

Company registration number: 3637423

## **Bernasco Underwriting Limited**

### **Report and Financial Statements 31 December 2012**

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# **Bernasco Underwriting Limited**

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# Bernasco Underwriting Limited

## Company Information

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### Directors

John Garnet Bernasconi  
Nomina Plc

### Company Secretary

Hampden Legal Plc

### Registered Office

85 Gracechurch Street  
London  
EC3V 0AA

### Auditors

PKF Littlejohn LLP  
Statutory Auditor  
1 Westferry Circus  
Canary Wharf  
London  
E14 4HD

### Solicitors

Jones Day  
21 Tudor Street  
London  
EC4Y 0DJ

# Bernasco Underwriting Limited

## Report of the Directors

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The Directors submit their Report together with the Financial Statements of the Company for the year ended 31 December 2012

### 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 2013 and the Directors expect this year's result to be profitable.

The Financial Statements incorporate the annual accounting results of the syndicates on which the Company participates for the 2010, 2011 and 2012 years of account, as well as any prior run-off years. The 2010 year closed at 31 December 2012 with a result of £24,878 (2009 £62,370). The 2011 and 2012 open underwriting accounts will normally close at 31 December 2013 and 2014.

### Results and Dividends

The results for the year are set out on pages 7 to 8 of the Financial Statements. Dividends totalling £16,757 were paid in the year (2011 £26,331).

### Key Performance Indicators

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

	2012	2011
Capacity (youngest underwriting year)	360,201	346,523
Gross premium written as a % of capacity	91.3%	86.8%
Underwriting profit of latest closed year		
as a % of capacity	6.9%	20.9%
Run-off years of account movement	79	(550)

### 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)**

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### **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 a Lloyd's Capital Return (LCR) 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 LCR, 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 provides 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.

### **Regulatory Risks**

The Company is subject to continuing approval by Lloyd's 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

John Garnet Bernasconi  
Nomina Plc

# Bernasco Underwriting Limited

## Report of the Directors (continued)

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### Directors' Responsibilities

The Directors are responsible for preparing the Report of the Directors and the Financial Statements in accordance with applicable laws and regulations

Company law requires the Directors to prepare Financial Statements for each financial year. Under that law the Directors have elected to prepare the Financial Statements in accordance with United Kingdom Accounting Standards and applicable law (UK and Generally Accepted Accounting Practice). Under company law the Directors must not approve the Financial Statements unless they are satisfied that they 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 period. In preparing those Financial Statements the Directors are required to

- select suitable accounting policies and then apply them consistently
- make judgements and accounting 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 adequate accounting records that are sufficient to show and explain the Company's transactions and 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 2006. 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.

### Auditors

On 1 July 2013 Littlejohn LLP changed its name to PKF Littlejohn LLP. PKF Littlejohn LLP has signified its willingness to continue in office as auditors.

**In the case of each of the persons who are Directors 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.

Approved by the Board on 7 August 2013  
and signed on its behalf by

*Hampden Legal Plc*

Hampden Legal Plc  
Secretary

# Bernasco Underwriting Limited

## Report of the Auditors

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

We have audited the Financial Statements of Bernasco Underwriting Limited for the year ended 31 December 2012 which comprise the Profit and Loss Account, the Balance Sheet, the Cash Flow Statement and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the Company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the Company's members 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 members as a body, for our audit work, for this report, or for the opinions we have formed.

### Respective responsibilities of Directors and Auditors

As explained more fully in the Directors' Responsibilities Statement, the Directors are responsible for the preparation of the Financial Statements and for being satisfied that they give a true and fair view. Our responsibility is to audit and express an opinion on the Financial Statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

### Scope of the audit of the Financial Statements

An audit involves obtaining evidence about the amounts and disclosures in the Financial Statements sufficient to give reasonable assurance that the Financial Statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of whether the accounting policies are appropriate to the Company's circumstances and have been consistently applied and adequately disclosed, the reasonableness of significant accounting estimates made by the Directors, and the overall presentation of the Financial Statements. In addition, we read all the financial and non-financial information in the Report of the Directors to identify material inconsistencies with the audited Financial Statements. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

### Opinion on Financial Statements

In our opinion the Financial Statements

- give a true and fair view of the state of the Company's affairs as at 31 December 2012 and of its result for the year then ended,
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice, and
- have been prepared in accordance with the requirements of the Companies Act 2006.

