

Company registration number: 3637423

## **Bernasco Underwriting Limited**

### **Report and financial statements 31 December 2005**

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# **Bernasco Underwriting Limited**

## **Company information**

<b>Directors</b>	J G Bernasconi Nomina plc
<b>Company Secretary</b>	Hampden Legal PLC
<b>Registered Office</b>	85, Gracechurch Street London EC3V 0AA
<b>Auditors</b>	CLB Littlejohn Frazer Chartered Accountants and Registered Auditors 1 Park Place Canary Wharf London E14 4HJ
<b>Accountants</b>	Axiom Consulting Limited Lloyds Chambers 1 Portsoken Street London E1 8DF
<b>Solicitors</b>	Jones Day 21, Tudor Street London EC4Y 0DJ

# **Bernasco Underwriting Limited**

## **Report of the Directors**

The Directors submit their report together with the Financial Statements of the company for the year ended 31 December 2005.

### **Change in Reporting Basis**

The underwriting results of the syndicates on which the Company participates have been determined on the annual basis of accounting, as required by statutory Instrument 3219 of the 2004 Insurance Accounts Directive (Lloyd's Syndicate and Aggregate Accounts) Regulations 2004 ("the 2004 Regulations").

This represents a fundamental change in reporting basis. Previously, results were not determined until the normal date of closure of each of the year of account at the end of the third year.

In addition, following the introduction of Financial Reporting Standard Number 21, "Events after the Balance Sheet date", dividends to ordinary shareholders are included in the Financial Statements when they have been declared and approved for payment.

These changes in accounting policies have been treated as a prior year adjustment in these Financial Statements; further details have been provided in Note 1 to the Financial Statements.

### **Principal Activities and Business Review**

The principal activity of the Company is that of trading as a Lloyd's corporate capital member. The Company continues to trade in 2006 and the Directors expect this year's result to be better than years currently being reported.

The Financial Statements incorporate the annual accounting results of the syndicates on which the Company participates for the 2003, 2004 and 2005 years of account, as well as any 2002 and prior run-off years.

The 2003 year closed at 31 December 2005 with a result of £61,539 (2002 - £39,332 ). The 2004 and 2005 open underwriting account will normally close at 31 December 2006 and 2007.

Certain syndicates on which the Company participates have for a variety of reasons been unable to close. There is a greater than usual degree of uncertainty as to the eventual outcome of these accounts.

### **Results and Dividends**

The results for the year are set out on pages 6 to 7 of the Financial Statements. Dividends totalling £- were paid in the year (2004 £-).

# **Bernasco Underwriting Limited**

## **Report of the Directors (continued)**

### **Directors and Directors' Interests**

The Directors who served at any time during the year and their interests in the share capital of the company were as follows:

	At 31 December 2005 Ordinary £1 shares	At 1 January 2005 Ordinary £1 shares
J G Bernasconi	290	290
Nomina plc	-	-

### **Directors' Responsibilities**

Company law requires the directors to prepare financial statements for each financial period which give a true and fair view of the affairs of the company and of the profit or loss of the company for that period. In preparing those financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently
- make judgements and estimates that are reasonable and prudent
- state whether applicable accounting standards have been applied
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Company will continue in business.

The directors are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the company and to enable them to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities. The directors are responsible for ensuring that the Report of the Directors is prepared in accordance with company law in the United Kingdom.

### **Auditors**

Since the previous Financial Statements, the auditors, Littlejohn Frazer, have changed their name to CLB Littlejohn Frazer. A resolution to reappoint CLB Littlejohn Frazer will be proposed at the next Annual General Meeting.

By Order of the Board



Hampden Legal PLC  
Secretary

15th August 2006

# **Bernasco Underwriting Limited**

## **Independent Auditors' report**

### **Independent Auditor's report to the shareholders of Bernasco Underwriting Limited**

We have audited the Financial Statements of Bernasco Underwriting Limited for the year ended 31 December 2005 which comprise the Profit and Loss Account, the Balance Sheet, the Cash Flow Statement, the Accounting Policies and the related notes 1 to 21. These Financial Statements have been prepared under the historical cost convention and the accounting policies set out therein.

This report is made solely to the Company's shareholders, as a body, in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the Company's shareholders those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Company and the Company's shareholders as a body, for our audit work, for this report, or for the opinions we have formed.

### **Respective Responsibilities of Directors and Auditors**

As described by the Statement of Directors' Responsibilities, the Company's Directors are responsible for the preparation of the Financial Statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Our responsibility is to audit the Financial Statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the Financial Statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Report of the Directors is not consistent with the Financial Statements, if the Company has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding Directors' remuneration and other transactions is not disclosed.

We read the Report of the Directors and consider the implications for our report if we become aware of any apparent misstatements within it.

### **Basis of Opinion**

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the Financial Statements. It also includes an assessment of the significant estimates and judgments made by the Directors in the preparation of the Financial Statements, and of whether the Accounting Policies are appropriate to the Company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the Financial Statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the Financial Statements.

