



The Future of the International Group Agreement and International Pooling Agreement of the International Group of P&I Clubs: A Contribution to the Debate ... P&I Clubs Currently Under EU Investigation

Ulrike Niemann

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Bachelor Thesis from the year 2011 in the subject Business economics - Banking, Stock Exchanges, Insurance, Accounting, grade: 1,0, Kiel University of Applied Sciences, language: English, abstract: The following striking news was announced on 26 August 2010 in Brussels on the billboard of the involved parties:

“Antitrust: Commission opens formal probe into marine insurance agreements” (Commission 2010a, IP/10/1079: 1-2).

From that day on publication no. IP/10/1072 became a well-known EU paper among marine insurance market participants. It has influenced its daily operation, although this is not necessarily obvious, since it is still considered a rather sensitive topic and is thus hidden from any further publicity.

After having announced this, the European Commission has made good on its word and started an investigation process of which the following extract lays the foundation:

The thirteen largest clubs of non-governmental mutual marine insurance societies, the Protection & Indemnity clubs (P&I clubs), are members of the International Group of P&I clubs. Currently they insure third-party liabilities to more than 90% of the world sea-going tonnage, around 95% of the ocean-going tankers and about 60% in terms of the amount of world-wide trading vessels. These clubs are covered by an agreement of mutuality, the International Group Agreement (IGA). They are bound by its particular guidelines on claims-sharing and joint reinsurance with the intention of preventing other member clubs from undercutting each other's price rates in case of a ship owner switching from its insuring club (holding club) to another club (new club) within the Group membership.

The EU commission claims some of the regulations of the International Group of P&I Clubs are questionable in terms of the competition among the member P&I clubs as well as the entry barriers for non-member clubs to the relevant markets.

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