

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
OF ENGLAND AND WALES
COMPANIES COURT



CR-2017-008329

Before: Deputy Registrar Addy QC

Dated: 22 November 2017

IN THE MATTER OF ATLANTIC MUTUAL INTERNATIONAL LIMITED

- and -

IN THE MATTER OF THE UK BRANCH OF ATLANTIC MUTUAL INSURANCE
COMPANY

- and -

IN THE MATTER OF BOTHNIA INTERNATIONAL INSURANCE COMPANY
LIMITED

IN THE MATTER OF THE FINANCIAL SERVICES AND MARKETS ACT 2000

- and -

IN THE MATTER OF A TRANSFER OF INSURANCE BUSINESS BETWEEN
ATLANTIC MUTUAL INTERNATIONAL LIMITED and THE UK BRANCH OF
ATLANTIC MUTUAL INSURANCE COMPANY (Transferors) and BOTHNIA
INTERNATIONAL INSURANCE COMPANY LIMITED (Transferee)

ORDER FOR DIRECTIONS

UPON THE APPLICATION by Claim Form dated 20 November 2017 of the above-named Atlantic Mutual International Limited (“AMIL”) whose registered office is situated

at CityPoint, 1 Ropemaker Street, London EC2Y 9AW and whose registered number is 03950815, one of the Claimants named in the Claim Form, and Atlantic Mutual Insurance Company (“**AMIC**”) a New York mutual company for its UK Branch (“**AMIC-UK**”), whose UK branch registration number is BR012721 one of the Claimants named in the Claim form, and Bothnia International Insurance Company Limited (“**Bothnia**”) whose registered office is at Eerikinkatu 27, FL – 00180, Helsinki, Finland and whose registered number is 0947118.3, one of the Claimants named in the Claim Form;

AND UPON HEARING Mr Purves, Counsel for AMIL, AMIC-UK and Bothnia;

AND UPON READING the said Claim Form and the evidence;

AND THE COURT being satisfied with the steps intended to be taken to comply with the Financial Services and Markets Act 2000 (Control of Business Transfers) (Requirements on Applicants) Regulations 2001 (the “**Regulations**”);

IT IS ORDERED THAT notice pursuant to Regulation 3(2)(a)(i) of the Regulations, in the form approved by the Prudential Regulation Authority (the “**PRA**”), be inserted once in each of The London Gazette, The Edinburgh Gazette, and The Belfast Gazette;

AND IT IS ORDERED THAT the requirement in Regulation 3(2)(a)(ii) of the Regulations that a notice (the “**notice**”) stating that the application under section 107 of the Financial Services and Markets Act for an order sanctioning an insurance business transfer scheme be published in two national newspapers in the United Kingdom, be dispensed with;

AND IT IS ORDERED THAT the requirement in Regulation 3(2)(a)(iii) of the Regulations, that notice in the form approved by the PRA be inserted in two national newspapers in any EEA state in which is located the risk to which a transferring contract of insurance relates, be dispensed with;

AND IT IS ORDERED THAT the requirement in Regulation 3(2)(a)(iv) of the Regulations, that notice in the form approved by the PRA be inserted in one national newspaper in any EEA state in which is located the establishment of a policyholder to which a transferring contract of reinsurance relates, be dispensed with;

AND IT IS ORDERED THAT the requirement in Regulation 3(2)(b) of the Regulations, to send notice in the form approved by the PRA to every policyholder of AMIL, AMIC (including AMIC-UK) and Bothnia, be dispensed with;

AND IT IS ORDERED THAT the requirement in Regulation 3(2)(c) of the Regulations, that notice that the application has been made be sent to affected reinsurers, be dispensed with;

AND IT IS ORDERED THAT the Application be listed for hearing before a Judge on 7 May 2018, or as soon as possible thereafter;

AND IT IS ORDERED THAT AMIL, AMIC-UK and Bothnia each have liberty to apply.

Dated: 22 November 2017