# **Bernasco Underwriting Limited**

## **Independent Auditors' report ( continued)**

### **Opinion**

In our opinion the Financial Statements give a true and fair view, in accordance with United Kingdom Generally Accepted Accounting Practice, of the state of the Company's affairs as at 31 December 2005 and of its result for the year then ended and have been properly prepared in accordance with the Companies Act 1985.

  
**CLB Littlejohn Frazer**

Chartered Accountants  
and Registered Auditors

17th August 2006

1 Park Place  
Canary Wharf  
London E14 4HJ

# Bernasco Underwriting Limited

## Profit and loss account

### Technical account – general business

For the year ended 31 December 2005

	Note	2005 £	2004 Restated £
<b>Premiums Written</b>			
Gross premiums written	2	377,771	324,275
Outward reinsurance premiums		(70,723)	(56,281)
<b>Net Premiums Written</b>		<u>307,048</u>	<u>267,994</u>
<b>Change in the provision for Unearned premiums</b>			
Gross Provision		(13,842)	(418)
Reinsurers' share		(262)	(4,648)
<b>Earned Premiums, Net of Reinsurance</b>		<u>292,944</u>	<u>262,928</u>
<b>Allocated Investment Return</b>			
<b>Transferred from the Non-Technical Account</b>		15,706	10,408
<b>Claims Paid</b>			
Gross Amount		(196,191)	(162,619)
Reinsurers' share		61,107	52,953
<b>Net claims paid</b>		<u>(135,084)</u>	<u>(109,666)</u>
<b>Change in Provision for Claims</b>			
Gross amount		(189,836)	(36,614)
Reinsurers' share		101,102	(5,358)
<b>Change in net provision for claims</b>		<u>(88,734)</u>	<u>(41,972)</u>
<b>Claims Incurred, Net of Reinsurance</b>		(223,818)	(151,638)
<b>Changes in other technical provisions, net of reinsurance</b>		-	-
Net operating expenses	4	(106,854)	(93,506)
Other technical charges, net of reinsurance		-	-
<b>Balance on the Technical Account for General Business</b>		<u>(22,022)</u>	<u>28,192</u>

The accounting policies and notes on pages 11 to 26 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Profit and loss account

### Non - technical account

For the year ended 31 December 2005

	Note	2005 £	2004 Restated £
<b>Balance on Technical Account for General Business</b>		(22,022)	28,192
Investment income	5	16,803	11,230
Unrealised gains on investments		2,136	2,152
Investment expenses and charges	6	(417)	(341)
Unrealised losses on investments		(3,233)	(2,974)
Allocated investment return transferred to the general business technical account		(15,706)	(10,408)
Other income		-	-
Other charges		(6,177)	(6,075)
<b>Profit/(loss) on ordinary activities before taxation</b>	7	(28,616)	21,776
Tax on profit/(loss) on ordinary activities	8	(385)	(1,107)
<b>Profit/(loss) for the financial year</b>		(29,001)	20,669
Dividends	9	-	-
<b>Retained profit/(loss) for the financial year</b>	15	(29,001)	20,669

All amounts relate to continuing operations.

The accounting policies and notes on pages 11 to 26 form part of these Financial Statements.



# Bernasco Underwriting Limited

## Balance sheet

As at 31 December 2005

		31 December 2005			31 December 2004 As Restated		
	Note	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
<b>Assets</b>							
<b>Intangible assets</b>	10	-	2,457	2,457	-	3,538	3,538
<b>Investments</b>							
Financial investments	11	409,755	368	410,123	343,869	245	344,114
Deposits with ceding undertakings		269	-	269	353	-	353
		410,024	368	410,392	344,222	245	344,467
<b>Reinsurers' share of technical provisions</b>							
Provision for unearned premiums		16,830	-	16,830	16,257	-	16,257
Claims outstanding		261,910	-	261,910	156,568	-	156,568
Other technical provisions		-	-	-	1	-	1
		278,740	-	278,740	172,826	-	172,826
<b>Debtors</b>							
Arising out of direct insurance operations	12	100,010	-	100,010	78,590	-	78,590
Arising out of reinsurance operations	12	62,601	-	62,601	54,361	-	54,361
Other debtors	13	37,642	1,320	38,962	35,627	6,691	42,318
		200,253	1,320	201,573	168,578	6,691	175,269
<b>Other assets</b>							
Cash at bank and in hand		56,881	1,953	58,834	51,936	8	51,944
Other		34,028	-	34,028	29,214	-	29,214
		90,909	1,953	92,862	81,150	8	81,158
<b>Prepayments and accrued income</b>							
Accrued interest		1,668	-	1,668	1,544	-	1,544
Deferred acquisitions costs		36,351	-	36,351	31,103	-	31,103
Other prepayments and accrued income		1,543	-	1,543	1,472	-	1,472
		39,562	-	39,562	34,119	-	34,119
<b>Total assets</b>		1,019,488	6,098	1,025,586	800,895	10,482	811,377

The accounting policies and notes on pages 11 to 26 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Balance sheet

