



January 2018

To the Members

Dear Sirs,

Notice is hereby given that a General Meeting of the Members of the Association will be held at Aquatical House, 39 Bell Lane, London, E1 7LU, at 11.00 hours on 14 February 2018 for the purpose of considering and, if thought fit, passing the following resolution:

ORDINARY RESOLUTION

THAT with effect from Noon G.M.T. on 20 February 2018 the amendments to the Rules of Class 1 (Protection and Indemnity) of the Association annexed hereto and marked 'A' for identification be adopted.

EXPLANATION REGARDING RESOLUTION

Rules

The attached table outlines proposed changes to the Rules of the Protection and Indemnity Class (Class 1) for the forthcoming policy year. Explanatory notes in italics have been provided in the table, but in summary, the proposed changes are as follows:

Rule 25 iv – Life Salvage

An amendment to clarify the availability of cover in respect of deviation and other expenses incurred by a member in the event of an unsuccessful attempt to save life at sea of third parties such as crew missing from a non-entered vessel, provided they are reasonably incurred and are not recoverable from any other party.

Rules 25 vi and 25 xiii proviso (xi) - cover for liabilities caused by cargo and other property that is intended to be, being or has been carried on an entered ship.

The proposed amendment to Rule 25 vi clarifies that cover in respect of pollution liabilities is not limited to pollution caused by escape of oil or any other substance directly from the entered ship, and that it may include those in respect of oil or any other substance, including cargo or other

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STEAMSHIP MUTUAL UNDERWRITING ASSOCIATION LIMITED

Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority
(Registered in England and Wales – Registration number 105461. PRA and FCA registration number 202548)

MANAGERS: STEAMSHIP P&I MANAGEMENT LLP

SPIM is an appointed representative of Steamship Insurance Management Services Limited which is authorised and regulated by the Financial Conduct Authority
(Registered in England and Wales – Registration Number OC376859. FCA registration number 597046)

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property, intended to be carried or which has been carried on the entered ship, provided they arise in connection with the operation of that vessel.

Additional amendments are proposed to clarify the scope of cover for fixed and floating objects liabilities caused by cargo and other property intended to be, being, or having been carried on the entered ship. The Cargo liabilities Rule 25 xiii is presently subject to proviso xi (a) which is intended to exclude recovery of pollution liabilities under that Rule. This is important when the member's terms of entry themselves exclude pollution cover. However, the proviso currently excludes wider liabilities than would be covered under the pollution rule, and arguably has the unintended consequence of excluding liabilities which otherwise would be covered under the Fixed and Floating Objects rule. The proposed amendment clarifies that the exclusion under the cargo rule proviso applies only to pollution liabilities.

By Order of the Board

S. A. Ward
Secretary

25 January 2018

N.B. A Member who is entitled to attend and vote at the above Meeting is entitled to appoint a proxy to attend, speak and vote in his or her place. The instrument appointing a proxy may be in the form enclosed and must be deposited with the Secretary at Aquatical House, 39 Bell Lane, London E1 7LU, United Kingdom, not less than 48 hours before the time specified for the holding of the Meeting.

Yours faithfully,

**STEAMSHIP MUTUAL UNDERWRITING
ASSOCIATION LIMITED**

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A

AMENDMENTS FOR 2018/19 TO THE RULES OF CLASS 1 PROTECTION AND INDEMNITY OF STEAMSHIP MUTUAL UNDERWRITING ASSOCIATION LIMITED

In the table below, the proposed new wording is shown in **bold** and underlined and wording to be deleted is shown as [~~xxx~~]. Explanatory notes in italics have been provided for the proposed changes.

