

**ANNEX 2**

**LETTER TO POLICYHOLDERS**

**WHITELEY INSURANCE CONSULTANTS (in liquidation)**

**To the Policyholder as addressed**

x

x

Date

Dear Sir/Madam,

**Whiteley Insurance Consultants (in Liquidation) (“WIC”)  
also known as Kingfisher Travel Insurance and Kingfisher Insurance Services**

I wrote to policyholders and other creditors of WIC in August 2007 to provide information about the application for directions which the liquidators of WIC were making to the High Court in London. That application was heard in December 2007 and the Court delivered its judgment on 25 July 2008.

As a result of the judgment the JLs are directed to deal with certain classes of claims i.e. those claims, past and present, which were not underwritten by an authorised insurer (“unauthorised policies”) in accordance with the Protocol which has been approved by the Court.

Copies of the judgment and Order of the Honourable Mr David Richards, dated 25 July 2008 (to which the Protocol is annexed), are available for download from: [www.pwc.com/uk/whiteley](http://www.pwc.com/uk/whiteley) or may be obtained from the liquidators at the address below.

It is not possible for the liquidators to identify at this stage all the policies issued by WIC which were unauthorised. The Protocol includes information about the known authorised policies and if your policy appears to fall outside that list then it may have been an unauthorised policy. Examples of unauthorised policies can include policies where the policy period falls outside the period for which there was an agreement in place with an authorised underwriter. Unauthorised policies can also encompass instances where personal circumstances differ from those agreed to be covered, for example, where you were older than the agreed upper age limit.

The key points under the Protocol are as follows:

- Those policyholders who purchased unauthorised policies between 1 November 2001 and 13 January 2005 are entitled to claim a refund of the premium they paid. The exception to this is where a claim has been made or is pending under the policy and therefore the policyholder is treating the policy as enforceable.
- Those policyholders who purchased unauthorised policies on or after 14 January 2005 are not entitled to claim a refund of their premium. This is because following a change in law WIC became authorised as an insurance intermediary as of that date.
- Holders of an unauthorised policy which had not expired on 15 June 2005 (the date of the winding-up order) are not entitled to claim under their policy in respect of events or losses which occurred after that date, but are entitled to proportionate return of their premium.
- Policyholders may have further claims against WIC as damages for breach of contract, in particular in respect of the additional cost of replacement policies or for incidental costs incurred by the policyholder.

If you consider that you are or may have been a holder of an unauthorised policy issued by WIC with a claim for refund of premium or under the policy (or otherwise), you are invited to contact the liquidators at:

Pricewaterhouse Coopers LLP

Plumtree Court

London EC4A 4HT

Please mark your letter: For the attention of Graham Bravant.

The liquidators can also be contacted by email at: **whiteley.liquidation@uk.pwc.com** or by telephone via the Whiteley Liquidation helpline on **020 7213 2771**.

I am enclosing a Statement of Claim form on which you can set out the details of your claim. If possible, you are asked to include copies of any documents you may have which are evidence of your policy (e.g. the validation receipt and policy wording) and the matters in respect of which you wish to claim.

If you have already submitted a claim to the liquidators in response to previous correspondence from us, you do not need to do so again unless there are additions or changes to the information you have provided or the claims you wish to make (for example, as a result of this letter).

Creditors should only expect to receive a dividend in respect of their claim and the liquidators are unable to say at present what the final level of dividend will be. This will all depend on the recoveries achieved, the total claims admitted and the expenses of the liquidation. Furthermore, we are unable to say at this stage when a dividend will be declared.

I will keep you informed with progress and further information can be found at [www.pwc.com/uk/whiteley](http://www.pwc.com/uk/whiteley).

Yours faithfully,

for and on behalf of Whiteley Insurance Consultants

Nick E Reed  
Joint Liquidator