As at 31 December 2005

		31 December 2005			31 December 2004 As Restated		
	Note	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
<b>Liabilities and shareholders' funds</b>							
<b>Capital and reserves</b>							
Called up share capital	14	-	290	290	-	290	290
Share premium account		-	-	-	-	-	-
Profit and loss account	15	33,449	(131,906)	(98,457)	80,016	(149,472)	(69,456)
<b>Shareholders' funds – attributable to equity interests</b>	16	33,449	(131,616)	(98,167)	80,016	(149,182)	(69,166)
<b>Technical provisions</b>							
Provision for unearned premiums		162,484	-	162,484	143,239	-	143,239
Claims outstanding – gross amount		740,648	-	740,648	523,831	-	523,831
Other technical provisions		-	-	-	-	-	-
<b>Provisions for other risks and charges</b>							
Deferred taxation	17	-	-	-	-	-	-
Other		-	-	-	50	-	50
<b>Deposit received from reinsurers</b>		6,753	-	6,753	1,961	-	1,961
<b>Creditors</b>							
Arising out of direct insurance operations		12,483	-	12,483	6,016	-	6,016
Arising out of reinsurance operations		42,039	-	42,039	30,715	-	30,715
Amounts owed to credit Institutions		73	-	73	8	-	8
Other creditors including taxation and social security	18	41,247	108,084	149,331	30,261	141,044	171,305
		1,005,727	108,084	1,113,811	736,081	141,044	877,125
<b>Accruals and deferred income</b>		(19,688)	29,630	9,942	(15,202)	18,620	3,418
<b>Total liabilities</b>		1,019,488	6,098	1,025,586	800,895	10,482	811,377

Approved by the Board of Directors on 15th August 2006  
and signed on its behalf by:



Nomina plc  
Director

The accounting policies and notes on pages 11 to 26 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Cash flow statement

For the year ended 31 December 2005

	Note	2005 £	2004 £
<b>Operating activities</b>			
Net cash inflow/(outflow) from operating activities	19	3,133	1,375
<b>Returns on investments</b>		-	-
<b>Capital expenditure</b>			
Purchase of syndicate capacity		(803)	(1,027)
Proceeds from sale of syndicate capacity		-	-
<b>Taxation</b>			
Corporation tax (paid) refunded		(385)	(1,106)
<b>Financing</b>			
Issue of shares		-	-
Share issue expenses		-	-
Net cash inflow/(outflow) for the year		<u>1,945</u>	<u>(758)</u>
<b>Cash flows were invested as follows:</b>			
Increase/(decrease) in cash holdings		1,945	(1,003)
Purchase of financial investments		-	245
Sale of financial investments		-	-
Net investment of cash flows		<u>1,945</u>	<u>(758)</u>

The Company has no control over the disposition of assets and liabilities at Lloyd's. Consequently, the cash flow statement is prepared reflecting only the movement in corporate funds, which includes transfers to and from the syndicates at Lloyd's.

The accounting policies and notes on pages 11 to 26 form part of these Financial Statements.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

### **For the year ended 31 December 2005**

#### **Basis of Preparation**

The Financial Statements are prepared under the historical cost basis of accounting modified to include the revaluation of investments and comply with applicable Accounting Standards.

The Company participates in insurance business as an underwriting member of various Syndicates at Lloyd's.

The Financial Statements have been prepared in accordance with Section 255 of, and Schedule 9A of the Companies Act 1985 and the recommendations of the Statement of Recommended Practice on Accounting for Insurance Business issued by the Association of British Insurers in December 2005.

Accounting information in respect of the Syndicate participations has been provided by the Syndicate's managing agent and has been reported upon by the Syndicate auditors.

#### **Change in Reporting Basis and Basis of Accounting**

The Financial Statements for the year ended 31 December 2004 were prepared using the fund basis of accounting. Under the fund basis of accounting, premiums, claims and expenses are carried forward as a fund within the technical provision for outstanding claims and profit recognition is deferred until the end of the third year when the year of account is closed by reinsurance or goes into run-off. No accrual was made on open years for income or expenses that were incurred but had not settled except for underwriting losses, which were recognised immediately.

For the year ended 31 December 2005, the annual basis of accounting has been adopted. Under the annual basis of accounting a result is determined at the end of each accounting period reflecting the profit or loss from providing insurance coverage during that period and any adjustments to the profit or loss of providing insurance cover during earlier accounting periods.

This change in the basis of accounting results in changes to the accounting policies for claims and syndicate participations, and new accounting policies for unearned premiums provision, deferred acquisition costs, unexpired risks and other technical provisions. The effect of these changes on the reported results of the company is detailed in Note 1.

Amounts reported in the general business technical account relate to movements in the period in respect of all relevant years of account of the Syndicates on which the Company participates.

In addition, the adoption of FRS21 "Events after the Balance Sheet date" has resulted in a different treatment for equity dividends. The effect of the change in accounting policy to adopt FRS21 is to recognise equity dividends when they have been declared and approved for payment.