### Opinion on other matter prescribed by the Companies Act 2006

In our opinion the information given in the Report of the Directors for the financial year for which the Financial Statements are prepared is consistent with the Financial Statements.

### Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us, or
- the Financial Statements are not in agreement with the accounting records and returns, or
- certain disclosures of Directors' remuneration specified by law are not made, or
- we have not received all the information and explanations we require for our audit.



Carmine Papa (Senior statutory auditor)  
For and on behalf of PKF Littlejohn LLP  
Statutory auditor  
7 August 2013

1 Westferry Circus  
Canary Wharf  
London E14 4HD

# Bernasco Underwriting Limited

## Profit and Loss Account

### Technical Account – General Business for the year ended 31 December 2012

	Note	2012 £	2011 £
<b>Premiums Written</b>			
Gross premiums written	1	328,958	300,819
Outward reinsurance premiums		(59,134)	(57,729)
<b>Net Premiums Written</b>		<u>269,824</u>	<u>243,090</u>
<b>Change in the provision for Unearned premiums</b>			
Gross Provision		(12,518)	7,744
Reinsurers' share		729	(107)
<b>Earned Premiums, Net of Reinsurance</b>		<u>258,035</u>	<u>250,727</u>
<b>Allocated Investment Return</b>			
<b>Transferred from the Non-Technical Account</b>		11,606	7,647
Other technical income, net of reinsurance		-	-
<b>Claims Paid</b>			
Gross Amount		(166,142)	(171,147)
Reinsurers' share		33,552	30,172
<b>Net claims paid</b>		<u>(132,590)</u>	<u>(140,975)</u>
<b>Change in Provision for Claims</b>			
Gross amount		9,317	(35,728)
Reinsurers' share		(3,929)	21,200
<b>Change in net provision for claims</b>		<u>5,388</u>	<u>(14,528)</u>
<b>Claims Incurred, Net of Reinsurance</b>		(127,202)	(155,503)
Changes in other technical provisions, net of reinsurance		-	-
Net operating expenses	3	(104,920)	(96,411)
Other technical charges, net of reinsurance		-	-
<b>Balance on the Technical Account for General Business</b>		<u>37,519</u>	<u>6,460</u>

The accounting policies and notes are an integral part of these Financial Statements



# Bernasco Underwriting Limited

## Profit and Loss Account

### Non - Technical Account

for the year ended 31 December 2012

	Note	2012 £	2011 £
<b>Balance on Technical Account for General Business</b>		37,519	6,460
Investment income	4	12,811	12,902
Unrealised gains on investments		7,159	8,189
Investment expenses and charges	5	(3,319)	(4,346)
Unrealised losses on investments		(3,285)	(9,041)
Allocated investment return transferred to the general business technical account		(11,606)	(7,647)
Other income		1	63
Other charges		(7,857)	(7,845)
<b>Profit/(loss) on ordinary activities before taxation</b>	6	31,423	(1,265)
Tax on profit/(loss) on ordinary activities	7	(5,491)	(1,507)
<b>Profit/(loss) for the financial year</b>	14	25,932	(2,772)

All amounts relate to continuing operations

The Company had no recognised gains and losses in the year other than the result above

The accounting policies and notes are an integral part of these Financial Statements

# Bernasco Underwriting Limited

## Balance Sheet

as at 31 December 2012

		31 December 2012			31 December 2011		
	Note	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
<b>Assets</b>							
<b>Intangible assets</b>	9	-	237	237	-	777	777
<b>Investments</b>							
Financial investments	10	394,314	-	394,314	418,101	-	418,101
Deposits with ceding undertakings		130	-	130	153	-	153
		394,444	-	394,444	418,254	-	418,254
<b>Reinsurers' share of technical provisions</b>							
Provision for unearned premiums		17,655	-	17,655	17,474	-	17,474
Claims outstanding		113,561	-	113,561	123,567	-	123,567
Other technical provisions		-	-	-	-	-	-
		131,216	-	131,216	141,041	-	141,041
<b>Debtors</b>							
Arising out of direct insurance operations		74,860	-	74,860	73,404	-	73,404
Arising out of reinsurance operations		60,209	-	60,209	49,971	-	49,971
Other debtors	11	43,743	29,344	73,087	47,776	21,322	69,098
		178,812	29,344	208,156	171,151	21,322	192,473
<b>Other assets</b>							
Cash at bank and in hand		21,353	23,105	44,458	23,288	21,886	45,174
Other		36,721	-	36,721	42,859	-	42,859
		58,074	23,105	81,179	66,147	21,886	88,033
<b>Prepayments and accrued income</b>							
Accrued interest		660	-	660	1,027	-	1,027
Deferred acquisition costs		32,007	-	32,007	28,746	-	28,746
Other prepayments and accrued income		838	-	838	1,716	-	1,716
		33,505	-	33,505	31,489	-	31,489
<b>Total assets</b>		796,051	52,686	848,737	828,082	43,985	872,067

