rules of the Protection & Indemnity class of the company be adopted, including amendments as set out in Appendix C to the letter to the members dated 15 January 2021.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited (Bermuda) Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- 1. A member of the company entitled to attend, speak and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same), is sent to Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.
- 5. Copies of the rules and the Offshore rules of the Protection & Indemnity class for the current policy year (2020/21) are available on the Standard Club website.

('the company')

#### Registered no: 1837

#### NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a general meeting of the members of the Defence class (class 2) of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/ AST) for the purpose of considering and, if thought fit, passing the following resolution:

#### Adoption of class rules

1. THAT with effect from noon GMT on 20 February 2021, the rules of the Defence class (class 2) of the company be adopted.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- A member of the company entitled to attend, speak and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same), is sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.
- 5. Copies of the rules of the Defence class for the current policy year (2020/21) are available on the Standard Club website.

('the company')

#### Registered no: 1837

## NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a general meeting of the members of the London class (class 3) of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/ AST) for the purpose of considering and, if thought fit, passing the following resolution:

#### Adoption of class rules

1. THAT with effect from noon GMT on 20 February 2021, the rules of the London class (class 3) of the company be adopted, including amendments as set out in Appendix B to the letter to the members dated 15 January 2021.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- 1. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same) is sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.
- 5. Copies of the rules of the London class for the current policy year (2020/21) are available on the Standard Club website.

## ('the company')

#### Registered no: 1837

#### NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a general meeting of the members of the War risks class (class 4) of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/ AST) for the purpose of considering and, if thought fit, passing the following resolution:

#### Adoption of class rules

1. THAT with effect from noon GMT on 20 February 2021, the rules of the War risks class (class 4) of the company be adopted, including amendments as set out in Appendix D to the letter to the members dated 15 January 2021.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- 1. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same) is sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.
- 5. Copies of the rules of the War risks class for the current policy year (2020/21) are available on the Standard Club website.

('the company')

#### Registered no: 1837

#### NOTICE OF A GENERAL MEETING

**NOTICE IS HEREBY GIVEN THAT** a general meeting of the members of the Strike & Delay class (class 5) of the company will be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/ AST) for the purpose of considering and, if thought fit, passing the following resolutions:

#### Adoption of class rules

1. THAT with effect from noon GMT on 20 February 2021, the rules of the Strike & Delay class (class 5) of the company be adopted, including amendments as set out in Appendix E to the letter to the members dated 15 January 2021.

#### Class committee member remuneration

2. THAT the remuneration of the members of the Strike and Delay class committee, as set out in the schedule tabled to the meeting, be approved.

Date: 15 January 2021 By order of the Board

Charles Taylor & Co. Limited Secretary Registered office: Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street Hamilton HM22

- 1. A member of the company entitled to attend, speak, and vote at the above meeting is entitled to appoint a proxy to attend, speak and vote on their behalf. The proxy need not be a member of the company.
- 2. The appointment of a proxy will not prevent a member from subsequently attending, speaking, and voting at the meeting in person. Details of how to appoint the Chairman of the meeting or another person as your proxy are set out in the notes to the Form of Proxy. If you wish your proxy to speak at your behalf at the meeting, you will need to appoint your own choice of proxy (not the Chairman) and give your instructions directly to them.
- 3. For the instrument appointing a proxy to be effective you must complete the enclosed Form of Proxy and ensure that the Form of Proxy, together with any power of attorney or other authority under which it is executed (or a notarised certified copy of the same) is sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for the holding of the meeting or adjourned meeting.
- 4. A corporate member can appoint one or more corporate representatives who may exercise, on its behalf, all its powers as a member provided that no more than one corporate representative exercises powers over the same vote.
- 5. Copies of the rules of the Strike & Delay class for the current policy year (2020/21) are available on the Standard Club website.

## **APPENDIX B**

## P&I CLASS RULES

## LONDON CLASS RULES

## AMENDMENTS TO THE RULES

#### 1. Cargo liabilities

This change clarifies that, in addition to the Hamburg Rules, where cargo liabilities are assumed solely by reason of the incorporation by law of other terms of mandatory application, then such liabilities are not excluded.

