

Direction

To: The North of England Protecting & Indemnity Association Limited ("the firm")

Ref: 00005794

FRN: 202824

Of: 100 The Quayside, Newcastle upon Tyne, Tyne & Wear, NE1 3DU, UNITED KINGDOM

Date: 9 February 2023

Handbook Version as in force at the date this Direction takes effect

Power

1. This direction is given by the *FCA* under section 138A of the *Act*.

Duration

2.
 - (1) This direction takes effect 15 February 2023
 - (2) This direction ends on 15 February 2027

Rules Modified

3. The *FCA* directs that the rules listed below apply to the firm with the modification shown. Underlining indicates the insertion of new text; strikethrough indicates the deletion of existing *Handbook* text.

Rule	Modification
ICOBS 8.4.4 (2) (b)	(iii) has an effective search function which allows a person inputting data included on the register relating to a particular employer <u>vessel</u> over a particular period to retrieve information on the register relating to a potential employers' liability claim corresponding to that employer <u>vessel</u> and period;
SUP 16.23A.6R(2)	(c) address, in particular, the following risks: (i) information relating to certain policies issued or renewed on or after 20 February 1 April 2011 is entirely omitted from the register even though some relevant policy details are included in the firm's underlying records; (ii) information relating to certain policies in respect of which claims were made on or after 20 February 1 April 2011 is entirely omitted from the register even though some relevant policy details are included in the firm's underlying records;

ICOB S 8 Annex 1	Part 1 In relation to information to be included in the employers' liability register																		
	1.1	R	A <u>firm</u> must:																
		(1)	for each <u>policy</u> it enters into or renews on or after 20 February 1 April 2011, include, in relation to that <u>policy</u> , all the information required by the form in 1.2R, in accordance with the notes;																
		(2)	for each <u>policy</u> not falling in (1) and in relation to which a claim is made on or after 20 February 1 April 2011, include, in relation to that <u>policy</u> , all the information required by the form in 1.2R that the <u>firm</u> holds, in accordance with the notes; and																
		(3)	in relation to (1) and (2) include the notes set out in 1.2R.																
	1.2	R	<u>FORM</u>																
ICOB S 8 Annex 1	ICOB S 8 Annex 1 1.2R is replaced with the following table:																		
	<table><tr><td>FRN (Firm Reference Number)</td><td></td></tr><tr><td>Name of insurer</td><td></td></tr><tr><td><u>Entry number</u></td><td></td></tr><tr><td><u>Vessel name</u></td><td></td></tr><tr><td><u>Vessel flag</u></td><td></td></tr><tr><td><u>IMO number (if applicable)</u></td><td></td></tr><tr><td><u>Start date</u></td><td></td></tr><tr><td><u>End date</u></td><td></td></tr></table>			FRN (Firm Reference Number)		Name of insurer		<u>Entry number</u>		<u>Vessel name</u>		<u>Vessel flag</u>		<u>IMO number (if applicable)</u>		<u>Start date</u>		<u>End date</u>	
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The Notes in ICOB S 8 Annex 1 1.2R are amended as follows (underlining indicates the insertion of new text; strikethrough indicates the deletion of existing *Handbook* text):

1. The register must be completed by ~~all insurers and managing agents managing the insurance business of syndicates of Lloyd's members that are carrying out contracts of insurance that provided~~ the firm in respect of commercial lines employers' liability cover provided to employers owners of the vessels carrying on, or who carried on, business in, and in relation to their employees' course of employment in, the *UK*.
2. All *policies* under which *UK* commercial lines employers' liability cover has been provided to ~~employers~~ owners of the vessels which commenced or were renewed or for which claims were made on or after 20 February ~~1 April~~ 2011 must be included.
3. The register must include all ~~employers~~ vessels covered by a *policy*, for example, all ~~employers~~ vessels in a group fleet where the *policy* is taken out in the name of one

entity in the group.

4. The FRN number is that given to the insurer by the FCA. The FRN is not required to be included in the form if a firm uses a qualifying tracing office to make available its register in accordance with ICOBS 8.4.7R(1)(a)(ii).
5. The register must include all names by which an ~~employer vessel~~ was known between the *policy* inception date and the *policy* end date ~~must be listed including the name registered with Companies House where applicable and trading names. Trading names, if different from the registered name, should be appended to the registered name.~~
6. ~~The employer's address is the latest address for that employer. Where the employer is registered with Companies House, the employer's address is the latest address registered with Companies House.~~
7. ~~The ERN is the employers' reference number provided by Her Majesty's Revenue and Customs for that employer.~~
8. ~~The CHRN is the employers' reference number provided, where relevant, by the Registrar of Companies. The CHRN may be included by utilising a facility which searches data obtained or downloaded from Companies House.~~

Guidance

4. The FCA has made this decision on the basis of the facts provided and statements made by the firm. If any of those were not or are not true or no longer reflect the state of affairs described, that could constitute sufficient grounds to revoke this direction and could give rise to any other regulatory actions available to the FCA.

Interpretation

5. Interpretative provisions (including definitions) of the *Handbook* apply to this direction in the same way they apply to the *Handbook*.

Dan Perks
Waivers Team
Wholesale Department
Supervision-Retail & Authorisation's
Financial Conduct Authority