

State of Delaware

Department of Insurance

RETALIATORY STATEMENT

A foreign stock or mutual insurer seeking a Delaware Certificate of Authority authorizing it to transact Property/Casualty lines business would be required to comply with the following requirements:

1. CAPITAL FUND REQUIREMENTS - 18 Del. C. Section 511(a):

	Capital <u>Stock</u>	Free <u>Surplus</u>
Property	\$300,000	\$150,000
Casualty	\$400,000	\$200,000

2. GENERAL DEPOSIT REQUIREMENTS - Pursuant to 18 Del. C. Section 513(a), the Commissioner shall not authorize a foreign insurer (other than an alien insurer) to transact insurance in this State unless it makes and thereafter continuously maintains on deposit in this State through the Commissioner, or in another state, cash or securities eligible for such deposit under the laws of this State or of such other state of a fair market value of not less than \$100,000 for the protection of all its policyholders wherever located or all of its policyholders in the United States or of all its policyholders and creditors. The Commissioner shall accept a Certificate of Deposit from the official having supervision over the insurer in its state of domicile to the effect that such deposit or part thereof by such insurer is being maintained in public custody or control pursuant to law in such state.

18 Del. C. Section 513(b), the Commissioner shall not authorize an insurer to transact surety insurance unless it makes and thereafter continuously maintains in this State through the Commissioner a special and additional deposit of cash or securities eligible therefor under § 1503 of this title, of a fair market value not less than \$10,000, to answer any default of such insurer upon surety contracts issued by it in this State. The foregoing requirement shall not be applicable to any insurer having a paid-in capital and surplus of \$10,000,000 or more and continuously maintaining on deposit in this State through the Commissioner, or in another state, cash or securities eligible for such deposit under the laws of this State or of such other state of a fair market value of not less than \$400,000 for the protection of all its policyholders wherever located, or all of its policyholders in the United States or all of its policyholders and creditors.

18 Del. C. Section 513 (c), no insurer shall transact workers' compensation insurance in this State unless it makes and thereafter maintains in this State through the Commissioner a special and additional deposit of cash or securities eligible therefor under § 1503 of this title, of a fair market value of not less than \$100,000 for the protection of persons in this State covered under the insurance so transacted. Upon any insurer's inability to pay workers' compensation claims as a result of a court of competent jurisdiction finding of financial impairment or insolvency, which prevents the regular payment of workers' compensation benefits, this deposit shall be immediately available upon their request to the Delaware Insurance Guaranty Association for continuation of claims benefits to eligible workers.

3. EXPERIENCE OR "SEASONING" REQUIREMENTS - In accordance with Delaware Domestic/Foreign Insurers Bulletin No. 3, a like insurer to be eligible for consideration for admission must have been in continuous operation for three years. This requirement does not apply to subsidiary or affiliate companies with substantially the same management of an admitted company or continuing corporation resulting from merger or consolidation.

4. TAXES AND FEES - The following taxes and fees would be imposed upon like foreign insurers:

a) *Premium Taxes:*

1-3/4% plus 1/4% of gross premiums written, after deducting 1) the amount of returned premiums on cancelled policies (but not including the return of cash surrender values of life insurance policies), and 2) the unabsorbed portion of any deposit premium and the amount returned to policyholders as dividends and similar returns, whether paid in cash or credited or applied in reduction of premiums.

2% Worker's Compensation & Employer's Liability

5% upon taxable underwriting profit- Wet Marine & Transportation

Quarterly taxes are paid as follows based on estimated tax liability:

- 50% on April 15th
- 20% on June 15th
- 20% on September 15th
- 10% on December 15th

b) *Admission Fees:*

Application for Admission	\$1,000.00
Issuance of Certificate of Authority	\$150.00

c) *Renewal Fees:*

Continuation of Certificate of Authority	\$150.00
Filing Annual Statement	\$150.00
Annual Fraud Bureau Assessment	\$900.00

d) *Appointment of Producers:*

Appointment of producers, each producer (One-time appointment fee, no renewal)	\$50.00
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e) *Filing Fees:*

Amended Articles of Incorporation	\$10.00
Amended By-Laws	\$10.00
Articles of Merger	-0-
Articles of Redomestication	\$160.00
Adding or deleting lines of Business	\$150.00
Form A	\$1000.00

f) *Filing Rates and Forms*

Each form, endorsement, application, rate and/or deviation	\$150.00
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g) *Filing Holding Company Registration Statement:*

Initial registration statement	\$100.00
Each amendment thereof	\$100.00

Every insurer which is authorized to do business in the State of Delaware and which is a member of an insurance holding company system shall register with the Commissioner, except a foreign insurer subject to registration requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to Delaware. The Commissioner may require any insurer authorized to do business in the State which is a member of a holding company system, and which is not subject to registration, to furnish a copy of the registration statement, the summary or other information filed by such insurance company with the insurance regulatory authority of domiciliary jurisdiction.

All statutory references are to Title 18, Delaware Insurance Code.