The accounting policies and notes are an integral part of these Financial Statements

# Bernasco Underwriting Limited

## Balance Sheet as at 31 December 2012

		31 December 2012			31 December 2011		
	Note	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
<b>Liabilities and shareholders' funds</b>							
<b>Capital and reserves</b>							
Called up share capital	12	-	290	290	-	290	290
Share premium account		-	-	-	-	-	-
Profit and loss account	13	28,703	20,620	49,323	46,080	(5,932)	40,148
<b>Shareholders' funds</b>	14	28,703	20,910	49,613	46,080	(5,642)	40,438
<b>Technical provisions</b>							
Provision for unearned premiums		133,789	-	133,789	124,756	-	124,756
Claims outstanding – gross amount		523,568	-	523,568	559,610	-	559,610
Other technical provisions		-	-	-	-	-	-
<b>Provisions for other risks and charges</b>							
Deferred taxation	15	-	18,638	18,638	-	19,096	19,096
Other		-	-	-	-	-	-
<b>Deposits received from reinsurers</b>		85	-	85	102	-	102
<b>Creditors</b>							
Arising out of direct insurance operations		9,641	-	9,641	20,002	-	20,002
Arising out of reinsurance operations		47,425	-	47,425	39,482	-	39,482
Amounts owed to credit institutions		-	-	-	-	-	-
Other creditors including taxation and social security	16	53,037	5,703	58,740	52,098	6,072	58,170
		767,545	24,341	791,886	796,050	25,168	821,218
<b>Accruals and deferred income</b>		(197)	7,435	7,238	(14,048)	24,459	10,411
<b>Total liabilities</b>		796,051	52,686	848,737	828,082	43,985	872,067

Approved and authorised for issue by the Board of Directors on 7 August 2013  
and signed on its behalf by

*Nomina Plc*

Director  
Nomina Plc

Company registration number: 3637423

The accounting policies and notes are an integral part of these Financial Statements

# Bernasco Underwriting Limited

## Cash Flow Statement

for the year ended 31 December 2012

	Note	2012 £	2011 £
<b>Operating activities</b>			
Net cash inflow/(outflow) from operating activities	17(a)	20,226	26,603
<b>Returns on investments and servicing of finance</b>		-	-
<b>Capital expenditure</b>			
Purchase of syndicate capacity		(237)	(777)
Proceeds from sale of syndicate capacity		-	-
<b>Taxation</b>			
Corporation and overseas taxes (paid)/refunded		(2,013)	(5,589)
<b>Equity dividends paid</b>		(16,757)	(26,331)
<b>Financing</b>			
Issue of shares		-	-
Share issue expenses		-	-
Net cash inflow/(outflow) for the year	17(b)	<u>1,219</u>	<u>(6,094)</u>
<b>Cash flows were invested as follows:</b>			
Increase/(decrease) in cash holdings	17(b)	1,219	(6,094)
Purchase of financial investments		-	-
Sale of financial investments		-	-
Net investment of cash flows		<u>1,219</u>	<u>(6,094)</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 are an integral part of these Financial Statements.

# **Bernasco Underwriting Limited**

## **Accounting Policies**

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### **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 396(3) of the Companies Act 2006, Schedule 3 of the Large and Medium sized Companies and Groups (Accounts and Reports) Regulations 2008 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

### **Going concern**

The Company participates as an underwriting member of Lloyd's. Its underwriting is supported by Funds at Lloyd's either made available by the Company directly or by its members. The Directors are of the opinion that the Company has adequate resources to meet its underwriting and other operational obligations for the foreseeable future. Accordingly, the going concern concept has been adopted in preparation of the Financial Statements

### **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

The information included in these Financial Statements in respect of the syndicates has been supplied by Managing Agents based upon the various accounting policies they have adopted. The following describes the policies they have adopted

### **General business**

#### **i Premiums**

Premiums written comprise the total premiums receivable in respect of business inception 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

# Bernasco Underwriting Limited

## Accounting Policies (continued)

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### 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

# Bernasco Underwriting Limited

## Accounting Policies (continued)

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### **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.