Assets and liabilities arising as a result of the underwriting activities are mainly controlled by the Syndicates' managing agents. Accordingly, these assets and liabilities have been shown separately in the balance sheet as "Syndicate Participation". Other assets and liabilities are shown as "Corporate". The syndicate assets are held subject to trust deeds for the benefit of the Syndicates' insurance creditors.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

**For the year ended 31 December 2005**

### **General Business**

#### **i. Premiums**

Premiums written comprise the total premiums receivable in respect of business incepted during the year, together with any differences between booked premiums for prior years and those previously accrued, and include estimates of premiums due but not yet receivable or notified to the syndicates on which the Company participates, less an allowance for cancellations. All premiums are shown gross of commission payable to intermediaries and exclude taxes and duties levied on them.

#### **ii. Unearned Premiums**

Written premium is earned according to the risk profile of the policy. Unearned premiums represent the proportion of premiums written in the year that relate to unexpired terms of policies in force at the balance sheet date, calculated on a time apportionment basis having regard where appropriate, to the incidence of risk. The specific basis adopted by each syndicate is determined by the relevant managing agent.

#### **iii. Deferred Acquisition Costs**

Acquisition costs, which represent commission and other related expenses, are deferred over the period in which the related premiums are earned.

#### **iv. Reinsurance Premiums**

Reinsurance premium costs are allocated by the Managing Agent of each syndicate to reflect the protection arranged in respect of the business written and earned.

#### **v. Claims Incurred and Reinsurers' Share**

Claims incurred comprise claims and settlement expenses (both internal and external) occurring in the year and changes in the provisions for outstanding claims, including provisions for claims incurred but not reported and settlement expenses, together with any other adjustments to claims from previous years. Where applicable, deductions are made for salvage and other recoveries.

The provision for claims outstanding comprises amounts set aside for claims notified and claims incurred but not yet reported (IBNR). The amount included in respect of IBNR is based on statistical techniques of estimation applied by each syndicate's in house reserving team and reviewed by external consulting actuaries. These techniques generally involve projecting from past experience the development of claims over time to form a view of the likely ultimate claims to be experienced for more recent underwriting, having regard to variations in the business accepted and the underlying terms and conditions. The provision for claims also includes amounts in respect of internal and external claims handling costs. For the most recent years, where a high degree of volatility arises from projections, estimates may be based in part on output from rating and other models of the business accepted and assessments of underwriting conditions.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

### **For the year ended 31 December 2005**

The reinsurers' share of provisions for claims is based on calculated amounts of outstanding claims and projections for IBNR, net of estimated irrecoverable amounts, having regard to each syndicate's reinsurance programme in place for the class of business, the claims experience for the year and the current security rating of the reinsurance companies involved. Each syndicate uses a number of statistical techniques to assist in making these estimates.

Accordingly the two most critical assumptions made by each syndicates managing agent as regards claims provisions are that the past is a reasonable predictor of the likely level of claims development and that the rating and other models used including pricing models for recent business are reasonable indicators of the likely level of ultimate claims to be incurred.

The level of uncertainty with regard to the estimations within these provisions generally decreases with time since the underlying contracts were exposed to new risks. In addition the nature of short tail claims such as property where claims are typically notified and settled within a short period of time will normally have less uncertainty after a few years than long tail risks such as some liability business where it may be several years before claims are fully advised and settled. In addition to these factors if there are disputes regarding coverage under policies or changes in the relevant law regarding a claim this may increase the uncertainty in the estimation of the outcomes.

The assessment of these provisions is usually the most subjective aspect of an insurer's accounts and may result in greater uncertainty within an insurer's accounts than within those of many other businesses. The provisions for gross claims and related reinsurance recoveries have been assessed on the basis of the information currently available to the directors of each syndicate's managing agent. However, ultimate liability will vary as a result of subsequent information and events and this may result in significant adjustments to the amounts provided. Adjustments to the amounts of claims provisions established in prior years are reflected in the financial statements for the period in which the adjustments are made. The provisions are not discounted for the investment earnings that may be expected to arise in the future on the funds retained to meet the future liabilities. The methods used, and the estimates made, are reviewed regularly.

#### **vi. Unexpired Risks Provision**

Provisions for unexpired risks are made where the costs of outstanding claims, related expenses and deferred acquisition costs are expected to exceed the unearned premium provision carried forward at the balance sheet date. The provision for unexpired risks is calculated separately by reference to classes of business which are managed together, after taking into account relevant investment return. The provision is made on a syndicate by syndicate basis by the relevant managing agent.

#### **vii. Closed Years of Account**

At the end of the third year, the underwriting account is normally closed by reinsurance into the following year of account. The amount of the reinsurance to close premium payable is determined by the managing agent, generally by estimating the cost of claims notified but not settled at 31 December, together with the estimated cost of claims incurred but not reported at that date, and an estimate of future claims handling costs.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

### **For the year ended 31 December 2005**

Any subsequent variation in the ultimate liabilities of the closed year of account is borne by the underwriting year into which it is reinsured.

The payment of a reinsurance to close premium does not eliminate the liability of the closed year for outstanding claims. If the reinsuring syndicate was unable to meet its obligations, and the other elements of Lloyd's chain of security were to fail, then the closed underwriting account would have to settle outstanding claims.

The Directors consider that the likelihood of such a failure of the reinsurance to close is extremely remote, and consequently the reinsurance to close has been deemed to settle the liabilities outstanding at the closure of an underwriting account. The company has included its share of the reinsurance to close premiums payable as technical provisions at the end of the current period, and no further provision is made for any potential variation in the ultimate liability of that year of account.

