

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

COMPANIES COURT (ChD)

IN THE MATTER OF AMT MORTGAGE INSURANCE LIMITED

and

IN THE MATTER OF AMTRUST INTERNATIONAL UNDERWRITERS DAC

and

IN THE MATTER OF PART VII OF THE FINANCIAL SERVICES AND MARKETS ACT 2000

SUMMARY OF THE SCHEME

1 Introduction

- 1.1 AMT Mortgage Insurance Limited (**AMIL**) is proposing to transfer to AmTrust International Underwriters dac all of the insurance and reinsurance business it has written and/or assumed (the **Transferring Business**).
- 1.2 The transfer of the Transferring Business (the **Transfer**) is to be effected through an insurance business transfer scheme (the **Scheme**). The Scheme will be carried out through the High Court of Justice in England (the **High Court**) in accordance with Part VII of the UK Financial Services and Markets Act 2000.
- 1.3 This document sets out a summary of the effect of the Scheme.
- 1.4 This document is only a summary. The full Scheme will be available on the AmTrust website and hard copies will be available free of charge (please refer to paragraph 5 below for further information).

2 Background of AMIL and AIU

- 2.1 AMIL is a company incorporated in England and Wales with registered number 02624121. The registered office of AMIL is at Exchequer Court, 33 St Mary Axe, London, England, EC3A 8AA. AMIL is authorised and regulated by the UK Prudential Regulation Authority (the **PRA**) and is also regulated by the UK Financial Conduct Authority (the **FCA**).

2.2 AIU is a company incorporated in Ireland with registered number 169384. The registered office of AIU is at 6-8 College Green, Dublin 2 D02 VP48. AIU is authorised and regulated by the Central Bank of Ireland.

3 Process and Timings of the Scheme

3.1 The proposed timings for the Scheme are:

Key Milestones	
High Court hearing	26 October 2020
Proposed "Effective Date" (when the Transferring Business will transfer to AIU)	23:59 GMT on 31 October 2020

3.2 The Scheme will not go ahead unless the High Court approves it on **26 October 2020**.

3.3 If the High Court imposes any change or conditions to the proposed Scheme, the Scheme will not take effect unless AMIL and AIU consent.

4 Summary of the Scheme

4.1 The following is a summary of the main points of the Scheme. As noted above, the full version of the Scheme document is available free of charge (please refer to paragraph 5 below for further information).

4.2 In addition, AMIL and AIU have prepared a series of policyholder communications which are available at amtrustfinancial.com/amtrustinternational/legal/portfolio-transfers.

The Effect of the Scheme

4.3 As stated above, the Scheme is intended to transfer all of the Transferring Business from AMIL to AIU.

Claims paid by AMIL after the Effective Date

4.4 It is intended that, from the Effective Date all the rights and obligations arising from the Transferring Business will automatically transfer to AIU and will no longer rest with AMIL. This means that AIU will be responsible for paying all claims and meeting all the other obligations which were previously obligations of AMIL in relation to the Transferring Business.

Exceptions

- 4.5 Despite the intention explained in paragraph 4.4 above, there may be a small number of policies which fall outside the Scheme although none are currently anticipated to do so. These would be “Excluded Policies” or “Residual Policies”, as described in more detail in the full version of the Scheme. Any Residual Policies in respect of the Transferring Business will transfer to AIU as soon as possible following the Effective Date.

No Changes to Policy Terms and Conditions

- 4.6 There will be no changes to the terms and conditions of the transferring policies, save that the insurer in the case of the Transferring Business will be AIU not AMIL.

Policy administration

- 4.7 AIU will administer the Transferring Business in broadly the same way as it is currently administered by AMIL, in line with the AmTrust group’s current systems, policies and procedures for its mortgage and credit operations (as the same may be updated from time to time).
- 4.8 The Scheme should therefore not have any effect on the policy administration arrangements for the Transferring Business.

Continuity of proceedings or litigation

- 4.9 From the Effective Date, any current proceedings or litigation which are brought by or against AMIL in connection with the Transferring Business shall be continued by or against AIU, and AIU shall be entitled to all defences, claims, counterclaims and rights of set-off that would have been available to AMIL. From the Effective Date, any judgment, settlement, order or award under current or past proceedings obtained by or against AMIL in relation to the Transferring Business shall be enforceable by or against AIU in place of AMIL.

Costs and Expenses

- 4.10 None of the costs and expenses relating to the preparation of the Scheme or High Court process will be borne by policyholders.

5 Further Information

If you have any further questions or require a full version of the Scheme please:

- visit amtrustfinancial.com/amtrustinternational/legal/portfolio-transfers;
- call +39 340 7396587; +34 660 520 975; or +44 (0)7809 510 923;
- write to us at

- Amtrust International (Portfolio Transfers)
Exchequer Court
33 St Mary Axe
London EC3A 8AA
UK; or
- Amtrust International (Portfolio Transfers)
6-8 College Green
Dublin 2
Ireland; or
- e-mail us at: partvii@amtrustgroup.com.

If you have any general questions about your policy, please call your usual AmTrust or broking contact.