# **Bernasco Underwriting Limited**

## **Accounting Policies (continued)**

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### **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

### **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 2012

### 1. Class of Business

2012	Gross Written Premiums £	Gross Premiums Earned £	Gross Claims Incurred £	Net Operating Expenses £	Reinsurance Balance £	Total £
<b>Direct Insurance</b>						
Accident and health	12,220	11,705	(5,092)	(5,255)	(254)	1,104
Motor – third party liability	597	787	(145)	(313)	(12)	317
Motor – other classes	23,030	23,412	(18,328)	(8,620)	1,531	(2,005)
Marine, aviation and transport	41,794	42,369	(14,170)	(14,748)	(2,236)	11,215
Fire and other damage to property	73,905	72,246	(37,379)	(25,721)	(8,829)	317
Third party liability	60,245	59,692	(30,542)	(21,347)	(3,373)	4,430
Credit and suretyship	5,873	5,834	(1,369)	(2,101)	(894)	1,470
Legal expenses	855	773	(392)	(399)	6	(12)
Assistance	-	-	-	-	-	-
Miscellaneous	1,044	1,027	(360)	(633)	(2)	32
<b>Total direct</b>	<b>219,563</b>	<b>217,845</b>	<b>(107,777)</b>	<b>(79,137)</b>	<b>(14,063)</b>	<b>16,868</b>
<b>Reinsurance</b>	<b>109,395</b>	<b>98,595</b>	<b>(49,048)</b>	<b>(25,783)</b>	<b>(14,719)</b>	<b>9,045</b>
<b>Total</b>	<b>328,958</b>	<b>316,440</b>	<b>(156,825)</b>	<b>(104,920)</b>	<b>(28,782)</b>	<b>25,913</b>

### 2011

<b>Direct Insurance</b>						
Accident and health	11,148	10,741	(5,571)	(4,566)	(420)	184
Motor – third party liability	1,000	1,180	(693)	(412)	(3)	72
Motor – other classes	24,419	27,282	(22,434)	(9,866)	3,009	(2,009)
Marine, aviation and transport	44,169	44,022	(17,705)	(14,271)	(1,860)	10,186
Fire and other damage to property	70,223	71,737	(42,261)	(24,390)	(7,119)	(2,033)
Third party liability	57,045	56,439	(27,739)	(19,783)	(3,847)	5,070
Credit and suretyship	6,509	6,174	(3,832)	(1,765)	(218)	359
Legal expenses	710	557	(169)	(351)	(23)	14
Assistance	-	-	-	-	-	-
Miscellaneous	996	1,092	(507)	(752)	(14)	(181)
<b>Total direct</b>	<b>216,219</b>	<b>219,224</b>	<b>(120,911)</b>	<b>(76,156)</b>	<b>(10,495)</b>	<b>11,662</b>
<b>Reinsurance</b>	<b>84,600</b>	<b>89,339</b>	<b>(85,964)</b>	<b>(20,255)</b>	<b>4,031</b>	<b>(12,849)</b>
<b>Total</b>	<b>300,819</b>	<b>308,563</b>	<b>(206,875)</b>	<b>(96,411)</b>	<b>(6,464)</b>	<b>(1,187)</b>

### 2. Geographical Analysis

	2012 £	2011 £
<b>Direct Gross Premium Written in:</b>		
United Kingdom	177,033	171,272
Other EU Member States	3,060	3,234
Rest of the World	39,470	41,713
	<b>219,563</b>	<b>216,219</b>

### 3. Net Operating Expenses

	2012 £	2011 £
Acquisition costs	72,304	65,128
Change in deferred acquisition costs	(3,883)	1,721
Administrative expenses	33,123	30,026
Loss/(Profit) on exchange	3,376	(464)
	<b>104,920</b>	<b>96,411</b>

