Procedure file

Basic information

INI - Own-initiative procedure	2002/2208(INI)	Procedure completed
"Lloyd's" petitions on the implementation of the Directive 73/239/EEC Subject 2.50.05 Insurance, pension funds		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	PETI Petitions		24/01/2002
		PPE-DE PERRY Roy	

Key events

26/09/2002	Committee referral announced in Parliament		
21/05/2003	Vote in committee		Summary
21/05/2003	Committee report tabled for plenary	A5-0203/2003	
25/09/2003	Debate in Parliament		
25/09/2003	Decision by Parliament	T5-0417/2003	Summary
25/09/2003	End of procedure in Parliament		

Technical information

Procedure reference	2002/2208(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 233-p2
Stage reached in procedure	Procedure completed
Committee dossier	PETI/5/16731

Documentation gateway

Committee report tabled for plenary, single reading		A5-0203/2003	21/05/2003	EP	
Text adopted by Parliament, single reading		T5-0417/2003	25/09/2003	EP	Summary

OJ C 077 26.03.2004, p. 0266-0411 E

"Lloyd's" petitions on the implementation of the Directive 73/239/EEC

The committee adopted the own-initiative report by Roy PERRY (EPP-ED, UK) on the Lloyd's petitions. The petitioners, all Lloyd's "Names" (who constitute the Lloyd's market which insures risk), allege that the UK authorities failed to correctly transpose into national legislation, and apply, the provisions of EC Directive 73/239 (First Non-Life Insurance Directive) and subsequent relevant directives. The background to this case is the huge financial losses suffered by Lloyd's underwriters as a result of the growing number of asbestosis claims, particularly in the USA, and the huge impact this has had on the worldwide insurance market since the 1980s. The petitioners raise questions about the nature of audit certificates provided from 1981 onwards and the degree to which the Names recruited into Lloyd's syndicates from 1973 onwards were properly informed, as required by Directive 73/239/EC, about the extent of losses and liabilities as well as solvency margins. While they, and other Lloyd's Names, accept and do not question their unlimited liability as insurers, they argue that they have a right to expect that the framework within which they act is a proper and legal regulatory framework as defined by the relevant EU Insurance Directives, and is properly applied. The committee pointed out that the European Parliament had so far been denied access by the Commission and the UK authorities to documents relating to the formal infringement proceedings which the Commission launched against the UK authorities on 20 December 2001 as regards the prudential regulation and supervision of the Lloyd's insurance market. It called on the Commission to inform Parliament of its reaction to the UK response to the formal letter of notice without delay, to grant access to all documents retained in the conduct of its investigation of this issue "as far as is compatible with the relevant regulation" and to provide a specific response in writing to Parliament "regarding any shortcomings and omissions the Commission believes to have occurred in the proper transposition and application of the Directives referred to in this Report, for the period 1973-1995". Failing that, MEPs said that Parliament should set up a Committee of Inquiry to look into these issues.?

"Lloyd's" petitions on the implementation of the Directive 73/239/EEC

The European Parliament adopted a resolution with 358 votes in favour, 0 against and 35 abstentions. The resolution was based on the own-initiative report drafted by Roy PERRY (EPP-ED, UK) on Lloyd's petitions. (Please refer to the summary of 21/05/03.) Parliament emphasised that the responsibilities for any failure in the correct application and implementation of Directive 73/239/EEC lie with the Commission and the UK authorities, and not with Lloyd's as a regulator, nor with individual members of Lloyd's "Names", who constitute the Lloyd's market which insures risk.?