#### **viii. Run-off Years of Account**

Where an underwriting year of account is not closed at the end of the third year (a "run-off" year of account) a provision is made for the estimated cost of all known and unknown outstanding liabilities of that year. The provision is determined initially by the managing agent on a similar basis to the reinsurance to close. However, any subsequent variation in the ultimate liabilities for that year remains with the corporate member participating therein. As a result any run-off year will continue to report movements in its results after the third year until such time as it secures a reinsurance to close.

#### **ix. Net Operating Expenses (including Acquisition Costs)**

Net operating costs include acquisition costs, profit and loss on exchange and other amounts incurred by the syndicates on which the Company participates.

Acquisition costs, comprising commission and other costs related to the acquisition of new insurance contracts, are deferred to the extent that they are attributable to premiums unearned at the Balance Sheet date.

#### **x. Distribution of Profits and Collection of Losses**

Lloyd's operates a detailed set of regulations regarding solvency and the distribution of profits and payment of losses between syndicates and their members. Lloyd's continues to require membership of syndicates to be on an underwriting year of account basis and profits and losses belong to members according to their membership of a year of account. Normally profits and losses are transferred between the syndicate and members after results for a year of account are finalised after 36 months. This period may be extended if a year of account goes into run-off. The syndicate may make earlier on account distributions or cash calls according to the cash flow of a particular year of account and subject to Lloyd's requirements.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

**For the year ended 31 December 2005**

### **xi. Investments**

Investments are stated at current value, including accrued interest at the Balance Sheet date.

### **xii. Investment Return**

Investment return comprises all investment income, realised investment gains and losses and movements in unrealised gains and losses, net of investment expenses and charges.

Realised and unrealised gains and losses are measured by reference to the original cost of the investment if purchased in the year, or if held at the beginning of the year by reference to the current value at that date.

Investment return is initially recorded in the non-technical account. A transfer is made from the non-technical account to the general business technical account to reflect the investment return on funds supporting the underwriting business.

### **xiii. Basis of Currency Translation**

Syndicates maintain separate funds in Sterling, United States dollars, Canadian dollars and Euros.

Income and expenditure in US dollars, Canadian dollars and Euros is translated at the average rate of exchange for the year. Underwriting transactions denominated in other foreign currencies are included at the rate of exchange ruling at the date the transaction is processed.

Assets and liabilities are translated into Sterling at the rates of exchange at the Balance Sheet date.

Differences arising on translation of foreign currency amounts in syndicates are included in the technical account.

### **xiv. Debtors/Creditors arising from insurance/reinsurance operations**

The amounts shown in the Balance Sheet include the totals of all the Syndicates outstanding debit and credit transactions as processed by the Lloyd's central facility; no account has been taken of any offsets which may be applicable in calculating the net amounts due between the Syndicates and each of their counterparty insureds, reinsurers or intermediaries as appropriate.



# **Bernasco Underwriting Limited**

## **Accounting Policies**

**For the year ended 31 December 2005**

### **Taxation**

The company is taxed on its results including its share of underwriting results declared by the syndicates and these are deemed to accrue evenly over the calendar year in which they are declared. The syndicate results included in these Financial Statements are only declared for tax purposes in the calendar year following the normal closure of the year of account. No provision is made for corporation tax in relation to open years of account. However, full provision is made for deferred tax on underwriting results not subject to current corporation tax.

The Inland Revenue agrees the taxable results of the syndicates at a syndicate level on the basis of computations submitted by the managing agent. At the date of the approval of these Financial Statements the syndicate taxable results of years of account closed at this and at previous year ends may not have been fully agreed with the Inland Revenue. Any adjustments that may be necessary to the tax provisions established by the Company, as a result of Inland Revenue agreement of syndicate results, will be reflected in the Financial Statements of subsequent periods.

### **Deferred Taxation**

Deferred tax is provided in full on timing differences which result in an obligation at the balance sheet date to pay more tax, or a right to pay less tax, at a future date, at rates expected to apply when they crystallise based on current tax rates and law.

Deferred tax assets are recognised to the extent that it is regarded as more likely than not that they will be recovered.

Deferred tax assets and liabilities have not been discounted.

### **Intangible Assets**

Costs incurred by the Company in the Corporation of Lloyd's auctions in order to acquire rights to participate on Syndicates' underwriting years are included within intangible fixed assets and amortised over a 5 year period beginning in the year following the purchase of the Syndicate participation.

### **Cash Flow Statement**

The company has no control over the disposition of assets and liabilities at Lloyd's. Consequently, the Cash Flow Statement is prepared reflecting only the movement in corporate funds, which includes transfers to and from Syndicates at Lloyd's.

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 1. Change in Reporting Basis

As described in the Accounting Policies, "Change in Reporting Basis and Basis of Accounting", the basis of accounting has been changed from the fund basis to the annual basis resulting in changes to a number of accounting policies and equity dividends are only included in the financial statements when they have been declared and approved for payment by the shareholders.