Exclusion (1) to rule 3.13

Amend the clause to read as follows:

"the carriage of cargo on contractual terms more onerous to the carrier than those of the Hague or Hague-Visby Rules, or equally wide exemptions of the carrier from liability, save where it is on such terms solely by reason of the incorporation by law of either the Hamburg Rules or other terms of mandatory application, or parts thereof, to the extent that the liabilities exceed those which would have been incurred had the contract been on the Hague, Hague-Visby, Hamburg or other terms of mandatory application as applicable, unless the contract has been approved in advance by the managers"

## 2. Smuggling fines

This change makes cover for smuggling fines discretionary and replicates a corresponding amendment that is to be made to the Pooling Agreement and to the rules of all other IG clubs with effect from 20 February 2021. This amendment will not be made to the Fixed Premium Rules of the P&I Class.

Rule 3.16.1 - after "documentation of cargo" insert "(other than fines or penalties arising from the smuggling of goods or cargo or any attempt thereat)"

Rule 3.16.2 - delete "smuggling or" and "customs or"

#### 3. P&I war risks under Blue Cards

This amendment clarifies that the obligation of a member to indemnify the club for any payment made by the club in respect of P&I war risks under a Blue Card applies whether or not the member has chosen to take out a P&I war risks policy.

Rule 4.6 – after "standard P&I war risks policy had the member" insert "entered into such policy and"

#### 4. Joint entrants

The decision of the UK Supreme Court in the *Ocean Victory* case has created a small risk that, in the context of a bareboat charterparty, a liability incurred in the first instance by an owner cannot be claimed against the bareboat charterer on the basis that an 'insurance solution' has been agreed between them under the charterparty so that the bareboat charterer bears no liability towards the owner. This is a minor legal but significant commercial risk and also has the effect of preventing the club from bringing subrogated claims against third parties in respect of the liability that was incurred by the owner (and insured by the club) in the first instance.

To protect against this, an amendment has been made to the Pooling Agreement so that the provision of co-assurance by a club in the context of a bareboat charterparty does not operate to exclude liability under the charterparty and that any payment by the club to the member in respect of insured liabilities only operates as satisfaction but not the exclusion or discharge of the underlying liability of the bareboat charterer. This amendment to the rules replicates the corresponding amendment to the Pooling Agreement.

Rule 13 - renumber rule 13.3 as "13.3 a"

Insert new rule *"13.3 b"* as follows:

"The liability of a joint entrant and the member to each other shall not be excluded nor discharged by reason of the joint entrant being accepted by the club as a joint entrant in accordance with this rule 13. Any payment by the club to the member in respect of any liabilities insured by the club shall operate only as satisfaction but not exclusion or discharge of the liability of the joint entrant to the member."

## 5. Co-assureds

This amendment ensures that a co-assured that is not entitled to limit its liability under applicable law is in no more favourable a position than a member who is entitled to limit their liability.

Rule 13.6 - after "does not extend to any amount" delete "which" and insert "to the extent that such amount"

## 6. Definitions

This change amends the definition of 'knock-for-knock' so that it is consistent with the Pooling Agreement for the purposes of towage liabilities, introduces a definition of the Hamburg Rules which, unlike other conventions, was previously undefined in the rules and corrects a typographical inconsistency in the definition of 'Group reinsurance limit'.

Rule 26 (rule 21 of the Fixed Premium Rules)

Insert new definition of *"Hamburg Rules"* as follows:

*"the United Nations Convention on the Carriage of Goods by Sea 1978 concluded at Hamburg on 31 March 1978."* 

Amend the definition of *"knock-for-knock"* to read as follows:

"a provision stipulating, as between the owner of the ship on the one part and the owner of the tow and the owners of any cargo or other property on board the tow on the other part, that each shall be responsible for any loss or damage to his own ship, cargo or property and for loss of life or personal injury on his own ship without any recourse whatsoever against the other."

Amend the definition of *"Group reinsurance limit"* as follows (this change will not apply to the Fixed Premium Rules):

After "general excess loss" insert "reinsurance"

#### 7. Contractual Extension Clause

This amendment removes a duplication of the phrase 'and not excluded in the member's terms of entry.'

