

# MARKET BULLETIN

REF: Y4949

<b>Title</b>	Non-XIS Overseas Business Return (Australia and South Africa)
<b>Purpose</b>	Instructions for submission of returns
<b>Type</b>	Scheduled
<b>From</b>	Leslie Redmond, Manager, Overseas Reporting, Market Finance Direct Tel No: +44 (0)20 7327 5490 E-mail: <a href="mailto:leslie.redmond@lloyds.com">leslie.redmond@lloyds.com</a>
<b>Date</b>	Friday 18 December 2015
<b>Deadline</b>	Wednesday 13 January 2016
<b>Related links</b>	<a href="http://www.lloyds.com/The-Market/Tools-and-Resources/Tools-E-Services/Overseas-Reporting-forms">http://www.lloyds.com/The-Market/Tools-and-Resources/Tools-E-Services/Overseas-Reporting-forms</a>  <a href="http://www.lloyds.com/~media/files/the%20market/communications/market%20bulletins/2014/12/y4843.pdf#search='Y4843'">http://www.lloyds.com/~media/files/the%20market/communications/market%20bulletins/2014/12/y4843.pdf#search='Y4843'</a>

Please copy this bulletin to those within your organisation who are responsible for completing and reviewing the returns for non-XIS overseas business.

## **Recalculation of Lloyd's Australia Trust Fund and Lloyd's South African Trust Fund – 31 December 2015**

The funding requirements for the Lloyd's Australia Trust Fund (LAusTF) and the Lloyd's South African Trust Fund (LSATF) will be recalculated as at 31 December 2015. Any business not processed through XIS or captured by Lloyd's Direct Reporting (LDR), for any class underwritten in either of these territories must be recorded on the forms available for download at the link above, in accordance with the instructions attached at Appendix 1.

**These returns are subject to the Lloyd's Overseas Returns Fining Policy (see Market Bulletin Y4843, dated 1 December 2014) and should be submitted electronically via E-mail to [Lloyds-MR-OverseasReporting@lloyds.com](mailto:Lloyds-MR-OverseasReporting@lloyds.com).**

**The date for submission of these returns is 13 January 2016.**

**All data must be in original currency. Please ensure that any currencies reported are shown as a 3 letter alphanumeric currency code based on ISO 4217 e.g. AUD, GBP, USD, ZAR.**

If you have any queries, please contact me on Lloyd's extension +44 (0)20 7327 5490 or Hayley Youles +44 (0)20 7327 5299.

Nil returns are only required if you submitted figures last quarter and now have no data to report.

Further information on Lloyd's trading arrangements in Australia and South Africa is available on Crystal and can be found at <http://www.lloyds.com/Crystal/CrystalSearch.aspx>.

General queries relating to Lloyd's trading arrangements in these territories should be addressed to:

Lloyd's International Trading Advice  
Ground Floor  
Underwriting Room  
Telephone: 020 7327 6677  
Email: [LITA@lloyds.com](mailto:LITA@lloyds.com)  
[www.lloyds.com](http://www.lloyds.com)

Leslie Redmond  
Manager, Overseas Reporting  
Market Finance

**Lloyd's trading arrangements in Australia and South Africa:  
Collection of information relating to relevant Australian and South African business  
not processed through XIS or Lloyd's Direct Reporting (LDR)**

**Returns as at 31 December 2015 - Instructions**

**General**

- 1 Syndicates must report details in respect of relevant Australian and South African business **not** processed through XIS or LDR. This is to enable Lloyd's to recalculate the funding requirements for the Lloyd's Australia Trust Fund and the Lloyd's South African Trust Fund as at 31 December 2015.
- 2 **Forms Aus15Q4 and SA15Q4 are available for download at the link shown in the heading of this bulletin. They must be submitted in spreadsheet format to enable direct upload into the reporting database.** If you have difficulty in downloading these forms, please contact Hayley Youles.
- 3 Details of the information specifically required in respect of Australian and South African business are set out below.
- 4 The managing agent's report included with each return must be completed. Whilst the returns are not audited, they are subject to the Overseas Returns Fining Policy.
- 5 The returns should be submitted electronically via e-mail to [Lloyds-MR-OverseasReporting@Lloyds.com](mailto:Lloyds-MR-OverseasReporting@Lloyds.com). Please name the submitted files "SyndXXXX[15Q4Aus](#)" or "SyndXXXX[15Q4SA](#)" where "XXXX" is the syndicate number.
- 6 **The date for submission of these returns is Wednesday 13 January 2016.**

Australia

- 1 The funding requirement in respect of the Lloyd's Australia Trust Fund (LAusTF) and the Lloyd's Australia Joint Asset Trust Fund No. 2 (LAusJATF2) is due to be recalculated as at the current period end, although only the LAusTF will be adjusted this quarter.
  