The principal difference between the annual accounting basis and the fund basis concerns the timing of the recognition of underwriting results of a particular year of account. Prior period amounts have been restated to reflect these changes in accounting policies. The effect of the change from the fund basis to the annual basis of accounting is shown in the following table:

	31 December 2004		
	Previously recognised	Adjustment to new reporting basis	Restated on an Annual accounting basis
	£	£	£
Recognition of 2004 year of account underwriting	-	(1,223)	(1,223)
Recognition of 2003 year of account underwriting	-	43,614	43,614
Recognition of 2002 and prior years of account underwriting	35,734	1,891	37,625
	35,734	44,282	80,016
Deferred taxation	7,776	(7,777)	(1)
	43,510	36,505	80,015

Under the annual basis of accounting premiums, including future premiums, are recognised on an earned basis. Previously premiums were accounted for in the period in which the risk commences, together with adjustments to premiums written in previous accounting periods.

Under the annual basis of accounting claims are provided for on the basis of premiums earned up to the balance sheet date with an additional provision where appropriate for unexpired risks. Previously, no profit was recognised until the end of the third year of a particular year of account and losses were recognised as soon as they were foreseeable. The excess of premiums written and syndicate investment income over the claims and syndicate expenses paid in respect of business incepting in an underwriting year was carried forward for two years in a fund as part of outstanding claims.

Under the annual basis of accounting expenses are accounted for on an accruals basis. In addition, acquisition costs are deferred to the extent that they relate to unearned premiums. Previously expenses were included on a provisional basis and were not finalised until the year of account closed. Any internal acquisition costs were written off as incurred.

The effect of the change in the recognition of equity dividends and the overall effect on the Company's reserves is shown in Note 15.

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 2. Class of Business

2005	Gross written premiums £	Gross Premiums Earned £	Gross claims incurred £	Net Operating expenses £	Reinsurance balance £	Total £
<b>Direct Insurance</b>						
Accident and health	11,274	11,406	(4,527)	(4,775)	(957)	1,147
Motor – third party liability	1,307	1,363	(492)	(800)	(481)	(410)
Motor – other classes	24,460	25,620	(16,834)	(8,270)	(88)	428
Marine, aviation and transport	39,562	35,675	(55,560)	(10,766)	26,772	(3,879)
Fire and other damage to property	77,124	75,420	(76,271)	(23,573)	15,387	(9,037)
Third party liability	91,593	88,240	(56,953)	(24,790)	(2,912)	3,585
Credit and suretyship	3,393	3,660	(4,801)	(1,485)	640	(1,986)
Legal expenses	373	265	(565)	(180)	37	(443)
Assistance	1	1	-	-	(135)	(134)
Miscellaneous	1,367	1,170	(558)	(86)	(41)	485
	250,454	242,820	(216,561)	(74,725)	38,222	(10,244)
Reinsurance	127,317	121,109	(169,466)	(32,129)	53,002	(27,484)
<b>Total</b>	<b>377,771</b>	<b>363,929</b>	<b>(386,027)</b>	<b>(106,854)</b>	<b>91,224</b>	<b>(37,728)</b>

### 2004 (Restated)

<b>Direct Insurance</b>						
Accident and health	9,080	10,129	(6,748)	(3,927)	338	(208)
Motor – third party liability	1,966	2,498	(1,660)	(1,015)	407	230
Motor – other classes	25,633	28,383	(19,450)	(7,844)	242	1,331
Marine, aviation and transport	29,217	29,941	(15,966)	(8,524)	(2,838)	2,613
Fire and other damage to property	70,217	71,407	(39,578)	(21,969)	(5,709)	4,151
Third party liability	80,432	77,307	(54,451)	(23,251)	(1,493)	(1,888)
Credit and suretyship	1,919	1,965	(1,622)	(546)	(27)	(230)
Legal expenses	147	190	(278)	(84)	123	(49)
Assistance	-	-	-	-	-	-
Miscellaneous	2,632	3,691	(1,252)	(1,016)	(255)	1,168
	221,243	225,511	(141,005)	(68,176)	(9,212)	7,118
Reinsurance	103,032	98,346	(58,228)	(25,330)	(4,122)	10,666
<b>Total</b>	<b>324,275</b>	<b>323,857</b>	<b>(199,233)</b>	<b>(93,506)</b>	<b>(13,334)</b>	<b>17,784</b>

