

17th September 2020

Ref: FCA test case into non-damage Business Interruption claims

As you may be aware, the Financial Conduct Authority (FCA), the UK's financial conduct regulator, brought court proceedings in July 2020 to test how certain business interruption insurance policies respond to claims arising from Covid-19. Read the test case questions for determination [here](#).

The court has now delivered its judgement and you can find details of it [here](#). There is also a summary available [here](#).

You can also visit the [FCA's business interruption hub](#) for more information.

You will understandably be keen to hear what happens next, so we wanted to explain how the legal process continues from here.

Touchstone Underwriting Ltd, alongside our Insurers and the FCA are now reviewing the judgement. If any of the parties to the case determine that there are aspects of the judgement that they wish to appeal, they will seek to do so from the court.

Should an appeal take place, the position on the cover available under a policy including any existing claims will remain unchanged by the judgement until that appeal process has concluded. We will get in touch with you again once we know whether any appeal will take place.

Touchstone Underwriting Ltd and our panel of Insurers are committed to paying valid claims quickly and fairly, and when legal processes relevant to them are concluded. We would like to reassure you again that, should the final outcome of this case change the position on available cover for policyholders, we will revisit and process claims in line with that decision.

In the meantime, you do not need to take any further action.

Yours Sincerely,



Alan Roe, ACII FInstSM
Managing Director
Touchstone Underwriting Ltd