- 2 Any contract or policy of insurance or reinsurance which satisfies the following definitions is considered an Australian policy and must be reserved for in the Lloyd's Australia Trust Fund (LAusTF) and the Lloyd's Australia Joint Asset Trust Fund No. 2 (LAusJATF2):
  - Real property, fixtures or buildings located in Australia;
  - Any other property of any kind (including but not limited to ships, aircraft, yachts and other moveable property) and any other risk of any kind where:
    - The insured is a body corporate and has a registered office or principal place of business in Australia;
    - The insured is a natural person who has a residential address or place of business in Australia

**Where the currency in which the contract or policy is expressed and in which the premium is paid is Australian dollars.**

*Reinsurance*

- The registered office of the ceding company which has reinsured with the relevant underwriter is in Australia;
- A contract made with or through a branch office in Australia of a ceding company, where the ceding company is incorporated out of Australia.

**Where the currency in which the contract or policy is expressed and in which the premium is paid is Australian dollars.**

The following are excluded from the reserving requirements for the Australian Trust Funds:

- (a) 1992 and prior business and any later business which has been reinsured by Equitas; and
  - (b) Policies where the currency in which the contract or policy is expressed and in which the premium is paid is not Australian dollars.
- 3 Further information on how to interpret the definition and apply it to individual risks and the Trust Fund arrangements can be found on Crystal at <http://www.lloyds.com/Crystal/CrystalSearch.aspx>.

- 4 To ensure the appropriate funding of the Australian Trust Funds as at quarter-end, please report the following information on Form **Aus15Q4** (see link in heading of bulletin) only in respect of business **not** processed through XIS or LDR and which satisfies the definition outlined in 2 above:
- (i) **For the 2013, 2014 and 2015 pure years of account only (do not include business that has RITC'd into these years of account): cumulative premiums, net of brokerage (and commission) and gross of reinsurance ceded, as at the current period end analysed by:**
- Originating syndicate year
  - Risk code
  - **Original** currency
- (ii) For all years of account from 1993 onwards, **calendar year** premiums, net of brokerage (and commission) and gross of reinsurance ceded, for the **calendar year to date**, analysed by:
- Originating syndicate year
  - Risk code
  - **Original** currency
- (iii) **For all years of account (1993 onwards): calendar year** gross paid and gross known outstanding claims (excluding IBNR) as at the current period end analysed by:
- Originating syndicate year
  - Risk code
  - **Original** currency of claim

### South Africa

- 1 The funding requirement for the Lloyd's South African Trust Fund (LSATF) is due to be recalculated as at the current period end.
- 2 Any contract or policy of insurance or reinsurance which satisfies the following definitions are considered South African policies and must be reserved for in the LSATF:
- A South African short-term insurance policy is defined as a short-term policy which relates to:
- Risks in respect of immovable property, including buildings, fixtures and other fixed improvements, located in South Africa; or
  - Any other risks where:
    - The insured is a natural person resident in South Africa; or

- In any other case, the insured has its registered office or principle place of business in South Africa; and
- Reinsurance contracts where the reinsured has its registered office in South Africa.

A 'short-term' policy is defined in Section 1 of the Short-Term Insurance Act 1998 ('the Act') as "an engineering policy, guarantee policy, liability policy, miscellaneous policy, motor policy, accident and health policy, property policy or transportation policy or a contract comprising a combination of any of those policies and includes a policy whereby any such contract is renewed or varied". For the respective definitions of the above-mentioned policies, reference should be made to Section 1 of the Act.

3 In connection with the above, you are asked to report the following information on **Form SA15Q4** (see link in heading of bulletin):

- (i) **Gross known outstanding claims (excluding IBNR)** as at 31 December 2015, analysed by **original currency** of outstanding claim; **and**
- (ii) **Premiums, net of brokerage (and commission) and gross of reinsurance ceded**, written during the 12 month period 1 January 2015 to 31 December 2015, analysed by **original currency**.

Analysis at risk code level is **NOT** required for Form SA15Q4.

**Further notes on how to interpret this definition and apply it to individual risks can be found on Crystal at <http://www.lloyds.com/Crystal/CrystalSearch.aspx>.**