

XXI Law and Procedure

RULE 46 DISPUTES

- 46.1** If any difference or dispute shall arise between an Insured Owner and the Association out of or in connection with these Rules, or any contract between them, or as to the rights or obligations of the Association or the Insured Owner thereunder, or in connection therewith, such difference or dispute shall in the first instance be referred to and considered by the Directors.
- 46.2** If the Insured Owner concerned in such difference or dispute does not accept the decision of the Directors, it shall (except as provided by Rule 46.3) be referred to the decision of the High Court of Justice (Commercial Court) in London. The said Court shall have exclusive jurisdiction over the matter.
- 46.3** Any such difference or dispute arising under the provisions of Rule 11.2, Appendix B paragraph B.3.2 or Appendix C paragraph C.4 shall be referred to arbitration in the manner therein provided.

RULE 47 NOTICES

- 47.1** A notice or other document required under these Rules to be served on the Association may be served by sending it through the post in a prepaid letter or by sending it by facsimile message or telex or any other means by which written messages may be transmitted addressed to the Association's registered office for the time being.
- 47.2** A notice or other document required under these Rules to be served on an Insured Owner may be served by sending it through the post in a prepaid letter or by sending it by facsimile message or telex or any other means by which written messages may be transmitted addressed to such Insured Owner at his address as appearing in the Register of Members of the Association. In the case of Joint Insured Owners all such notices or other documents shall be served on the senior of the Joint Insured Owners and such service shall be sufficient on all the Joint Insured Owners, and for this purpose seniority as between

Joint Insured Owners shall be determined by the order in which the names stand as Joint Insured Owners in the Register of Members of the Association.

- 47.3** Any Insured Owner described in the Register of Members of the Association by an address not within the United Kingdom who shall from time to time give to the Association an address within the United Kingdom at which notices or other documents may be served upon him shall be entitled to have notices served upon him at such address which shall be deemed to be his address as appearing for the purpose of Rule 47.2.
- 47.4** Any such notice or other document, if served by post, shall be deemed to have been served on the day following the day on which the letter containing the same was put into the post, and in proving such service it shall be sufficient to prove that the letter containing the notice or document was properly addressed and put into the post in a prepaid envelope. Any such notice or other document, if served by telex, facsimile machine or any other means by which written messages may be transmitted shall be deemed to have been served on the day after it was despatched, and in proving such service it shall be sufficient to prove that such notice or other document was duly despatched.
- 47.5** The Successors of anyone who is or was at any time an Insured Owner shall be bound by a notice or other document served as aforesaid if sent to the last address of such Insured Owner, notwithstanding that the Association may have notice of the Insured Owner's death, disability, lunacy, bankruptcy, liquidation or administration.

RULE 48 RULES SUBJECT TO THE MARINE INSURANCE ACT

These Rules and all policies or contracts of insurance made by the Association shall be subject to and incorporate the provisions of the Marine Insurance Act 1906 of the United Kingdom and any statutory modifications thereof except insofar as such Act or modifications may have been excluded by these Rules or by any term of such contracts.

RULE 49 LAW OF CONTRACT

These Rules and any policy or contract of insurance between the Association and an Insured Owner shall be governed by and construed in accordance with English law.