

MARKET BULLETIN

REF: Y4300

Title	New notice requirements for surplus lines placements in the state of Florida
Purpose	To advise the market of the new notice requirements
Type	Requirements commence on 1 October 2009
From	Cameron Murray, Senior Manager, International Regulatory Affairs Lloyd's General Counsel Division Telephone +44 (0)20 7327 6854 Cameron.Murray@lloyds.com
Date	7 August 2009
Deadline	Notices must be attached to all relevant policies issued on or after 1 October 2009
Related links	http://www.fslso.com/publications/press/fslso/FSLSO.Bulletin.2009.01.pdf http://www.fslso.com/publications/forms/sample.face.page.pdf

As a result of the ruling of the Essex V Zota court case in Florida new, requirements governing Surplus Lines notices have been put in place. These requirements, effective for all policies written on or after 1 October 2009, are set out below:

The surplus lines agent through whom a surplus lines coverage is procured must write or print on the outside of the policy and on any certificate, cover note, or other confirmation of the insurance:

- the surplus lines agent's name, address, and identification number;
- the name and address of the producing agent through whom the business originated
- on the first page of the policy or the certificate, cover note, or confirmation of insurance the words:

"This insurance is issued pursuant to the Florida surplus lines law. Persons insured by surplus lines carriers do not have the protection of the Florida Insurance Guaranty Act to the extent of any right of recovery for the obligation of an insolvent unlicensed insurer."

The following is also required:

- On the face of ALL surplus lines policies, in at least 14-point boldface type: **'SURPLUS LINES INSURERS' POLICY RATES AND FORMS ARE NOT APPROVED BY ANY FLORIDA REGULATORY AGENCY.'**
- On the face of ALL personal lines residential property policies which contain a separate hurricane or wind deductible, in at least 14-point boldface type: **'THIS POLICY CONTAINS A SEPARATE DEDUCTIBLE FOR HURRICANE OR WIND LOSSES, WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU.'**
- On the face of ALL personal lines residential property policies containing a coinsurance provision applicable to hurricane or wind losses, in at least 14 point boldface type: **'THIS POLICY CONTAINS A CO-PAY PROVISION THAT MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU.'**

For additional detail on these new requirements please refer to the links from the Florida Surplus Lines Service Office listed in the heading of this document.

Further information

If you have any queries about this market bulletin, please contact:

Lloyd's International Trading Advice:

Tel: 020 7327 6677

Email: lita@lloyds.com