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

<b>3. Geographical Analysis</b>	<b>2005</b>	<b>2004 Restated</b>
	<b>£</b>	<b>£</b>
<b>Direct Gross Premium Written in:</b>		
United Kingdom	250,453	221,243
Other EU Member States	-	-
Rest of the World	1	-
	<hr/>	<hr/>
	250,454	221,243
	<hr/>	<hr/>
<b>4. Net Operating Expenses</b>	<b>2005</b>	<b>2004 Restated</b>
	<b>£</b>	<b>£</b>
Acquisition costs	76,059	63,948
Change in deferred acquisition costs	(4,021)	(100)
Administrative expenses	37,799	27,849
Loss/(Profit) on exchange	(2,983)	1,809
	<hr/>	<hr/>
	106,854	93,506
	<hr/>	<hr/>
<b>5. Investment Income</b>	<b>2005</b>	<b>2004 Restated</b>
	<b>£</b>	<b>£</b>
Income from investments	16,803	11,230
	<hr/>	<hr/>
	16,803	11,230
	<hr/>	<hr/>
<b>6. Investment Expenses and Charges</b>	<b>2005</b>	<b>2004 Restated</b>
	<b>£</b>	<b>£</b>
Investment management expenses, including interest	417	341
	<hr/>	<hr/>
	417	341
	<hr/>	<hr/>
<b>7. Profit on Ordinary Activities before Taxation</b>	<b>2005</b>	<b>2004 Restated</b>
	<b>£</b>	<b>£</b>
This is stated after charging:		
Directors remuneration	-	-
Auditors' remuneration - audit	120	120
Auditors' remuneration – other services	-	-
Amortisation of syndicate capacity	1,884	1,957
Interest on bank loan and overdrafts	-	-
Interest on other loans	-	-
The Company has no employees	<hr/>	<hr/>

**Bernasco Underwriting Limited**  
**Notes to the Financial Statements**  
**For the year ended 31 December 2005**

**8. Taxation**

	<b>2005</b>	<b>2004</b>
	<b>£</b>	<b>Restated £</b>
<b>Analysis of Charge in Period</b>		
Current tax:		
UK corporation tax on profit of the period	-	-
Adjustment in respect of previous period	-	-
	-	-
Foreign tax	385	1,107
Total current tax	385	1,107
Deferred tax		
Origination and reversal of timing differences	-	-
	385	1,107

**Factors affecting tax charge for period**

The tax assessed for the period is different to the standard rate of corporation tax in the UK (19%). The differences are explained below:

Profit/(loss) on ordinary activities before tax	(28,616)	21,776
Profit/(loss) on ordinary activities multiplied by standard rate of corporation tax in the UK of 19% (2004 – 19%)	(5,437)	4,137
Effects of:		
Underwriting results subject to timing differences for taxation	33,086	13,356
Utilisation of tax losses	(27,553)	(17,957)
Foreign tax	385	1,107
Amortisation and other corporation computation adjustments	(96)	464
Marginal or starting rates of taxation and prior period adjustment	-	-
Current tax charge for the period	385	1,107

The results of the Company's participation on the 2003, 2004 and 2005 years of account and the calendar year movement on 2002 and prior run-offs, will not be assessed to tax until the year ended 31 December 2006, 2007 and 2008 respectively being the year after the calendar year result of each run-off year or the normal date of closure of each year of account.

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

<b>9. Dividends</b>	<b>2005</b>	<b>2004</b>
	<b>£</b>	<b>Restated £</b>
Equity dividends declared and paid	-	-
<b>10. Intangible Assets</b>	<b>2005</b>	<b>2004</b>
	<b>£</b>	<b>Restated £</b>
<b>Purchased syndicate capacity</b>		
<b>Cost</b>		
At 1 January 2005	14,285	13,258
Additions	803	1,027
Disposals	-	-
At 31 December 2005	15,088	14,285
<b>Amortisation</b>		
At 1 January 2005	10,747	8,789
Provided during the year	1,884	1,958
Disposals	-	-
At 31 December 2005	12,631	10,747
<b>Net Book Value</b>		
At 31 December 2005	2,457	3,538
At 31 December 2004	3,538	4,469

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 11. Investments

#### Other Financial Investments - Syndicate

	2005		2004 Restated	
	Market Value £	Cost £	Market Value £	Cost £
Shares and other variable yield securities and units in unit trusts	36,123	34,142	26,892	26,443
Debt securities and other fixed income securities	343,326	344,916	288,152	287,550
Participation in investment pools	6,227	6,090	10,453	10,451
Loans secured by mortgages	486	497	-	-
Other loans	2,646	1,578	9	11
Deposits with credit institutions	20,831	20,736	18,106	18,018
Other	116	179	257	256
	<b>409,755</b>	<b>408,138</b>	<b>343,869</b>	<b>342,729</b>
Listed investments included within the above	385,676	385,148	325,497	324,444

#### Other Financial Investments - Corporate

Shares and other variable yield securities	368	245	245	245
Debt securities and other fixed income securities	-	-	-	-
Participation in investment pools	-	-	-	-
Loans guaranteed by mortgage	-	-	-	-
Other loans	-	-	-	-
Deposits with credit institutions	-	-	-	-
Other	-	-	-	-
	<b>368</b>	<b>245</b>	<b>245</b>	<b>245</b>
Listed investments included within the above	368	245	245	245

### 12. Debtors arising out of Direct Insurance and Reinsurance Operations

	Syndicate Participation £	Corporate £	2005 Total £	Syndicate Participation £	Corporate £	2004 Restated Total £
The following amounts due after one year:						
Direct insurance operations	175	-	175	22	-	22
Reinsurance operations	437	-	437	244	-	244
	<b>612</b>	<b>-</b>	<b>612</b>	<b>266</b>	<b>-</b>	<b>266</b>

