Company registration number: 3637423

# Bernasco Underwriting Limited

## Report and financial statements
## 31 December 2008

## Contents:

# Bernasco Underwriting Limited

## Company information

| | |
|---|---|
| **Directors** | J G Bernasconi<br>Nomina plc |
| **Company Secretary** | Hampden Legal PLC |
| **Registered Office** | 85, Gracechurch Street<br>London<br>EC3V OAA |
| **Auditors** | Littlejohn LLP<br>Chartered Accountants<br>and Registered Auditors<br>1 Westferry Circus<br>Canary Wharf<br>London<br>E14 4HD |
| **Accountants** | Axiom Consulting Limited<br>Lloyds Chambers<br>1 Portsoken Street<br>London E1 8DF |
| **Solicitors** | Jones Day<br>21, Tudor Street<br>London<br>EC4Y ODJ |

# 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 2008.

### Principal Activities, Business Review and Future Developments

The principal activity of the Company is that of trading as a Lloyd's corporate capital member. The Company continues to trade in 2009 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 2006, 2007 and 2008 years of account, as well as any 2005 and prior run-off years.

The 2006 year closed at 31 December 2008 with a result of £105,038 (2005 - £(33,114)). The 2007 and 2008 open underwriting account will normally close at 31 December 2009 and 2010.

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 9 to 10 of the Financial Statements. Dividends totalling £- were paid in the year (2007 - £-).

## Bernasco Underwriting Limited

## Report of the Directors (continued)

### Key Performance Indicators

The directors monitor the performance of the Company by reference to the following key performance indicators:

| | 2008 | 2007 |
|---|---|---|
| Capacity (youngest underwriting year) | 340,061 | 373,807 |
| Gross premium written as a % of capacity | 102.7% | 94.8% |
| Underwriting profit of latest closed year: | | |
| as a % of capacity | 29.4% | 6.2% |
| Run-off years of account movement | 2,760 | 583 |

### Other Performance Indicators

As a result of the nature of this Company as a Lloyd's Corporate Member the majority of its activities are carried out by the syndicates in which it participates. The Company is not involved directly in the management of the syndicate's activities, including employment of syndicate staff, as these are the responsibility of the relevant Managing Agent. Each Managing Agent will also have responsibility for the environmental activities of each syndicate, although by their nature insurers do not produce significant environmental emissions. As a result, the Directors of the Company do not consider it appropriate to monitor and report any performance indicators in relation to staff or environmental matters.

### Risk Management

As a corporate member of Lloyd's the majority of the risks to this Company's future cash flows arise from its participation in the results of Lloyd's syndicates. As detailed below, these risks are mostly managed by the Managing Agent of the syndicate. This Company's role in managing this risk is limited to selection of syndicate participations and monitoring performance of the syndicates.

## Bernasco Underwriting Limited

## Report of the Directors (continued)

### Syndicate risks

The syndicate's activities expose it to a variety of financial and non-financial risks. The Managing Agent is responsible for managing the syndicate's exposure to these risks and, where possible, introducing controls and procedures that mitigate the effects of the exposure to risk. Each year, the Managing Agent prepares an Individual Capital Assessment (ICA) for the syndicate, the purpose of this being to agree capital requirements with Lloyd's based on an agreed assessment of the risks impacting the syndicate's business, and the measures in place to manage and mitigate those risks from a quantitative and qualitative perspective. The risks described below are typically reflected in the ICA; and typically the majority of the total assessed value of the risks concerned is attributable to Insurance Risk.

The insurance risks faced by a syndicate include the occurrence of catastrophic events, downward pressure on pricing of risks, reductions in business volumes and the risk of inadequate reserving. Reinsurance risks arise from the risk that a reinsurer fails to meet their share of a claim. The management of the syndicate's funds is exposed to risks of investment, liquidity, currency and interest rates leading to financial loss. The syndicate is also exposed to regulatory and operational risks including its ability to continue to trade. However, supervision by Lloyd's and the Financial Services Authority provide additional controls over the syndicate's management of risks.

