

Entitlements of Former Singapore UNITED Members

Editorial note:

We reproduce here, for the information of former Singapore UNITED Members, the SMA Council's latest correspondence with Mr Mike McLeod, UNITED Chief Executive Officer.

2 November 2004

Dear Mr McLeod

ENTITLEMENTS OF FORMER SINGAPORE MEMBERS

Thank you for your letter of 26 March and the clarifications in your subsequent letter of 16 June 2004.

Thank you for your confirmation (in the 1st and 3rd paragraphs of your letter of 16 June) that "Former Singapore Members will be entitled to full and usual membership privileges as per before the Provisional Liquidation if and when they apply for assistance for incidents occurring during their financial membership with UNITED up to and including 3 May 2002."

We wish to seek further clarification of the following:

1. In paragraph 9 of our letter of 20 May, we had asked "Could we seek UNITED's consideration to undertake providing assistance for Singapore members whose cases had **been notified to UNITED, or through the SMA to UNITED, from the beginning of their UNITED membership to June 2002** as the nose cover they had purchased would specifically have excluded such reported cases?"

In your letter of 16 June, you have stated that "If a Singapore member received a claim or notification of a claim in June 2002 and that claim is not covered by the nose cover purchased, then the member can make an application to UNITED for assistance, and the UNITED Board will give it due consideration. The UNITED Board could consider each case individually."

We wish to seek further clarification that "If a Singapore member had received a claim or had notified UNITED directly or through the SMA, **anytime between the beginning of their UNITED membership and June 2002** and that claim is not covered by the nose cover purchased, the member can make an application to UNITED for assistance, and the UNITED Board will give it due consideration. The UNITED Board would consider each case individually."

2. Further to your confirmation that UNITED will provide assistance to all former paid-up Singapore UNITED members up to 3 May 2002, some members are considering to cancel the nose cover (the additional cover) they had purchased with another professional indemnity provider when UNITED went into provisional liquidation.

When contacted about the possible cancellation of nose cover by some members, one of the providers, the MPS, has indicated "...**If UNITED agrees to honour all claims that have already been notified to MPS that arose from incidents that occurred during a doctor's membership of UNITED (UMP) and agrees to cover all those that will be reported in the future then MPS will refund the nose cover subscriptions.**"

Members who might wish to cancel their nose cover with the MPS would like to seek clarification that UNITED will agree:

- (a) to honour all claims that have been notified to MPS that arose from incidents that occurred during a doctor's membership of UNITED,
- (b) to cover all those that will be reported in the future, and
- (c) that members who wish to cancel the MPS nose cover write to notify you formally of their intention.

Refund of Subscriptions (Pro-Rata) from 3 May 2002

In your letter of 26 March, you informed that "for those members whose membership, as a consequence of the Provisional Liquidator's determination, was 'cancelled' part way through the subscription year, UNITED will provide a refund of subscriptions (calculated pro-rata) from 3 May 2002, upon condition that each member, seeking such a refund, provides UNITED with an acknowledgement and release releasing and discharging UNITED from any liability for occurrences occurring after 3 May 2002."

Some members have been asking how the refund will be effected as they have not yet received any letter from UNITED. Kindly advise the procedure for the claiming of the refund.

Thank you for your kind attention.

Yours sincerely

Dr Foo Chuan Kit
Honorary Assistant Secretary
45th SMA Council

13 December 2004

Dear Dr Foo

ENTITLEMENTS OF FORMER SINGAPORE MEMBERS

I refer to your letter dated 2 November 2004.

In relation to the matters upon which you seek further clarification, I advise:

1. The UNITED Board resolved, following the determination of the Provisional Liquidator, that generally speaking, assistance will not be provided to former Singapore members for incidents occurring after 3 May 2002, and the Board maintains that position.
2. In relation to an incident occurring during the beginning of UNITED membership and 3 May 2002, if a Singapore member received a claim or notified those circumstances to UNITED directly, or through SMA, on or before 3 May 2002, subject to UNITED's Constitution, the member is entitled to apply for assistance.
3. If a Singapore member was notified of a claim in relation to an incident occurring during the UNITED membership period up to and including 3 May 2002, before purchasing nose-cover in June 2002, that member can make application to UNITED for assistance, and the UNITED Board will give it due consideration.

The UNITED Board is concerned to ensure that former members are protected in circumstances where the former member had knowledge of the circumstances giving rise to the claim or knowledge of the claim prior to obtaining the nose-cover in June 2002, and as a consequence the claim or circumstances are excluded from the nose-cover purchased. It is anticipated that any such circumstance would have occurred on or before 3 May 2002 and would have been declared at the time of the application for nose-cover. However, each application would be considered individually.

4. The assistance, generally speaking, will only relate to incidents occurring on or before 3 May 2002, from the beginning of the commencement of UNITED membership. Therefore, UNITED will not agree with the proposal sought in paragraph 2.
5. Refund of Subscriptions

We are currently checking the subscriptions to confirm pro-rata refunds. When that is concluded, the former members will be asked to sign a Deed of Release, and upon executing the Deed of Release, payment will be made.

I anticipate former members will receive the correspondence in about January 2005.

Yours sincerely

Mike McLeod
Chief Executive Officer ■