# Bernasco Underwriting Limited

## Notes to the Financial Statements (continued) for the year ended 31 December 2012

<b>4. Investment Income</b>	<b>2012</b>	<b>2011</b>
	<b>£</b>	<b>£</b>
Income from investments	8,545	9,931
Gains on the realisation of investments	4,226	2,946
Bank deposit interest	40	25
	<u>12,811</u>	<u>12,902</u>
<b>5. Investment Expenses and Charges</b>	<b>2012</b>	<b>2011</b>
	<b>£</b>	<b>£</b>
Investment management expenses, including interest	1,007	886
Losses on the realisation of investments	2,312	3,460
	<u>3,319</u>	<u>4,346</u>
<b>6. Profit/(Loss) on Ordinary Activities before Taxation</b>	<b>2012</b>	<b>2011</b>
	<b>£</b>	<b>£</b>
This is stated after charging		
Directors remuneration	-	-
Amortisation of syndicate capacity	777	287
Interest on bank loan and overdrafts	-	-
Interest on other loans	-	-
The Company has no employees		
The auditors, PKF 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 £85 (2011: £95).		
<b>7. Taxation</b>	<b>2012</b>	<b>2011</b>
	<b>£</b>	<b>£</b>
<b>Analysis of Charge in Year</b>		
Current tax		
UK corporation tax on profit/(loss) of the year	5,551	1,805
Adjustment in respect of previous year	(453)	2,250
	<u>5,098</u>	<u>4,055</u>
Foreign tax	852	1,074
Total current tax	<u>5,950</u>	<u>5,129</u>
Deferred tax		
Origination and reversal of timing differences	(459)	(4,431)
Change in tax rate	-	809
	<u>5,491</u>	<u>1,507</u>
<b>Factors affecting tax charge for year</b>		
The tax assessed for the year is different to the standard rate of corporation tax in the UK of 20.00% (2011: 20.25%). The differences are explained below:		
Profit/(loss) on ordinary activities before tax	<u>31,423</u>	<u>(1,265)</u>
Profit/(loss) on ordinary activities multiplied by standard rate of corporation tax in the UK of 20.00% (2011: 20.25%)	6,285	(256)
Effects of		
Underwriting results subject to timing differences for taxation	3,110	2,784
Utilisation of tax losses	-	-
Foreign tax	852	1,074
Other corporation tax computation adjustments	(3,845)	(723)
Marginal rates of taxation and prior period adjustment	(452)	2,250
Current tax charge for the year	<u>5,950</u>	<u>5,129</u>

# Bernasco Underwriting Limited

## Notes to the Financial Statements (continued) for the year ended 31 December 2012

### 7. Taxation (continued)

The results of the Company's participation on the 2010, 2011 and 2012 years of account and the calendar year movement on 2009 and prior run-offs, will not be assessed to tax until the year ended 31 December 2013, 2014 and 2015 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

	2012 £	2011 £
Equity dividends declared and paid	16,757	26,331

### 9. Intangible Assets

	2012 £	2011 £
<b>Purchased syndicate capacity</b>		
<b>Cost</b>		
At 01 January 2012	16,554	15,777
Additions	237	777
Disposals	-	-
At 31 December 2012	16,791	16,554
<b>Amortisation</b>		
At 01 January 2012	15,777	15,490
Provided during the year	777	287
Disposals	-	-
At 31 December 2012	16,554	15,777
<b>Net Book Value</b>		
At 31 December 2012	237	777
At 31 December 2011	777	287

### 10. Investments

#### Other Financial Investments - Syndicate

	2012		2011	
	Market Value £	Cost £	Market Value £	Cost £
Shares and other variable yield securities and units in unit trusts	35,668	35,249	38,966	38,426
Debt securities and other fixed income securities	318,575	312,397	346,043	347,063
Participation in investment pools	24,856	30,998	24,722	24,370
Loans secured by mortgages	2,493	2,466	2,881	2,900
Other loans	3,465	3,464	4,322	4,295
Deposits with credit institutions	609	609	1,158	1,158
Other	8,648	8,310	9	106
	394,314	393,493	418,101	418,318
Listed investments included within the above	379,099	378,644	409,731	409,859

# Bernasco Underwriting Limited

## Notes to the Financial Statements (continued) for the year ended 31 December 2012

### 10. Investments (continued)

#### Other Financial Investments - Corporate

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

### 11. Other Debtors

	2012			2011		
	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
Amounts due from group undertakings	-	-	-	-	-	-
Proprietors' loan accounts	-	-	-	-	-	-
Funds at Lloyd's	-	27,761	27,761	-	14,066	14,066
Other	43,743	1,583	45,326	47,776	7,256	55,032
	43,743	29,344	73,087	47,776	21,322	69,098

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. The Company's underwriting is supported by assets made available to it by the shareholders of the Company.