The Company manages the risks faced by the syndicates on which it participates by monitoring the performance of the syndicates it supports. This commences in advance of committing to support a syndicate for the following year, with a review of the business plan prepared for each syndicate by its Managing Agent. In addition quarterly reports and annual accounts together with any other information made available by the Managing Agent are monitored and if necessary enquired into. If the Company considers that the risks being run by the syndicate are excessive it will seek confirmation from the Managing Agent that adequate management of the risk is in place and if considered appropriate will withdraw support from the next underwriting year. The company relies on advice provided by the Members' Agent which acts for it, who are specialists in assessing the performance and risk profiles of syndicates.

### Investment and currency risks

The other significant risks faced by the Company are with regard to the investment of the available funds within its own custody. The elements of these risks are investment risk, liquidity risk, currency risk and interest rate risk. The main liquidity risk would arise if a syndicate had inadequate liquid resources for a large claim and sought funds from the company to meet the claim. In order to minimise investment, credit and liquidity risk the Company's funds are invested in readily realisable short term cash deposits.

## Report of the Directors (continued)

### Regulatory risks

The Company is subject to continuing approval by Lloyd's and the Financial Services Authority to be a member of a Lloyd's syndicate. The risk of this approval being removed is mitigated by monitoring and fully complying with all requirements in relation to membership of Lloyd's. The capital requirements to support the proposed amount of syndicate capacity for future years are subject to the requirements of Lloyd's. A variety of factors are taken into account by Lloyd's in setting these requirements including market conditions and syndicate performance and although the process is intended to be fair and reasonable the requirements can fluctuate from one year to the next, which may constrain the volume of underwriting the Company is able to support.

### Operational risks

As there are relatively few transactions actually undertaken by the Company there are only limited systems and staffing requirements of the Company and therefore operational risks are not considered to be significant. Close involvement of all directors in the Company's key decision making and the fact that the majority of the Company's operations are conducted by syndicates provides control over any remaining operational risks.

### Directors

The Directors who served at any time during the year were as follows:

J G Bernasconi
Nomina plc

## Report of the Directors (continued)

### Directors' Responsibilities

Company law requires the Directors to prepare Financial Statements for each financial year which give a true and fair view of the state of affairs of the Company and of the profit or loss of the Company for that year, in accordance with United Kingdom Accounting Standards and applicable law (UK and Generally Accepted Accounting Practice). 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 followed, subject to any material departures disclosed and explained in the Financial Statements
- 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

Our independent auditors, Littlejohn, have transferred their business to Littlejohn LLP, a limited liability partnership. In accordance with section 26(5) of the companies Act 1989, the Directors have consented to the extension of the audit appointment of Littlejohn to its successor firm, Littlejohn LLP.

Littlejohn LLP has signified its willingness to continue in office as auditors.

**In the case of each of the persons who are Director's at the time this report is approved, the following applies:**

(a) So far as the Directors are aware, there is no relevant audit information of which the Company's auditors are unaware, and

(b) They have taken all the steps that they ought to have taken as a Director in order to make themselves aware of any relevant audit information and to establish that the Company's auditors are aware of that information.

By Order of the Board

Hampden Legal PLC
Secretary

1st September 2009

# 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 2008 which comprise the Profit and Loss Account, the Balance Sheet, the Cash Flow Statement, the Accounting Policies and the related notes 1 to 20. These Financial Statements have been prepared under 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 whether, in our opinion the information given in the Report of the Directors is consistent with the Financial Statements.

In addition we report to you if, in our opinion, 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.

## Independent Auditors' report (continued)

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.

**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 2008 and of its result for the year then ended;

- and have been properly prepared in accordance with the Companies Act 1985; and

- the information given in the Report of the Directors is consistent with the Financial Statements.

