

CIRCULAR REF: 2010/001

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

**19 JANUARY 2010
PAJ/JI**

**POLICY YEAR 2010 - CHANGES TO THE MEMORANDUM & ARTICLES OF ASSOCIATION AND THE RULES OF THE
PROTECTING & INDEMNITY AND FREIGHT, DEMURRAGE & DEFENCE CLASSES**

The proposed changes to the Memorandum and Articles of Association and the Rules of the P&I and FD&D Classes as set out in the Notice to Members dated 11 December, 2009 (Circular number 2009/26) were approved at the Members EGM held on Friday 15 January, 2010, and will be effective from 20 February, 2010.

In addition the Directors of the Association subsequently passed a Resolution at their meeting on 15 January 2010, amending the Cesser provisions of the Association's Rules, to include Termination of Membership by operation of Law. Accordingly the following Terms of Entry will be endorsed on all Certificates of Entry for the 2010/2011 Policy Year.

CESSER OF ALL INSURANCES (P&I Class)

Pursuant to Circular No. 2010/01 dated 19 January 2010 additions have been made to the Rules as follows:-

Rule 37 (Cesser of All Insurances)

'(d) where by operation of law the Association is prohibited or prevented from providing Insurance to the Member (the reference to "operation of law" includes any direction, regulation, sanction or other measure issued or implemented by any government, authority or power in a position to require, compel or enforce compliance therewith by the Association or its Members, Directors, Managers, officers, employees, servants or agents).'

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Rule 38 (Cesser of Ship Entry)

'(h) where by operation of law the Association is prohibited or prevented from providing Insurance in respect of the Entered Ship (the reference to "operation of law" includes any direction, regulation, sanction or other measure issued or implemented by any government, authority or power in a position to require, compel or enforce compliance therewith by the Association or its Members, Directors, Managers, officers, employees, servants or agents).'

Rule 40 (Amounts due on Cesser of Insurance)

*'(1)...
PROVIDED ALWAYS THAT...
(iii) Such cesser arises by virtue of Rule 37(d) or Rule 38(h).'*

CESSER OF ALL INSURANCES (FD&D Class)

Pursuant to Circular No. 2010/01 dated 19 January 2010 additions have been made to the Rules as follows:-

Rule 27 (Cesser of All Insurances)

'(d) where by operation of law the Association is prohibited or prevented from providing Insurance to the Member (the reference to "operation of law" includes any direction, regulation, sanction or other measure issued or implemented by any government, authority or power in a position to require, compel or enforce compliance therewith by the Association or its Members, Directors, Managers, officers, employees, servants or agents).'

Rule 28 (Cesser of Ship Entry)

'(h) where by operation of law the Association is prohibited or prevented from providing Insurance in respect of the Entered Ship (the reference to "operation of law" includes any direction, regulation, sanction or other measure issued or implemented by any government, authority or power in a position to require, compel or enforce compliance therewith by the Association or its Members, Directors, Managers, officers, employees, servants or agents).'

Rule 30 (Amounts due on Cesser of Insurance)

*'(1)...
PROVIDED ALWAYS THAT...
'(iii) Such cesser arises by virtue of Rule 27(d) or Rule 28(h).'* "

The amended Memorandum and Articles of Association and P&I and FD&D Rules will be available on the Association's website from 20 February, 2010.

PAUL JENNINGS
JOINT MANAGING DIRECTOR - North Insurance Management Limited
As Managers on behalf of the North of England P&I Association Limited