Paragraph 1 – after "covered under rule 3" delete "(and not excluded in the member's terms of entry)"

#### 8. Offshore Extension Clauses

This amendment introduces to the clause a non-marine personnel extension for accommodation ships and clarifies that contractual P&I liabilities assumed when performing specialist, ROV or diving operations fall within the scope of cover under the clause.

Re-number paragraphs 5 and 6 as "7" and "8" respectively

In the renumbered paragraph 7 delete "1 to 4" and replace with "1 to 6"

Insert new paragraph 5 titled "Non-marine personnel" as follows:

"Liabilities in respect of personnel (other than marine crew) on board the ship (being an accommodation ship) employed other than by the member provided that there has been a contractual allocation of risks between the member and the employer of the personnel approved by the managers."

Insert new paragraph 6 titled "Terms of indemnity or contract" as follows:

"Liabilities arising under paragraphs 1 to 3 insofar as they would not have arisen but for the terms of any contract or indemnity. The terms of any such contract or indemnity made by the member must have been approved by the managers. There shall be no recovery under this paragraph for any liabilities that are excluded under paragraphs 1 to 3."

#### 9. Cyber risks

These changes clarify that the scope of current exclusions for liabilities arising from the malicious use of a computer virus extends to the malicious use of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system. The amendments also mirror a new cyber exclusion introduced by the reinsurance market and which will be imposed by reinsurers at renewal of the club's non-pool reinsurances.

War risks clause for additional covers:

Paragraph 6 – replace "computer virus" in the title with "cyber risks"

Paragraph 6.1.2 – replace "of any computer virus" with "of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system."

Cargo deviation clause – insert new paragraph 2.4 as follows:

"In no case shall this insurance cover loss, damage, liability or expense directly or indirectly caused by or contributed to by or arising from the use or operation, as a means for inflicting harm, of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system."

Standard Fixed P&I war risks clause:

Paragraph 6 - replace "computer virus" in the title with "cyber risks"

Paragraph 6.1.2 – replace "of any computer virus" with "of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system."

## **APPENDIX C**

## STANDARD OFFSHORE RULES

## AMENDMENTS TO THE RULES

#### 1. Joint entrants

This change mirrors the amendment being made to the P&I Class and London Class rules and mitigates the risk created by the *Ocean Victory* case explained in Appendix B above.

Rule 13 – renumber rule 13.3 as "13.3 a"

Insert new rule *"13.3 b"* as follows:

"The liability of a joint entrant and the member to each other shall not be excluded nor discharged by reason of the joint entrant being accepted by the club as a joint entrant in accordance with this rule 13. Any payment by the club to the member in respect of any liabilities insured by the club shall operate only as satisfaction but not exclusion or discharge of the liability of the joint entrant to the member."

#### 2. Co-assureds

This amendment ensures that a co-assured that is not entitled to limit its liability under applicable law is in no more favourable a position than a member who is entitled to limit their liability.

Rule 13.6 - after "does not extend to any amount" delete "which" and insert "to the extent that such amount"

## 3. Offshore Liability Extension Clause

This amendment clarifies the type of indemnities that need to be incorporated into a contract when the member is chartering-in ships to support the operations of the unit.

Exclusion (3) to paragraph 2.3 – after *"knock-for-knock provision"* delete *"as defined in Section N of the P&I rules of the club"* 

Rule 23 – insert definition of "knock-for-knock" as follows:

"a provision stipulating (1) that each party to a contract shall be similarly responsible for loss of or damage to, and/or death of or injury to, any of its own property or personnel, and/or the property or personnel of its contractors and/or of its or their subcontractors and/or of other third parties, and (2) that such responsibility shall be without recourse to the other party and arise notwithstanding any fault or neglect of any party and (3) that each party shall, in respect of those losses, damages or other liabilities for which it has assumed responsibility, correspondingly indemnify the other party against any liability that that party shall incur in relation thereto."

#### 4. Cyber risks

These changes clarify that the scope of current exclusions for liabilities arising from the malicious use of a computer virus extends to the malicious use of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system.

Rule 4.8 - replace "computer virus" in the title with "cyber risks"

Rule 4.8(2) - replace "of any computer virus" with "of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system."