Littlejohn LLP

**Littlejohn LLP**

Chartered Accountants
and Registered Auditors

2nd September 2009

# Bernasco Underwriting Limited

## Profit and loss account
## Technical account – general business
## For the year ended 31 December 2008

| | Note | | 2008 £ | | 2007 £ |
|---|---|---|---|---|---|
| **Premiums Written** | | | | | |
| Gross premiums written | 1 | | 349,298 | | 354,545 |
| Outward reinsurance premiums | | | (53,014) | | (51,805) |
| **Net Premiums Written** | | | 296,284 | | 302,740 |
| **Change in the provision for Unearned premiums** | | | | | |
| Gross Provision | | | 9,120 | | 6,879 |
| Reinsurers' share | | | (14) | | (3,116) |
| **Earned Premiums, Net of Reinsurance** | | | 305,390 | | 306,503 |
| **Allocated Investment Return Transferred from the Non-Technical Account** | | | 11,612 | | 31,267 |
| Other technical income, net of reinsurance | | | (385) | | 130 |
| **Claims Paid** | | | | | |
| Gross Amount | | (192,748) | | (188,647) | |
| Reinsurers' share | | 34,157 | | 49,830 | |
| Net claims paid | | (158,591) | | (138,817) | |
| **Change in Provision for Claims** | | | | | |
| Gross amount | | (26,447) | | 28,631 | |
| Reinsurers' share | | 4,339 | | (37,605) | |
| Change in net provision for claims | | (22,108) | | (8,974) | |
| **Claims Incurred, Net of Reinsurance** | | | (180,699) | | (147,791) |
| Changes in other technical provisions, net of reinsurance | | | - | | - |
| Net operating expenses | 3 | | (72,438) | | (120,575) |
| Other technical charges, net of reinsurance | | | - | | - |
| **Balance on the Technical Account for General Business** | | | 63,480 | | 69,534 |

The accounting policies and notes on pages 14 to 28 form part of these Financial Statements.

## Bernasco Underwriting Limited

## Profit and loss account
## Non - technical account
## For the year ended 31 December 2008

| | Note | 2008<br>£ | 2007<br>£ |
|---|---|---|---|
| **Balance on Technical Account for General Business** | | 63,480 | 69,534 |
| Investment income | 4 | 34,364 | 30,813 |
| Unrealised gains on investments | | 6,326 | 6,698 |
| Investment expenses and charges | 5 | (11,565) | (4,740) |
| Unrealised losses on investments | | (17,513) | (1,504) |
| Allocated investment return transferred to the general business technical account | | (11,612) | (31,267) |
| Other income | | - | 11 |
| Other charges | | (10,427) | (5,396) |
| **Profit/(loss) on ordinary activities before taxation** | 6 | 53,053 | 64,149 |
| Tax on profit/(loss) on ordinary activities | 7 | (14,595) | (10,166) |
| **Profit/(loss) for the financial year** | 14 | 38,458 | 53,983 |

All amounts relate to continuing operations.

The accounting policies and notes on pages 14 to 28 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Balance sheet
## As at 31 December 2008

| | Note | 31 December 2008 Syndicate Participation £ | 31 December 2008 Corporate £ | 31 December 2008 Total £ | 31 December 2007 Syndicate Participation £ | 31 December 2007 Corporate £ | 31 December 2007 Total £ |
|---|---|---|---|---|---|---|---|
| **Assets** | | | | | | | |
| **Intangible assets** | 9 | - | 1,082 | 1,082 | - | 430 | 430 |
| **Investments** | | | | | | | |
| Financial investments | 10 | 571,961 | - | 571,961 | 503,006 | 669 | 503,675 |
| Deposits with ceding undertakings | | 262 | - | 262 | 307 | - | 307 |
| | | 572,223 | - | 572,223 | 503,313 | 669 | 503,982 |
| **Reinsurers' share of technical provisions** | | | | | | | |
| Provision for unearned premiums | | 17,585 | - | 17,585 | 14,832 | - | 14,832 |
| Claims outstanding | | 144,295 | - | 144,295 | 117,769 | - | 117,769 |
| Other technical provisions | | - | - | - | - | - | - |
| | | 161,880 | - | 161,880 | 132,601 | - | 132,601 |
| **Debtors** | | | | | | | |
| Arising out of direct insurance operations | | 91,036 | - | 91,036 | 67,102 | - | 67,102 |
| Arising out of reinsurance operations | | 126,776 | - | 126,776 | 83,777 | - | 83,777 |
| Other debtors | 11 | 33,801 | 14,668 | 48,469 | 50,519 | 27,618 | 78,137 |
| | | 251,613 | 14,668 | 266,281 | 201,398 | 27,618 | 229,016 |
| **Other assets** | | | | | | | |
| Cash at bank and in hand | | 41,430 | 11,413 | 52,843 | 44,251 | 9,094 | 53,345 |
| Other | | 40,181 | - | 40,181 | 32,617 | - | 32,617 |
| | | 81,611 | 11,413 | 93,024 | 76,868 | 9,094 | 85,962 |
| **Prepayments and accrued income** | | | | | | | |
| Accrued interest | | 2,334 | - | 2,334 | 2,517 | - | 2,517 |
| Deferred acquisitions costs | | 39,284 | - | 39,284 | 35,303 | - | 35,303 |
| Other prepayments and accrued income | | 1,631 | - | 1,631 | 1,055 | - | 1,055 |
| | | 43,249 | - | 43,249 | 38,875 | - | 38,875 |
| **Total assets** | | 1,110,576 | 27,163 | 1,137,739 | 953,055 | 37,811 | 990,866 |

