

Zurich Insurance plc NfD Architektenhaftpflicht 50427
Cologne

**Zurich Insurance plc
Germany Branch
Cologne Office**

[Broker Agent Address]

Postal address
Zurich Insurance plc NfD
Architektenhaftpflicht
50427 Cologne

www.zurich.de

17 March 2020

Our Reference: S13BR

Dear Sir or Madam,

Important information - proposed transfer of Zurich liability insurance policies for architects and engineers to DARAG Deutsche Versicherungs- und Rückversicherungs-AG

We are writing to you because you have acted as an insurance broker in respect of professional liability insurance cover for architects and engineers by the German Branch of Zurich Insurance plc (**Zurich**). As you know, the risks underlying these policies were insured by Zurich alone or as a co-insurer. Even if these policies have expired or have been cancelled, the policyholders may continue to be covered by the insurance for events taking place during the term originally insured. This letter contains important information which is therefore relevant to the policyholders you look after. Therefore please read the following information carefully.

What is happening?

We would like to inform you that we are proposing to transfer the portfolio of professional liability insurance policies for architects and engineers (the **Transfer**), which is described in more detail below, to DARAG Deutsche Versicherungs- und Rückversicherungs-AG (**DARAG**). The Transfer comprises two types of policies: (i) policies that expired by 1 October 2017 or for which the cancellation became effective by 1 October 2017. Independent of this cut-off date, (ii) all policies concluded exclusively for specific projects (e.g. an insurance policy relating to one specific construction project) (the policies referred to above in (i) and (ii) are hereinafter referred to as the **Policies Concerned**).

DARAG is an insurance company incorporated in Hamburg and accordingly authorised in Germany. It is part of the DARAG Group which operates in Germany and internationally. As Zurich is an insurance company incorporated and authorised in Ireland, which conducts business in Germany through a branch registered in Germany, the Transfer of the Policies Concerned will be carried out by a transfer of the portfolio under Irish law and European law. This Transfer requires the approval of the High Court of Ireland (the **Court**).

The Court hearing that will rule on the requested Transfer is currently scheduled for 16 June 2020. If the Court approves the Transfer, it will take place on 30 June 2020.

Will anything change?

Apart from the fact that the insurer will change to DARAG, the Transfer will not affect the Policies Concerned. The terms and conditions of the Policies Concerned, the rights and obligations and the coverage for the term originally insured will not change as a result of the Scheme.

Verwaltungsratsvorsitzende: Alison Martin **Hauptbevollmächtigter der Niederlassung:** Dr. Carsten Schildknecht

Sitz der Niederlassung: Frankfurt am Main (Registernr. HRB 88353)

Rechtsform der Gesellschaft (Zurich Insurance plc): public company limited by shares (Aktiengesellschaft nach irischem Recht)

Hauptsitz: Dublin (Irland) **Companies Registry Office** (entspricht dem deutschen Registergericht): Registernummer 13460 **USt-ID-Nr.:** DE 815195011

Vers.St-Nr.: 807/V90807020227 **Vertretung der Gesellschaft:** Neil Freshwater (Chief Executive Officer)

Kontakt: Platz der Einheit 2, 60327 Frankfurt am Main, Telefon +49 (0) 69 7115-0, Fax +49 (0)69 7115-3358, E-Mail service@zurich.de

In advance of the Transfer, Pro InsuranceSolutions GmbH (**Pro**) will assume certain aspects of portfolio administration and claims handling for the Policies Concerned. Further details of this change, and how it will affect the handling of any claims under the Policies Concerned, are set out in the attached notice.

The changes described in this letter are relevant only to the policies stated in the enclosed list of policies. Other Zurich policies or products will not be affected. This also applies if professional liability insurance has been taken out with Zurich via a tied agent of Zurich, which is not one of the Policies Concerned as it is not a purely project-related policy and has also not expired or been cancelled by 1 October 2017.

How will the policyholders' interests be protected during the Transfer?

The policyholders' interests are protected in a number of ways during the Transfer:

- the appointment of an independent actuary to produce a report on the likely impact of the Transfer on policyholders;
- close consultation with the Irish and German financial services regulators responsible for the supervision of Zurich and DARAG;
- the ability for the policyholders to raise concerns and object to the Transfer; and
- the requirement for approval of the Transfer by the Court.

What should you do next?

We enclose a letter that we have sent to the policyholders. From our point of view there is no need for you, as a broker, to take any direct action.

If you have any questions, please call us or contact us by email or post. The relevant contact details are given below.

Further information

You can find more detailed information and documentation (including the portfolio transfer scheme which has been filed with the Court and the independent actuary's report) on our dedicated webpage www.zurich.de/transfer-aue-haftpflicht.

You can also call us on the following telephone number: +49 (0)221 7715 5075. Phone lines are open from 9.30am to 5.00pm Monday to Friday (excluding public holidays). If you prefer, you can write to us at Zurich Insurance plc NfD, Architektenhaftpflicht, 50427 Cologne, or by email to transfer.aue.haftpflicht@zurich.com. These contact details can also be used to request copies of the documents published on our website.

Keeping you informed

If the Transfer is approved by the Court on 16 June 2020, or if there are any changes to the Transfer process (such as a change to the Court hearing date), we will update our website with this information.

If you would like to receive information in large print, in Braille or on a CD please call us on the number provided above.

Yours sincerely,



Horst Nussbaumer
Chief Operating Officer



Christoph Lür
Chief Underwriting Officer GI



NOTICE REGARDING FUTURE CLAIMS HANDLING ARRANGEMENTS

On 1 April 2020, Pro InsuranceSolutions GmbH (**Pro**) will take over the portfolio administration and claims handling for the Policies Concerned. Pro has been handling complex claims in Europe and the United States for more than 20 years. Pro has set up an office in Cologne to manage complex claims relating to professional liability insurance for architects and engineers.

From 1 April 2020, Pro will assume responsibility for the handling of current and new claims for the Policies Concerned. With regard to ongoing claims, Pro will contact the policyholders and/or the respective insurance brokers directly. From 1 April 2020, enquiries relating to ongoing claims can be sent to the following address:

Pro InsuranceSolutions GmbH,
Hohenzollernring 14,
50672 Cologne,
Email: Architektenhaftpflicht_Zurich@pro-global.com
Telephone: +49 (0) 221 499380-70

We will ensure a seamless transition of the handling of claims to Pro. The process for submitting claims will not change. They should continue to be submitted via the insurance brokers (to Pro, from 1 April 2020).

After the proposed Transfer of the Policies Concerned to DARAG, Pro shall continue to carry out the contract management and claims handling for the Policies Concerned; however, from this point onwards, it will be done in the name of and for the account of DARAG, as the new insurer.



SCHEDULE OF TRANSFERRING POLICIES

[Policy listing]