Offshore P&I war risks clause:

Paragraph 6 - replace "computer virus" in the title with "cyber risks"

Paragraph 6.1.2 - replace "of any computer virus" with "of any computer, computer system, computer software programme, malicious code, computer virus, computer process or any other electronic system."

## APPENDIX D

## WAR RISKS CLASS RULES

## AMENDMENTS TO THE RULES

#### 1. Cyber risks

This change ensures that the non-malicious use of a computer, computer system, computer software programme or any other electronic system is not excluded and is being made as a result of a corresponding amendment that will be made to the club's war risks class reinsurance at renewal.

Insert new rule 4.D.7.2 as follows:

"To the extent not excluded by Rule 4.D.7 any losses, liabilities, costs or expenses otherwise covered under these Rules will not be prejudiced by the involvement of the use or operation of any computer, computer system or computer software programme or any other electronic system."

#### 2. Coronavirus exclusion

This amendment excludes cover for losses, liabilities, costs, and expenses directly arising from the transmission or alleged transmission of COVID-19, SARS-CoV-2 or any mutation or variation of SARS-CoV-2 and is being made as a result of a corresponding amendment that will be required by reinsurers to be made to the club's war risks class reinsurance at renewal.

Insert new rule 4.E.15 as follows:

#### "4.E.15 Coronavirus exclusion

- **4.E.15.1** This insurance shall exclude coverage for:
- **4.E.15.1.1** any loss, damage, liability, cost, or expense directly arising from the transmission or alleged transmission of:
  - a) Coronavirus disease (COVID-19);
  - b) Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2); or
  - c) any mutation or variation of SARS-CoV-2;

or from any fear or threat of a), b) or c) above;

**4.E.15.1.2** any liability, cost, or expense to identify, clean up, detoxify, remove, monitor, or test for a), b) or c) above.

**4.E.15.1.3** any liability for or loss, cost or expense arising out of any loss of revenue, loss of hire, business interruption, loss of market, delay or any indirect financial loss, howsoever described, as a result of any of a), b) or c) above or the fear or the threat thereof."

## APPENDIX E

## **STRIKE & DELAY CLASS RULES**

# AMENDMENTS TO THE RULES

#### 1. Coronavirus exclusion

This amendment excludes cover for any claim caused by or resulting from COVID-19, SARS-CoV-2, any mutation or variation of SARS-CoV-2 or any fear or threat of such disease and is being made due to a corresponding amendment required by reinsurers to be made to the club's strike and delay reinsurance contract.

Insert new rule 5.7 as follows:

"any claim in any way caused by or resulting from:

- a) Coronavirus disease (COVID-19);
- b) Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- c) any mutation or variation of SARS-CoV-2;
- d) any fear or threat of a), b) or c) above."

## ('the company')

#### Registered no: 1837

#### GENERAL MEETING

## 2 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

## Form of Proxy

I (Block Capitals) ....., a member of the above-named

company, hereby appoint the chairman of the meeting or ...... as my proxy to vote for me on my behalf at the special general meeting of the members of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ...... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDI	NARY RESOLUTION	FOR	AGAINST
1.	THAT the remuneration of the directors of the company be approved		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.
- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).
- 4. To be valid at the special general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
- 5. Completion and return of this form will not prevent you from attending and voting in person if you wish.

('the company')

Registered no: 1837

## **GENERAL MEETING OF THE PROTECTION & INDEMNITY CLASS**

## 2 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

# Form of Proxy

I (Block Capitals) ....., a member of the above-named company, hereby appoint the chairman of the meeting or ....., as my proxy to vote for me on my behalf at the general meeting of the members of the Protection & Indemnity class (class 1) of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ..... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDI	NARY RESOLUTIONS	FOR	AGAINST
1.	THAT with effect from noon GMT on 20 February 2021, the rules of the Protection & Indemnity class of the company be adopted, including amendments as set out in Appendix B to the letter to the members dated 15 January 2021.		
2.	THAT with effect from noon GMT on 20 February 2021, the Offshore Protection & Indemnity rules of the Protection & Indemnity class of the company be adopted, including amendments as set out in Appendix C to the letter to the members dated 15 January 2021.		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.

- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).
- 4. To be valid at the general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
- 5. Completion and return of this form will not prevent you from attending and voting in person if you wish.