The accounting policies and notes on pages 14 to 28 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Balance sheet
## As at 31 December 2008

| | Note | 31 December 2008 Syndicate Participation £ | Corporate £ | Total £ | 31 December 2007 Syndicate Participation £ | Corporate £ | Total £ |
|---|---|---|---|---|---|---|---|
| **Liabilities and shareholders' funds** | | | | | | | |
| **Capital and reserves** | | | | | | | |
| Called up share capital | 12 | - | 290 | 290 | - | 290 | 290 |
| Share premium account | | - | - | - | - | - | - |
| Profit and loss account | 13 | 144,638 | (63,641) | 80,997 | 93,350 | (50,811) | 42,539 |
| **Shareholders' funds – attributable to equity interests** | 14 | 144,638 | (63,351) | 81,287 | 93,350 | (50,521) | 42,829 |
| **Technical provisions** | | | | | | | |
| Provision for unearned premiums | | 166,693 | - | 166,693 | 152,271 | - | 152,271 |
| Claims outstanding – gross amount | | 727,177 | - | 727,177 | 594,728 | - | 594,728 |
| Other technical provisions | | - | - | - | - | - | - |
| **Provisions for other risks and charges** | | | | | | | |
| Deferred taxation | 15 | - | 23,629 | 23,629 | - | 9,846 | 9,846 |
| Other | | 37 | - | 37 | - | - | - |
| **Deposit received from reinsurers** | | 2,615 | - | 2,615 | 1,105 | - | 1,105 |
| **Creditors** | | | | | | | |
| Arising out of direct insurance operations | | 21,464 | - | 21,464 | 24,501 | - | 24,501 |
| Arising out of reinsurance operations | | 42,519 | - | 42,519 | 27,948 | - | 27,948 |
| Amounts owed to credit Institutions | | 74 | - | 74 | 46 | - | 46 |
| Other creditors including taxation and social security | 16 | 46,567 | 12,233 | 58,800 | 73,954 | 50,060 | 124,014 |
| | | 1,007,146 | 35,862 | 1,043,008 | 874,553 | 59,906 | 934,459 |
| **Accruals and deferred income** | | (41,208) | 54,652 | 13,444 | (14,848) | 28,426 | 13,578 |
| **Total liabilities** | | 1,110,576 | 27,163 | 1,137,739 | 953,055 | 37,811 | 990,866 |

Approved by the Board of Directors on 1st September 2009
and signed on its behalf by:

Nomina plc
Director

The accounting policies and notes on pages 14 to 28 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Cash flow statement
## For the year ended 31 December 2008

| | Note | 2008<br>£ | 2007<br>£ |
|---|---|---|---|
| **Operating activities** | | | |
| Net cash inflow/(outflow) from operating activities | 17 | 3,163 | (11,172) |
| **Returns on investments and servicing of finance** | | - | - |
| **Capital expenditure** | | | |
| Purchase of syndicate capacity | | (787) | (501) |
| Proceeds from sale of syndicate capacity | | - | 11 |
| **Taxation** | | | |
| Corporation and overseas taxes (paid)/refunded | | (812) | (320) |
| **Equity dividends paid** | | - | - |
| **Financing** | | | |
| Issue of shares | | - | - |
| Share issue expenses | | - | - |
| Net cash inflow/(outflow) for the year | 17 | 1,564 | (11,982) |

**Cash flows were invested as follows:**

| | Note | 2008<br>£ | 2007<br>£ |
|---|---|---|---|
| Increase/(decrease) in cash holdings | 17 | 2,319 | (11,982) |
| Purchase of financial investments | | - | - |
| Sale of financial investments | | (755) | - |
| Net investment of cash flows | | 1,564 | (11,982) |

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 14 to 28 form part of these Financial Statements.

