



## New Requirements to Notify the Authority for Changes in Controllers, Directors and Officers under The Bermuda Insurance Act, 1978

Recent amendments to The Bermuda Insurance Act, 1978 (“the Act”) have modified requirements to notify the Authority with respect to changes in insurers’ controllers, directors or officers. Designated insurers, newly defined under the Act in relation to group supervision, also are required to notify the Authority in respect of such changes.

The amendments to the Act make the notification to the Authority of changes in controllers, directors and/or officers less onerous than previously for some insurers.

### **New notification deadline of 31 March for insurance managers, brokers and agents**

Now, registered insurance managers, brokers and agents must file with the Authority, a list of every person who has become or has ceased to be an officer or shareholder controller during the previous calendar year, specifying the dates when the change occurred, on or before March 31 each year.

### **Annual notification for Class 1, Class 2, Class A, Class B and SPI’s**

Rather than having to notify the Authority each time a change occurs, now Class 1, Class 2, Class A, Class B and Special Purpose Insurers must file the following information annually, at the time of filing their annual financial statements, only:

- a list of every person who has become or ceased to be a shareholder controller or director of the insurer; and
- where no registered insurance manager has been appointed to manage the affairs of the insurer, a list of every person who has become or ceased to become an officer of the insurer.

### **Class 3, Class 3A, Class 3B, Class 4, Class C, Class D, Class E and designated insurers reporting deadline**

Class 3, Class 3A, Class 3B, Class 4, Class C, Class D and Class E insurers and designated insurers must still notify the Authority of the fact that any person has become or ceased to become a controller of that insurer and must serve notice to the Authority in writing of the fact that any person has become or ceased to be an officer of the insurer or of the parent company of the group, as the case may be. As in the past, notification must be made to the Authority before the end of a

forty-five day period which commences on the day that the insurer or designated insurer becomes aware of the relevant facts.

An “officer” means, in relation to the insurer or the parent company of an insurance group, a director, chief executive or senior executive performing duties of underwriting, actuarial, risk management, compliance, internal audit, finance or investment matters. In relation to insurance managers, brokers and agents, “officer” means a director or chief executive.

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