('the company')

Registered no: 1837

## GENERAL MEETING OF THE DEFENCE CLASS

## 2 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

## Form of Proxy

I (Block Capitals) ....., a member of the above-named company, hereby appoint the chairman of the meeting or ..... as my proxy to vote for me on my behalf at the general meeting of the members of the Defence class (class 2) of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ...... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDIN	ARY RESOLUTION	FOR	AGAINST
1.	THAT with effect from noon GMT on 20 February 2021, the rules of the Defence class of the company be adopted.		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.
- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).
- 4. To be valid at the general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
- 5. Completion and return of this form will not prevent you from attending and voting in person if you wish.

('the company')

Registered no: 1837

#### **GENERAL MEETING OF THE LONDON CLASS**

#### 1 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

## Form of Proxy

I (Block Capitals) ....., a member of the above-named company, hereby appoint the chairman of the meeting or ..... as my proxy to vote for me on my behalf at the general meeting of the members of the London class (class 3) of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ...... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDI	NARY RESOLUTION	FOR	AGAINST
1.	THAT with effect from noon GMT on 20 February 2021, the rules of the London class of the company be adopted, including amendments as set out in Appendix B to the letter to the members dated 15 January 2021.		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.
- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).
- 4. To be valid at the general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
- 5. Completion and return of this form will not prevent you from attending and voting in person if you wish.

('the company')

Registered no: 1837

## GENERAL MEETING OF THE WAR RISKS CLASS

## 2 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

## Form of Proxy

I (Block Capitals) ....., a member of the above-named company, hereby appoint the chairman of the meeting or ...... as my proxy to vote for me on my behalf at the general meeting of the members of the War risks class (class 4) of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ...... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDI	NARY RESOLUTION	FOR	AGAINST
1.	THAT with effect from noon GMT on 20 February 2021, the rules of the War risks class of the company be adopted, including amendments as set out in Appendix D to the letter to the members dated 15 January 2021.		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.
- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).
- 4. To be valid at the general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
- 5. Completion and return of this form will not prevent you from attending and voting in person if you wish.

('the company')

Registered no: 1837

## **GENERAL MEETING OF THE STRIKE & DELAY CLASS**

## 2 February 2021 from 12:30 pm (Bermudian time/AST)

('the meeting')

## Form of Proxy

I (Block Capitals) ....., a member of the above-named company, hereby appoint the chairman of the meeting or ....., as my proxy to vote for me on my behalf at the general meeting of the members of the Strike & Delay class (class 5) of the company to be held virtually, originating from the Swan Building, 2<sup>nd</sup> Floor, 26 Victoria Street, Hamilton HM22, Bermuda on 2 February 2021 from 12:30 pm (Bermudian time/AST), and at any adjournment thereof.

Signature .....

Dated ...... 2021

Please indicate with an X in the spaces below how you wish your votes to be cast.

ORDI	NARY RESOLUTIONS	FOR	AGAINST
1.	THAT with effect from noon GMT on 20 February 2021, the rules of the Strike & Delay class of the company be adopted, including amendments as set out in Appendix E to the letter to the members dated 15 January 2021.		
2.	THAT the remuneration of the members of the Strike & Delay Class committee be approved.		

- 1. If you wish any person other than the Chairman to act as your proxy, please insert the name of your proxy in the space provided. If no name is inserted, you will be deemed to have appointed the Chairman of the meeting. A proxy need not be a member.
- 2. Please indicate with an X in the appropriate spaces how you wish your vote to be cast in respect of each of the resolutions. On receipt of this form duly signed but without any specific direction on how you wish your votes to be cast, the proxy will vote in favour of the resolutions.
- 3. In the case of a corporation, this form must be signed under its common seal or be signed by an authorised officer or attorney duly authorised on that behalf, and the signatory should state in the line below his name, his office (e.g., Company Secretary, Director).

- To be valid at the special general meeting referred to, this form must be completed, signed, and dated. A scanned copy should then be sent to the Secretary of the company by email to <u>pandi.bermuda@ctplc.com</u> not less than 48 hours before the time fixed for holding the meeting or adjourned meeting.
  Completion and return of this form will not prevent you from attending and voting in person if you wish.