# Bernasco Underwriting Limited

## Accounting Policies
## For the year ended 31 December 2008

### 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, as amended in December 2006, except that exchange differences arising on syndicate assets and liabilities are dealt with in the technical account as all of these differences arise from technical account transactions.

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.

### Basis of Accounting

The Financial Statements are prepared using the annual basis of accounting. 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.

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.

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.

# Accounting Policies
# For the year ended 31 December 2008

## 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.

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.

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.

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.

## Accounting Policies
## For the year ended 31 December 2008

### 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.

HM Revenue & Customs 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 HM Revenue & Customs. Any adjustments that may be necessary to the tax provisions established by the Company, as a result of HM Revenue & Customs 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 2008

### 1. Class of Business

| 2008 | Gross Written Premiums £ | Gross Premiums Earned £ | Gross Claims Incurred £ | Net Operating Expenses £ | Reinsurance Balance £ | Total £ |
|---|---|---|---|---|---|---|
| **Direct Insurance** | | | | | | |
| Accident and health | 9,294 | 9,384 | (3,187) | (3,270) | (118) | 2,809 |
| Motor – third party liability | 875 | 1,263 | (1,039) | (378) | 12 | (142) |
| Motor – other classes | 25,699 | 28,400 | (20,993) | (7,000) | 104 | 511 |
| Marine, aviation and transport | 39,920 | 40,343 | (33,127) | (9,268) | 1,570 | (482) |
| Fire and other damage to property | 73,951 | 74,861 | (46,615) | (17,438) | (3,555) | 7,253 |
| Third party liability | 64,978 | 67,757 | (39,687) | (14,838) | (1,401) | 11,831 |
| Credit and suretyship | 3,483 | 3,384 | (1,079) | (826) | (518) | 961 |
| Legal expenses | 318 | 295 | (195) | (62) | (17) | 21 |
| Assistance | - | - | - | - | - | - |
| Miscellaneous | 1,291 | 1,154 | (459) | (436) | - | 259 |
| | 219,809 | 226,841 | (146,381) | (53,516) | (3,923) | 23,021 |
| Reinsurance | 129,489 | 131,577 | (72,814) | (18,922) | (10,609) | 29,232 |
| **Total** | 349,298 | 358,418 | (219,195) | (72,438) | (14,532) | 52,253 |

| 2007 | Gross Written Premiums £ | Gross Premiums Earned £ | Gross Claims Incurred £ | Net Operating Expenses £ | Reinsurance Balance £ | Total £ |
|---|---|---|---|---|---|---|
| **Direct Insurance** | | | | | | |
| Accident and health | 9,054 | 9,738 | (4,412) | (3,933) | (547) | 846 |
| Motor – third party liability | 1,533 | 1,738 | (846) | (535) | (51) | 306 |
| Motor – other classes | 30,266 | 27,750 | (20,175) | (8,757) | (889) | (2,071) |
| Marine, aviation and transport | 37,163 | 39,728 | (14,791) | (12,837) | (6,482) | 5,618 |
| Fire and other damage to property | 72,178 | 76,152 | (29,897) | (29,624) | (8,649) | 7,982 |
| Third party liability | 71,639 | 74,739 | (40,036) | (24,289) | (6,531) | 3,883 |
| Credit and suretyship | 2,795 | 3,284 | (1,016) | (449) | (378) | 1,441 |
| Legal expenses | 257 | 256 | (165) | (120) | (46) | (75) |
| Assistance | - | - | - | - | - | - |
| Miscellaneous | 1,372 | 1,148 | (1,843) | (584) | (42) | (1,321) |
| | 226,257 | 234,533 | (113,181) | (81,128) | (23,615) | 16,609 |
| Reinsurance | 128,288 | 126,891 | (46,835) | (39,447) | (19,081) | 21,528 |
| **Total** | 354,545 | 361,424 | (160,016) | (120,575) | (42,696) | 38,137 |