### 12. Share Capital

#### Allotted, called-up and fully paid

	2012		2011	
	Issued	Value £	Issued	Value £
Ordinary £1 shares	290	290	290	290

### 13. Profit and Loss Account

	2012			2011		
	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
Retained profit/(loss) brought forward	46,080	(5,932)	40,148	73,200	(3,949)	69,251
Reallocate distribution	(62,372)	62,372	-	(40,371)	40,371	-
Profit/(loss) for the financial year	44,995	(19,063)	25,932	13,251	(16,023)	(2,772)
Equity dividends	-	(16,757)	(16,757)	-	(26,331)	(26,331)
Retained profit/(loss) carried forward	28,703	20,620	49,323	46,080	(5,932)	40,148

# Bernasco Underwriting Limited

## Notes to the Financial Statements (continued) for the year ended 31 December 2012

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

	2012 £	2011 £
Opening shareholders funds	40,438	69,541
Profit/(loss) for the financial year	25,932	(2,772)
Equity dividends	(16,757)	(26,331)
Proceeds from issue of shares	-	-
Closing shareholders' funds	49,613	40,438

### 15. Deferred Taxation

	2012 £	2011 £
Opening balance	19,096	22,718
Profit and loss account charge	(458)	(3,622)
Closing balance	18,638	19,096

The deferred tax balance consists of timing differences relating to the taxation of underwriting results

### 16 Other Creditors including Taxation and Social Security

	2012			2011		
	Syndicate Participation £	Corporate £	Total £	Syndicate Participation £	Corporate £	Total £
Corporation tax	-	5,550	5,550	-	1,614	1,614
Proprietors' loan accounts	-	-	-	-	-	-
Third Party Funds	-	-	-	-	-	-
Other creditors	53,037	153	53,190	52,098	4,458	56,556
Amount due to group undertakings	-	-	-	-	-	-
	53,037	5,703	58,740	52,098	6,072	58,170

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

	2012 £	2011 £
Profit or loss on ordinary activities before tax	31,423	(1,265)
(Profit)/loss attributable to syndicate transactions	17,377	27,120
Profit or loss – excluding syndicate transactions	48,800	25,855
(Increase)/decrease in debtors	(8,022)	(5,867)
Increase/(decrease) in creditors	(21,329)	6,328
(Profit)/loss on disposal of intangible assets	-	-
Amortisation of syndicate capacity	777	287
Impairment of syndicate capacity	-	-
Realised/unrealised (gains)/losses on investments	-	-
Net cash inflow/(outflow) from operating activities	20,226	26,603

### (b) Movement in Cash, Portfolio Investments and Financing

	At 1 January 2012 £	Cashflow £	Changes to Market Value £	At 31 December 2012 £
Cash	21,886	1,219	-	23,105
Other financial investments	-	-	-	-
	21,886	1,219	-	23,105

# Bernasco Underwriting Limited

## Notes to the Financial Statements (continued) for the year ended 31 December 2012

### 18 Related Party Disclosure

Nomina plc, a director of the Company, provides administration services to the Company. Nomina plc charged a management fee of £2,750 (2011: £2,750) to cover all the costs of basic administration of the Company.

### 19. Ultimate Controlling Party

The Company is controlled by J G Bernasconi.

### 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	2012 Allocated Capacity £	2011 Allocated Capacity £	2010 Allocated capacity £	2009 Allocated Capacity £
218	Equity Syndicate Management Limited	6,750	7,500	11,627	10,816
2791	Managing Agency Partners Limited	22,000	22,000	22,000	21,741
6103	Managing Agency Partners Limited	5,001	5,001	5,001	5,000
6110	Pembroke Managing Agency Limited	8,722	-	-	-
7200	Members' Agents Pooling Arrangement	38,414	37,351	38,616	30,598
7201	Members' Agents Pooling Arrangement	198,343	195,190	201,129	161,822
7202	Members' Agents Pooling Arrangement	69,799	68,473	72,076	58,679
7203	Members' Agents Pooling Arrangement	11,172	11,008	11,374	9,159