Rule	Text	Comments
25	Covered Risks	
iv	Life Salvage	
a	To the extent not recoverable from hull underwriters, cargo owners or underwriters, sums awarded to third parties, or in the Managers' absolute discretion, where claimed by third parties to be lawfully recoverable, for the saving of, or attempting to save, the life of any person on or from an Entered Ship.	
b	<u>To the extent not recoverable from any other party, the costs of search and rescue operations which do not result in the rescue of persons to the extent that these fall within Rule 25 ii g (iv) and the proviso thereto</u>	<i>An amendment to clarify the availability of cover in respect of deviation and other expenses incurred by a member in the event of an unsuccessful attempt to save life at sea.</i>
25		
vi	Pollution	
	Liabilities, losses, damages, costs and expenses caused by or consequent on the escape or discharge or threatened escape or discharge of oil or any other substance from the entered ship, <u>including cargo or any other property intended to be, being, or having been carried on, the entered ship,</u> as follows:.....	<i>An amendment to clarify the availability of cover in respect of pollution liabilities caused by cargo and other property that is intended to be, being, or having been carried on the entered vessel, as well as from direct escape or discharge from the vessel.</i>
a	Actual Escape of Pollutants.....	
b	Clean up Costs.....	
c	Prevention Costs.....	
d	Costs Pursuant to Government Directions.....	
e	Voluntary Agreements.....	
f	Salvors' Expenses.....	
xiii	Cargo Liabilities	
a	Loss, Shortage, Damage and other Responsibility.....	
b	Handling of Damaged or Worthless Cargo.....	
c	Failure of Cargo Interests to Collect Cargo.....	
d	Through Transport.....	
	<i>Provided always that:</i>	
	In relation to paragraphs a-d of this Rule 25 xiii	
(xi)	There shall be no recovery under this Rule 25 xiii in respect of:	
	(a) any liabilities, <u>losses, damages,</u> costs or expenses <u>caused by or consequent on</u> arising out of the escape or discharge or threatened escape or discharge of <u>oil or any other</u> substance from the entered ship, <u>including cargo or any other property intended to be, being, or having been carried on, the entered ship</u> or any property therein	<i>An amendment to limit the application of this exclusion to pollution liabilities.</i>

	including cargo, or from any other ship or any property therein, or from any fixed or other movable thing or object whatsoever;	
	

FORM OF PROXY

Before completing this form, please read the explanatory notes below

The undersigned, a Member of **STEAMSHIP MUTUAL UNDERWRITING ASSOCIATION LIMITED** (the "Company") hereby appoints Gary William Frederick Rynsard* or Stephen Arthur Ward* or(please insert name) (*delete as appropriate) or failing him/her the Chairman of the meeting as my proxy to attend, speak and vote for me on my behalf at a General Meeting of Steamship Mutual Underwriting Association Limited to be held at Aquatical House, 39 Bell Lane, London, E1 7LU, at 11.00 hours on 14 February 2018 and at any adjournment thereof.

Signed

Date

Name (please print)

Company Name

Address

.....

Notes to the proxy form

1. As a member of the Company you are entitled to appoint a proxy to exercise all or any of your rights to attend, speak and vote at a general meeting of the Company. You may appoint a proxy using the procedures set out in these notes.
2. To appoint a proxy using this form, the form must be: (i) completed and signed; (ii) sent or delivered to the Registered Office of the Company at Aquatical House, 39 Bell Lane, London E1 7LU, United Kingdom; and (iii) received by the Company no later than 48 hours before the commencement of the meeting.
3. As an alternative to completing a hard-copy proxy form, you can appoint a proxy electronically by sending it by e-mail to kathleen.kelly@simsl.com. For an electronic proxy appointment to be valid, your appointment must be received by the Company no later than 48 hours before the commencement of the meeting.
4. Appointment of a proxy does not preclude you from attending the meeting and voting in person. If you have appointed a proxy and attend the meeting in person, your proxy appointment will automatically be terminated.
5. A proxy does not need to be a member of the Company but must attend the meeting to represent you.
6. You may direct your proxy how to vote on the resolutions proposed. If no voting indication is given, your proxy will vote or abstain from voting at his or her discretion. Your proxy will vote (or abstain from voting) as he or she thinks fit in relation to any other matter which is put before the meeting.
7. Any power of attorney or any other authority under which this proxy form is signed (or a duly certified copy of such power or authority) must be included with the proxy form.
8. If you submit more than one valid proxy appointment, the appointment received last before the latest time for the receipt of proxies will take precedence.