## Bernasco Underwriting Limited

## Notes to the Financial Statements
## For the year ended 31 December 2008

| 2. Geographical Analysis | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| **Direct Gross Premium Written in:** | | |
| United Kingdom | 219,813 | 226,257 |
| Other EU Member States | - | - |
| Rest of the World | (4) | - |
| | 219,809 | 226,257 |

| 3. Net Operating Expenses | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| Acquisition costs | 77,067 | 77,166 |
| Change in deferred acquisition costs | 882 | 198 |
| Administrative expenses | 39,520 | 47,813 |
| Loss/(Profit) on exchange | (45,031) | (4,602) |
| | 72,438 | 120,575 |

| 4. Investment Income | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| Income from investments | 21,164 | 22,192 |
| Gains on the realisation of investments | 11,414 | 6,722 |
| Bank deposit interest | 1,786 | 1,899 |
| | 34,364 | 30,813 |

| 5. Investment Expenses and Charges | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| Investment management expenses, including interest | 718 | 647 |
| Losses on the realisation of investments | 10,847 | 4,093 |
| | 11,565 | 4,740 |

| 6. Profit/(Loss) on Ordinary Activities before Taxation | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| This is stated after charging: | | |
| Directors remuneration | - | - |
| Amortisation of syndicate capacity | 135 | 1,004 |
| Interest on bank loan and overdrafts | - | - |
| Interest on other loans | - | - |

The Company has no employees

The auditors, Littlejohn LLP, charge a fixed fee to Nomina PLC for the provision of the audit of the company. This fee is included within the service fee charged to the company by Nomina PLC and equates to approximately £112 (2007 £120).

# Bernasco Underwriting Limited

## Notes to the Financial Statements
## For the year ended 31 December 2008

### 7. Taxation

| | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| **Analysis of Charge in Period** | | |
| Current tax: | | |
| UK corporation tax on profit/(loss) of the period | - | - |
| Adjustment in respect of previous period | - | - |
| | - | - |
| Foreign tax | 812 | 320 |
| Total current tax | 812 | 320 |
| Deferred tax: | | |
| Origination and reversal of timing differences | 13,265 | 9,846 |
| Change in tax rate | 518 | - |
| | 14,595 | 10,166 |

**Factors affecting tax charge for period**

The tax assessed for the period is different to the standard rate of corporation tax in the UK of 20.75% (2007 - 19.75%). The differences are explained below:

| | 2008 | 2007 |
|---|---|---|
| Profit/(loss) on ordinary activities before tax | 53,053 | 64,149 |
| Profit/(loss) on ordinary activities multiplied by standard rate of corporation tax in the UK of 20.75% (2007 – 19.75%) | 11,008 | 12,669 |
| Effects of: | | |
| Underwriting results subject to timing differences for taxation | (10,629) | (8,391) |
| Utilisation of tax losses | (211) | (4,242) |
| Foreign tax | 644 | 320 |
| Other corporation computation adjustments | - | (36) |
| Marginal rates of taxation and prior period adjustment | - | - |
| Current tax charge for the period | 812 | 320 |

The results of the Company's participation on the 2006, 2007 and 2008 years of account and the calendar year movement on 2005 and prior run-offs, will not be assessed to tax until the year ended 31 December 2009, 2010 and 2011 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.

