

## FCA Test Case Supreme Court Ruling - Appeal Outcomes

The Supreme Court has recently found largely in favour of small firms receiving payments from business interruption insurance policies, relating to the first coronavirus lockdown. The City watchdog, the Financial Conduct Authority (FCA), brought the test case, with eight insurers agreeing to take part in proceedings. This will allow those businesses with business interruption insurance policies in place at the start of the pandemic to claim on their policies, subject to the judgements of individual court outcomes.

The ruling from the Court will form the basis of rulings by courts in the four nations, and any ongoing legal cases for small businesses. It will cover policies similar to those of the eight insurers involved in this case, expected to be up to 60 insurance companies.

Full details are [available here](#)

ukactive members should consult their own individual insurance policies and contact their insurers to determine the impact of this ruling.

### Summary from Partners& (ukactive Strategic Partner)

On Friday 15<sup>th</sup> January the Supreme Court announced its ruling with regard to Covid-19 Business Interruption claims.

Once again, we find ourselves in new territory dealing with a very complex issue. With 700 different policy types and 60 different insurers, providing advice without knowing the particulars would be irresponsible. Ultimately, the insurers will decide how they address each case.

We understand that ukactive members are seeking clarity so they can rebuild their business. To that end, we advise the following:

1. If you have an outstanding claim, contact your insurance broker to obtain clarity on your particular policy.
2. Insurers were instructed by the Supreme Court to communicate with policy holders by Friday 22 January – if you have not heard from them by now, then please follow up with your insurer directly.
3. If you have submitted a claim and your claim has not been paid, ask your broker to contact the insurer to obtain a detailed explanation why it was not covered.

The FCA will continue to keep policyholders apprised of matters as they progress, through its dedicated [webpage](#).

If any members have any questions, please contact [membership@ukactive.org.uk](mailto:membership@ukactive.org.uk)