

FROM: Secretary to Lloyd's Disciplinary Board
LOCATION: 58/NW1
EXTENSION: 5530
DATE: 15 March 2000
REFERENCE: 032/2000
SUBJECT: **STEPHEN COLIN MANNING**

SUBJECT AREA(S): Formal Disciplinary Proceedings
ATTACHMENTS: None
ACTION POINTS: **For information**
DEADLINE: **None**

Stephen Manning, an insurance technician, has been found guilty by a Lloyd's Disciplinary Tribunal of one charge of discreditable conduct contrary to paragraph 3(f) of the Misconduct and Penalties Byelaw (No.30 of 1996).

Mr Manning was an employee of non-Lloyd's broker Bannerman Sladen Cater Limited ("BSC") who entered into an agreement with Lloyd's broker James Hunt Dix (Insurance) Limited ("JHD") which permitted BSC to place business at Lloyd's. It was a requirement of the agreement that BSC should only issue JHD documentation.

On 18th September 1997 at the request of a senior director, Mr Manning created and circulated a memorandum from himself to six members of staff at BSC inviting them to replace any BSC documentation with JDH documentation. The memorandum contained the following passage:

"Any copies of BSC Cover Notes, Addenda, Debit and Credit Notes issued on or after 1st April 1997 must be temporarily removed from the files and replaced by JHD copies so that it appears to all intents and purposes that only JHD documentation has been issued. The files should also be "sanitised" by removing any other documentation which may show that BSC documentation has, in fact, been issued".

It has not been possible to commence disciplinary proceedings against the company director who instructed Mr Manning to prepare and circulate the memorandum, as he was not within the Lloyd's jurisdiction at the relevant time.

By reason of the facts and matters set out above, the Tribunal found that Mr Manning had conducted insurance business in a discreditable manner.

The Tribunal took into account that Mr Manning occupied a relatively modest position and that he acted under instructions. The Tribunal further took into account Mr Manning's modest means and decided in all of the circumstances not to impose any penalty. The Tribunal did, however, order that Mr Manning pay £2,000 towards the costs of the Council of Lloyd's.

This bulletin has been sent to all underwriting agents and Lloyd's advisors, Lloyd's brokers corporate members, market associations, the ALM and recognised accountants.

AP Barber
Secretary
Lloyd's Disciplinary Board