## 8. Dividends

| | 2008 £ | 2007 £ |
|---|---|---|
| Equity dividends declared and paid | - | - |

## 9. Intangible Assets

| | 2008 £ | 2007 £ |
|---|---|---|
| **Purchased syndicate capacity** | | |
| **Cost** | | |
| At 1 January 2008 | 15,308 | 14,807 |
| Additions | 787 | 501 |
| Disposals | - | - |
| At 31 December 2008 | 16,095 | 15,308 |
| **Amortisation** | | |
| At 1 January 2008 | 14,878 | 13,874 |
| Provided during the year | 135 | 1,004 |
| Disposals | - | - |
| At 31 December 2008 | 15,013 | 14,878 |
| **Net Book Value** | | |
| At 31 December 2008 | 1,082 | 430 |
| At 31 December 2007 | 430 | 933 |

# Notes to the Financial Statements
# For the year ended 31 December 2008

## 10. Investments

### Other Financial Investments - Syndicate

| | 2008 | | 2007 | |
|---|---|---|---|---|
| | Market Value £ | Cost £ | Market Value £ | Cost £ |
| Shares and other variable yield securities and units in unit trusts | 57,537 | 63,682 | 53,368 | 49,516 |
| Debt securities and other fixed income securities | 481,677 | 487,322 | 414,144 | 405,738 |
| Participation in investment pools | 17,039 | 18,918 | 7,687 | 7,111 |
| Loans secured by mortgages | 830 | 1,033 | 595 | 589 |
| Other loans | 3,781 | 3,777 | 9,111 | 9,080 |
| Deposits with credit institutions | 10,756 | 10,820 | 17,381 | 17,352 |
| Other | 341 | 802 | 720 | 712 |
| | 571,961 | 586,354 | 503,006 | 490,098 |
| Listed investments included within the above | 556,253 | 569,922 | 475,199 | 462,365 |

### Other Financial Investments - Corporate

| | | | | |
|---|---|---|---|---|
| Shares and other variable yield securities | - | - | 669 | 245 |
| Debt securities and other fixed income securities | - | - | - | - |
| | - | - | 669 | 245 |
| Listed investments included within the above | - | - | 669 | 245 |

# Notes to the Financial Statements
# For the year ended 31 December 2008

## 11. Other Debtors

| | Syndicate Participation £ | Corporate £ | 2008 Total £ | Syndicate Participation £ | Corporate £ | 2007 Total £ |
|---|---|---|---|---|---|---|
| Amounts due from group undertakings | - | - | - | - | - | - |
| Funds at Lloyd's | - | 14,042 | 14,042 | - | 13,651 | 13,651 |
| Other | 33,801 | 626 | 34,427 | 50,519 | 13,967 | 64,486 |
| | 33,801 | 14,668 | 48,469 | 50,519 | 27,618 | 78,137 |

Funds at Lloyd's represents assets deposited with the Corporation of Lloyd's (Lloyd's) to support the Company's underwriting activities as described in the Accounting Policies. The Company has entered into a Lloyd's Deposit Trust Deed which gives the Corporation the right to apply these monies in settlement of any claims arising from the participation on the syndicates. These monies can only be released from the provision of this Deed with Lloyd's express permission and only in circumstances where the amounts are either replaced by an equivalent asset, or after the expiration of the Company's liabilities in respect of its underwriting.

## 12. Called-up Share Capital

| | 2008 Authorised | 2008 Allotted, called-up and fully paid | 2007 Authorised | 2007 Allotted, called-up and fully paid |
|---|---|---|---|---|
| Ordinary £1 shares | 100,000 | 290 | 100,000 | 290 |

## 13. Profit and Loss Account

| | Syndicate Participation £ | Corporate £ | 2008 Total £ | Syndicate Participation £ | Corporate £ | 2007 Total £ |
|---|---|---|---|---|---|---|
| Retained profit/(loss) brought forward | 93,350 | (50,811) | 42,539 | 51,300 | (62,744) | (11,444) |
| Reallocate distribution | (21,541) | 21,541 | - | (41,047) | 41,047 | - |
| Profit/(loss) for the financial year | 72,830 | (34,372) | 38,458 | 83,097 | (29,114) | 53,983 |
| Equity dividends | - | - | - | - | - | - |
| Retained profit/(loss) carried forward | 144,638 | (63,641) | 80,997 | 93,350 | (50,811) | 42,539 |

## Notes to the Financial Statements
## For the year ended 31 December 2008

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

| | 2008 £ | 2007 £ |
|---|---|---|
| Opening shareholders funds | 42,829 | (11,154) |
| Profit/(loss) for the financial year | 38,458 | 53,983 |
| Equity dividends | - | - |
| Proceeds from issue of shares | - | - |
| Closing shareholders' funds | 81,287 | 42,829 |

