



DOMESTIC AND FOREIGN INSURERS BULLETIN NO. 133

TO: ALL ADMITTED AND APPROVED DOMESTIC INSURERS

RE: GROUP CAPITAL CALCULATION (GCC) FILING

DATED: September 15th, 2022

The purpose of this Bulletin is to notify all domestic insurers that group capital calculation (GCC) filings are required to be filed with the Delaware Department of Insurance (the "Department") by June 1, annually.

Background

House Bill No. 272 of the 151st General Assembly ("HB 272") was signed by the Governor on February 7, 2022. HB 272 amended Delaware's Insurance Holding Company Act (18 *Del. C.* Ch. 50) to include a requirement that the ultimate controlling person of every insurer subject to registration concurrently file with the registration an annual GCC. *See* 18 *Del. C.* § 5004(l)(2). Effective June 11, 2022, Department Regulation 1801 (18 **DE Admin. Code** 1801) was updated to add section 21.0 related to GCC. Certain holding company systems are exempt from the GCC filing requirement as outlined in 18 *Del. C.* §5004(l)(2) and 18 **DE Admin. Code** 1801-21.0.

Filing Procedures

GCC filings should be filed with the lead regulator of the insurance holding company system as determined by the Commissioner in accordance with the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners (NAIC). Only one filing per group need be made to the Department annually, and only if the Department is the lead state regulator for the group.

The first GCC filing is due to the Department by June 1, 2023 concurrently with the annual registration statement for the year ended December 31, 2022. The filing is to be prepared in accordance with the NAIC Group Capital Calculation Instructions and Template located on

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1351 W. NORTH ST., SUITE 101, DOVER, DELAWARE 19904

(302) 674-7300 DOVER◆ (302) 259-7554 GEORGETOWN◆ (302) 577-5280 WILMINGTON

the NAIC website for the Group Capital Calculation (E) Working Group. The direct link is https://content.naic.org/cmt_e_grp_capital_wg.htm. The applicable documents are located within the “documents” tab.

There is no separate filing fee for the GCC, over and above the filing fee for the annual registration statement filing found in 18 *Del. C.* § 701.

Filing Instructions

Any GCC filing or inquiry shall be submitted electronically to berg@delaware.gov. The email **subject line** for all GCC submissions, exemption requests or questions should read:

- Annual Registration Statement Year, Group name, NAIC Group code, GCC filing. For example,
 - 2022, XYZ Group, 0000 Group Code, GCC filing

Requests for exemption must include a statement identifying the following:

- The exemption criteria under which the exemption request is being made
- A description of how the exemption criteria is met

Questions about this Bulletin should be emailed to berg@delaware.gov.

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.



Trinidad Navarro
Delaware Insurance Commissioner

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