

FCA Business Interruption insurance test case

The Commercial Court has handed down [judgment](#) in the COVID-19 Business Interruption insurance test case of [The Financial Conduct Authority v. Arch Insurance \(UK\) Ltd and Others \[2020\] EWHC 2448 \(Comm\)](#). These expedited proceedings concerned numerous sample wordings of business interruption policies from eight leading insurers and were commenced in June 2020, leading to an urgent two week remote trial in July 2020.

[Rachel Ansell KC](#) and [Martyn Naylor](#) appeared for QBE Ltd, instructed by Clyde & Co LLP.

Different findings were made in respect of each insurance policy, but the Court (comprised of Mr Justice Butcher and Lord Justice Flaux) found in QBE's favour in respect of two of the three policies considered.

Consequential matters arising from the judgment, including any applications for permission to appeal, have been adjourned to a later date.