### 15. Deferred Taxation

| | 2008 £ | 2007 £ |
|---|---|---|
| Opening balance | 9,846 | - |
| Profit and loss account charge | 13,783 | 9,846 |
| Closing balance | 23,629 | 9,846 |

### 16. Other Creditors including Taxation and Social Security

| | 2008 | | | 2007 | | |
|---|---|---|---|---|---|---|
| | Syndicate Participation £ | Corporate £ | Total £ | Syndicate Participation £ | Corporate £ | Total £ |
| Corporation tax | - | - | - | - | - | - |
| Proprietors' loan accounts | - | 11,619 | 11,619 | - | 46,566 | 46,566 |
| Third Party Funds | - | - | - | - | - | - |
| Other creditors | 46,567 | 614 | 47,181 | 73,954 | 3,494 | 77,448 |
| Amount due to group undertakings | - | - | - | - | - | - |
| | 46,567 | 12,233 | 58,800 | 73,954 | 50,060 | 124,014 |

**17. (a) Reconciliation of Operating Profit to Net Cash Inflow/(Outflow) from Operating Activities**

| | 2008 | 2007 |
|---|---|---|
| | £ | £ |
| Profit or loss on ordinary activities before tax | 53,053 | 64,149 |
| (Profit)/loss attributable to syndicate transactions | (51,288) | (42,050) |
| Profit or loss – excluding syndicate transactions | 1,765 | 22,099 |
| (Increase)/decrease in debtors | 12,950 | 10,387 |
| Increase/(decrease) in creditors | (11,601) | (44,470) |
| (Profit)/loss on disposal of intangible assets | - | (11) |
| Amortisation of syndicate capacity | 135 | 1,004 |
| Impairment of syndicate capacity | - | - |
| Realised/unrealised (gains)/losses on investments | (86) | (181) |
| Net cash inflow/(outflow) from operating activities | 3,163 | (11,172) |

**(b) Movement in cash, portfolio investments and financing**

| | At 1 January 2008 | Cashflow | Changes to Market Value | At 31 December 2008 |
|---|---|---|---|---|
| | £ | £ | £ | £ |
| Cash | 9,094 | 2,319 | - | 11,413 |
| Other financial investments | 669 | (755) | 86 | - |
| | 9,763 | 1,564 | 86 | 11,413 |

**18. Related party disclosure**

The Company's underwriting is supported by assets made interavailable to it by the shareholders of the company.
Nomina plc, a director of the company, administers the conversion scheme in which the company participates. Nomina plc charged a management fee of £2,625 (2007 : £2,625) to cover all the costs of basic administration of the company.

**19. Ultimate Controlling Party**

The Company is controlled by J G Bernasconi.

## Bernasco Underwriting Limited

## Notes to the Financial Statements
## For the year ended 31 December 2008

### 20. Syndicate Participation

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 | 2008 Allocated Capacity £ | 2007 Allocated Capacity £ | 2006 Allocated capacity £ | 2005 Allocated Capacity £ |
|---|---|---|---|---|---|
| 218 | Cox Syndicate Management Ltd | 10,062 | 10,062 | 9,583 | 10,360 |
| 2020 | Wellington U/W Agencies Ltd. | - | - | 19,041 | 17,375 |
| 2791 | Managing Agency Partners Ltd. | 21,741 | 25,001 | 28,231 | 23,000 |
| 4040 | HCC Underwriting Agency Ltd | - | 10,000 | 10,000 | 10,000 |
| 6101 | Argenta Syndicate Management Ltd. | 20,231 | 20,231 | - | - |
| 6103 | Managing Agency Partners Ltd. | 5,000 | 5,000 | - | - |
| 7200 | Members' Agents Pooling Arrangement | 33,202 | 35,632 | 33,616 | 33,616 |
| 7201 | Members' Agents Pooling Arrangement | 176,104 | 189,054 | 178,353 | 178,353 |
| 7202 | Members' Agents Pooling Arrangement | 63,650 | 67,980 | 65,366 | 65,366 |
| 7203 | Members' Agents Pooling Arrangement | 10,071 | 10,847 | 12,482 | - |