



BERMUDA

INSURANCE ACCOUNTS AMENDMENT (NO. 2) REGULATIONS 2010

BR 93 / 2010

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The Minister of Finance, in exercise of the power conferred by section 53 of the Insurance Act 1978, makes the following regulations:

Citation

1 These Regulations which amend the Insurance Accounts Regulations 1980 (the “principal Regulations”) may be cited as the Insurance Accounts Amendment (No. 2) Regulations 2010.

Amends regulation 4

2 Regulation 4 of the principal Regulations is amended—

- (a) in paragraph (1) by deleting “, Class 3A, or Class 3B” and substituting “or Class 3A”; and
- (b) in paragraph (1A) by inserting “Class 3B or” before “Class 4”.

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Amends regulation 8

3 Regulation 8 of the principal Regulations is amended—

- (a) in paragraph (2) by deleting “and Class 3B long-term insurer” and substituting “, Class A, Class B, Class C, Class D and Class E insurer”.
- (b) in paragraph (3) by inserting “Class 3B or” before “Class 4”.

Amends regulation 9

4 Regulation 9 of the principal Regulations is amended—

- (a) in paragraph (2)(a) by deleting “and Class 3B long-term insurer” and substituting “, Class A, Class B, Class C, Class D, Class E insurer”;
- (b) in paragraph (2)(e) by inserting “Class 3B or” before “Class 4”;
- (c) in paragraph (3)(a) by deleting “and Class 3B long-term insurer” and substituting “, Class A, Class B, Class C, Class D, Class E insurer”; and
- (d) in paragraph (3)(e) by inserting “Class 3B or” before “Class 4”.

Amends Regulation 10

5 Regulation 10 of the principal Regulations is amended by deleting the word “Registrar” where it appears in paragraph (2) and substituting the word “Authority”.

Amends Schedule I

6 Schedule I of the principal Regulations is amended—

- (a) in the subheading of Form 1A by inserting “Class 3B or” before “Class 4”;
- (b) in the subheading of Form 2A by inserting “Class 3B or” before “Class 4”;
and
- (c) in Form 4 by deleting—
 - (i) statement line 2 (b), (c) and (d) and substituting the following—

“ (b)	Equities			
	(i)	Common Stocks	XXX	XXX
	(ii)	Preferred Stocks	XXX	XXX
	(iii)	Mutual Funds	<u>XXX</u>	<u>XXX</u>
	(c)	Total Equity Investments	<u>XXX</u>	<u>XXX</u>
	(d)	Other Quoted Investments	<u>XXX</u>	<u>XXX</u>
	(e)	Total Quoted Investments	<u>XXX</u>	<u>XXX</u> ”

- (ii) statement line 3 (b) and (c) and substituting the following—

“ (b)	Equities			”
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(i)	Common Stocks	XXX	XXX
(ii)	Preferred Stocks	XXX	XXX
(iii)	Mutual Funds	<u>XXX</u>	<u>XXX</u>
(c)	Total Equity Investments	<u>XXX</u>	<u>XXX</u>
(d)	Other Quoted Investments	<u>XXX</u>	<u>XXX</u>
(e)	Total Quoted Investments	<u>XXX</u>	<u>XXX</u>

(iii) statement line 10 and substituting the following—

“ ACCOUNTS AND PREMIUMS RECEIVABLE:

(a)	In course of collection	XXX	XXX
(b)	Not yet due	XXX	XXX
(c)	Receivables from retrocessional contracts	<u>XXX</u>	<u>XXX</u>
(d)	Total accounts and premiums receivable	<u>XXX</u>	<u>XXX</u>

(iv) statement line 11 and substituting the following—

“ REINSURANCE BALANCES RECEIVABLE:

(a)	Foreign Affiliates	XXX	XXX
(b)	Domestic Affiliates	XXX	XXX
(c)	Pools and Associations	XXX	XXX
(d)	All other insurers	XXX	XXX
(e)	Total reinsurance balances receivable	<u>XXX</u>	<u>XXX</u>