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 13. Other Debtors

	Syndicate Participation £	Corporate £	2005 Total £	Syndicate Participation £	Corporate £	2004 Restated Total £
Amounts due from group undertakings	-	-	-	-	-	-
Funds at Lloyd's	-	6	6	-	317	317
Other	37,642	1,314	38,956	35,627	6,374	42,001
	37,642	1,320	38,962	35,627	6,691	42,318

### 14. Called-up Share Capital

	2005 Authorised	2005 Allotted, called-up and fully paid	2004 Authorised	2004 Allotted, called-up and fully paid
Ordinary shares of £1 each	100,000	290	100,000	290

### 15. Profit and Loss Account

	Syndicate Participation £	Corporate £	2005 Total £	Syndicate Participation £	Corporate £	2004 Restated Total £
Retained profit/(loss) brought forward as previously reported	35,734	(141,695)	(105,961)	(36,385)	(97,166)	(133,551)
Prior Year adjustment – Annual accounting adjustment	44,282	(7,777)	36,505	49,806	(6,380)	43,426
Reallocate 2004 distribution	-	-	-	36,385	(36,385)	-
As restated	80,016	(149,472)	(69,456)	49,806	(139,931)	(90,125)
Reallocate 2005 distribution	(35,734)	35,734	-	-	-	-
Profit/(loss) for the financial year	(10,833)	(18,168)	(29,001)	30,210	(9,541)	20,669
Retained profit/(loss) carried forward	33,449	(131,906)	(98,457)	80,016	(149,472)	(69,456)

### 16. Reconciliation of Movements in Shareholders' Funds

	2005 £	2004 Restated £
Opening shareholders funds as previously stated	(105,671)	(133,261)
Prior year adjustment (Note 1)	36,505	43,426
Opening shareholders funds as restated	(69,166)	(89,835)
Profit/(loss) for the financial year	(29,001)	20,669
Equity Dividends	-	-
Closing shareholders' funds	(98,167)	(69,166)



# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 17. Deferred Taxation

	2005	2004 Restated
	£	£
Opening Balance Previously Reported	(7,776)	(6,385)
Prior year adjustment	7,776	6,385
As restated	-	-
Profit and loss account charge	-	-
Closing balance	-	-

### 18. Creditors

	Syndicate Participation	Corporate	2005 Total	Syndicate Participation	Corporate	2004 Restated Total
	£	£	£	£	£	£
Corporation tax	-	-	-	-	-	-
Proprietors' loan accounts	-	99,178	99,178	-	123,215	123,215
Third Party Funds	-	-	-	-	-	-
Other creditors	41,247	8,906	50,153	30,261	17,829	48,090
Amount due to group undertakings	-	-	-	-	-	-
	41,247	108,084	149,331	30,261	141,044	171,305

### 19. Reconciliation of Operating Profit to Net Cash Outflow from Operating Activities

	2005	2004 Restated
	£	£
Profit or loss on ordinary activities before tax	(28,616)	21,776
(Profit)/loss attributable to syndicate transactions	46,567	(66,589)
Profit or loss – excluding syndicate transactions	17,951	(44,813)
(Increase)/decrease in debtors	5,371	23,327
Increase/(decrease) in creditors	(21,950)	20,904
(Profit)/loss on disposal of intangible assets	-	-
Amortisation of syndicate capacity	2,857	2,443
Impairment of syndicate capacity	(973)	(486)
Unrealised (gain)/loss on revaluation of investments	(123)	-
Net cash inflow/(outflow) from operating activities	3,133	1,375

# **Bernasco Underwriting Limited**

## **Notes to the Financial Statements For the year ended 31 December 2005**

### **20. Related party disclosure**

The company's 1999, 2000, 2001 2002, 2003, 2004 and 2005 underwriting is supported by the assets of or guarantees made interavailable to it by J G Bernasconi. These assets or guarantees are also available to Lloyd's to meet the personal underwriting liabilities of J G Bernasconi for underwriting years in run-off commencing prior to 1 January 1999, where applicable.

Nomina plc, a director of the company, administers the conversion scheme in which the company participates. Nomina plc charges a fixed management fee of £2,500 (2004: £2,250) to cover all the costs of basic administration of the company.

# Bernasco Underwriting Limited

## Notes to the Financial Statements For the year ended 31 December 2005

### 21 Syndicates

The principal syndicates or members' agent pooling arrangements ("MAPA") in which the company participates as an underwriting member are as follows:

Syndicate or MAPA Number:	Managing Agent	2005 Allocated Capacity £	2004 Allocated Capacity £	2003 Allocated capacity £	2002 Allocated Capacity £
218	Cox Syndicate Management Ltd	10,360	10,360	10,360	8,634
2020	Wellington U/W Agencies Ltd.	17,375	17,375	16,661	14,876
2791	Managing Agency Partners Ltd.	23,000	-	-	-
4040	Illium Managing Agency Ltd	10,000	15,000	-	-
7071	Members' Agents Pooling Arrangement	-	-	-	230,858
7200	Members' Agents Pooling Arrangement	33,616	33,616	31,743	-
7201	Members' Agents Pooling Arrangement	178,353	178,353	156,176	-
7202	Members' Agents Pooling Arrangement	65,366	72,628	66,025	-