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**BULLETIN NUMBER:** INS-06-003

**TITLE:** CAPTIVE INSURANCE COMPANY - RENEWAL OF REGISTRATION

**LEGISLATION:** *INSURANCE (CAPTIVE COMPANY) ACT, INSURANCE (CAPTIVE COMPANY) ACT REGULATION AND BUSINESS CORPORATIONS ACT*

**DATE:** JANUARY 2006

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## **PURPOSE**

The purpose of this bulletin is to provide captive insurance companies with:

- An outline of the renewal of registration requirements of the *Insurance (Captive Company) Act* ("ICCA") and the *Insurance (Captive Company) Act Regulation* ("ICCA Regulation"); and
- A reminder of the other filing requirements applicable to captive insurance companies under ICCA and under the *Business Corporations Act*.

In the interests of administrative efficiency, the Superintendent of Financial Institutions ("Superintendent") will not be sending renewal of registration reminder letters. However, if there is a change in the renewal of registration requirements, we will revise this bulletin and provide each company with a copy of the revised bulletin.

## **RENEWAL OF REGISTRATION**

Under section 9 of the ICCA and section 6.1 of the ICCA Regulation, a captive insurance company is required to file the items outlined below with our office on or before 90 days after its fiscal year end:

- An Application for Renewal of Registration which outlines the company's financial condition and affairs for the year;
- A copy of the captive insurance company's financial statements for the fiscal year;

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- A copy of the auditor's report on the captive insurance company's financial statements for the fiscal year;
- A copy of the actuarial report on the adequacy of the captive insurance company's loss reserves contained in the financial statements;
- A copy of the financial statements for the latest fiscal year for the captive insurance company's parent company, and related auditor's report; and
- A renewal of registration fee of \$2,500. The fee is remitted by way of a cheque made payable to the Minister of Finance.

### **OTHER FILINGS REQUIRED UNDER THE ICCA**

The ICCA also requires captive insurance companies to provide the Financial Institutions Commission with the following information:

**Corporate Governance** - A captive insurance company is required to inform, and obtain approval from the Superintendent before changes are made in its ownership, articles or memorandum.

**Directors, Officers and Managers** - Directors, officers or managers are required to notify the Superintendent in writing of any material change in their Personal Information Returns. Periodically, the Superintendent may request that directors, officers or managers re-file their Personal Information Returns.

**Coverage** - If the captive changes its insurance coverage, the captive insurance company is required to notify the Superintendent within 30 days after the changes.

**Guarantee or Indemnity** - When a captive enters into a new, or amends an existing, guarantee or indemnity, the captive insurance company is required to file a copy of the guarantee or indemnity with the Superintendent within 30 days after its execution.

**Reinsurance** - If the captive enters into or amends a reinsurance agreement or treaty, the captive insurance company is required to file a copy of the new or amended agreement or treaty with the Superintendent within 30 days after its execution.

## Contacts

For more information, please contact:

<p><b>Deputy Superintendent, Insurance And Pensions</b> Financial Institutions Commission 1200 – 13450 102<sup>nd</sup> Avenue Surrey, British Columbia V3T 5X3</p>	<p>Telephone: (604) 953-5300 Fax: (604) 953-5301 Web site: <a href="http://www.fic.gov.bc.ca">www.fic.gov.bc.ca</a> E-mail: <a href="mailto:ficom@ficombc.ca">ficom@ficombc.ca</a></p>
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Staff of the Financial Institutions Commission periodically issue interpretation bulletins to provide technical interpretations and positions regarding certain provisions contained in the *Financial Institutions Act* and Regulations. While the comments in a particular part of an interpretation bulletin may relate to provisions of the law in force at the time they were made, these comments are not a substitute for the law. The reader should consider the comments in light of the relevant provisions of the law in force at the time, taking into account the effect of any relevant amendments to those provisions or relevant court decisions occurring after the date on which the comments were made. Subject to the above, an interpretation or position contained in an interpretation bulletin generally applies as of the date on which it was published, unless otherwise specified.