(v) paragraphs (a), (b) and (c) of statement line 13 and substituting the following—

(a)	Derivative instruments	XXX	XXX
(b)	Segregated Accounts	XXX	XXX
(c)	Deposit Assets	XXX	XXX
(d)	Other	XXX	XXX
(e)	Total sundry assets	<u>XXX</u>	<u>XXX</u>

Amends Schedule II

7 Schedule II of the principal Regulations is amended—

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- (a) under Part II in statement line 4 by deleting “Investment in mortgage loans on real estate”; and substituting “Investment in and advances to affiliates”;
- (b) in the subheading of Part V by inserting “Class 3B or” before “Class 4”; and
- (c) in the subheading of Part VI by inserting “Class 3B or” before “Class 4”.

Amends Schedule III

8 Schedule III of the principal Regulations is amended—

- (a) in the subheading of Part I by deleting “Class 3B, long-term insurer” and substituting “ Class A, Class B, Class C, Class D, Class E insurer”;
- (b) under Part I by deleting instructions for statement for lines 10 and 11;
- (c) in the subheading of Part II by deleting “Class 3B,”;
- (d) under Part II by inserting the following instructions for statements for lines 10 and 11—

“10. Accounts and premiums receivable

- (a) amounts receivable on account of policies of insurance from any person, whether an affiliate or not, shall be included;
- (b) amounts due from reinsurers and funds held by ceding reinsurers (being amounts or funds which have been included in lines 11 and 12) shall not be included;
- (c) if any amount is in the opinion of the directors uncollectible, that amount shall be deducted.

11. Reinsurance balances receivable

- (a) amounts receivable on account of policies of reinsurance from any person, whether an affiliate or not, shall be included;
- (b) any amount shown in line 10 or 12 shall not be included;
- (c) if any amount is in the opinion of the directors uncollectible, that amount shall be deducted.”; and
- (e) under Part III by inserting the following instructions for statements for lines 10 and 11 after the instruction for statement for line 6—

“ 10. Accounts and (a) there shall be disclosed
premiums Receivable severally—
(i) in course of collection;
(ii) deferred – not yet due; ”

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- (iii) receivables from retrocessional contracts
 - (iv) the total of (i) to (iii);
 - (b) amounts receivable on account of policies of insurance from any person, whether an affiliate or not, shall be included;
 - (c) amounts due from reinsurers and funds held by ceding reinsurers (being amounts or funds which have been included in lines 11 and 12) shall not be included;
 - (d) if any amount is in the opinion of the directors uncollectible, that amount shall be deducted.
11. Reinsurance balances receivable
- (a) there shall be disclosed severally—
 - (i) foreign affiliates;
 - (ii) domestic affiliates;
 - (iii) pools & associations;
 - (iv) all other insurers;
 - (v) the total of (i) to (iv);
 - (b) amounts receivable on account of policies of reinsurance from any person, whether an affiliate or not, shall be included;
 - (c) any amount shown in line 10 or 12 shall not be included;
 - (d) if any amount is in the opinion of the directors uncollectible, that amount shall be deducted.

(f) in the subheading of Part IV by inserting “Class 3B or” before “Class 4”.

Amends Schedule IV

9 Schedule IV of the principal Regulations is amended—

- (a) in the subheading of Part I by deleting “Class 3B, long-term insurer” and substituting “, Class A, Class B, Class C, Class D and Class E insurer”;
- (b) in the subheading of Part II by deleting “Class 3B, long term insurer” and substituting “, Class A, Class B, Class C, Class D, Class E insurer; and
- (c) in the subheading of Part IV by inserting “Class 3B or” before “Class 4”.

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Commencement

10 These Regulations come into operation on 31 December 2010.

Made this 23rd day of December 2010.

Premier and Minister of Finance