



Checklist for Reciprocal Jurisdiction Reinsurers

Reciprocal Jurisdiction Reinsurer Information:

Insurer Name:

Mailing Address:

Primary Contact Name:

Primary Contact Telephone Number and Email Address:

Domiciliary Jurisdiction:

Applicable Lines of Business Reinsured:

I. Filing Requirements When New York is the “Lead State” of the Reciprocal Jurisdiction Reinsurer
(see page 5 for “passporting” requirements)

Check appropriate box:

Initial Filing

Annual Filing (due by June 30)

11 NYCRR Citation	Requirements	Information to Be Submitted
§ 125.2(n)	<p>Status of Reciprocal Jurisdiction:</p> <p>The jurisdiction must be:</p> <p>(1) a non-U.S. jurisdiction that is subject to an in-force covered agreement with the United States;</p> <p>(2) an NAIC-accredited jurisdiction; or</p> <p>(3) a qualified jurisdiction that has been determined by the Superintendent to meet all applicable requirements to be a reciprocal jurisdiction.</p>	<p>Identify the type of jurisdiction and provide supporting documentation.</p>

11 NYCRR Citation	Requirements	Information to Be Submitted
<p>§ 125.4(i)(2)(ii)</p> <p>§125.4(i)(2)(vii)</p>	<p>Minimum Capital and Surplus:</p> <p>The assuming insurer must have and maintain on an ongoing basis minimum capital and surplus, or its equivalent, calculated on at least an annual basis as of the preceding December 31 or at the annual date otherwise statutorily reported to the reciprocal jurisdiction, of no less than \$250,000,000.</p> <p>If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, then the assuming insurer must have minimum capital and surplus equivalents (net of liabilities) or own funds of the equivalent of at least \$250,000,000, and a central fund containing a balance of the equivalent of at least \$250,000,000.</p> <p>The assuming insurer’s domestic regulator must confirm to the Superintendent in writing on an annual basis that the assuming insurer complies with this requirement.</p>	<p>Written confirmation from the assuming insurer’s domiciliary jurisdiction that the insurer meets this requirement according to the methodology used by that jurisdiction.</p>
<p>§ 125.4(i)(2)(iii)</p> <p>§ 125.4(i)(2)(vii)</p>	<p>Minimum Solvency or Capital Ratio:</p> <p>The assuming insurer must have and maintain on an ongoing basis a minimum solvency or capital ratio as applicable as follows:</p> <p>(1) if the assuming insurer has its head office or is domiciled in a reciprocal jurisdiction as defined in 11 NYCRR § 125.2(n)(1), then the ratio specified in the applicable in-force covered agreement;</p> <p>(2) if the assuming insurer is domiciled in an NAIC-accredited jurisdiction, a risk-based capital ratio of 300% of the authorized control level, calculated in accordance with the formula developed by the NAIC; or</p> <p>(3) if the assuming insurer is domiciled in a reciprocal jurisdiction that is a qualified jurisdiction pursuant to 11 NYCRR § 125.2(n)(3), then such solvency or capital ratios as the Superintendent determines to be an effective measure of solvency.</p> <p>The assuming insurer’s domestic regulator must confirm to the Superintendent in writing on an annual basis that the assuming insurer complies with this requirement.</p>	<p>Written confirmation from the assuming insurer’s domiciliary jurisdiction that the insurer meets this requirement.</p>

11 NYCRR Citation	Requirements	Information to Be Submitted
§ 125.4(i)(2)(v)	<p>Financial/Regulatory Filings:</p> <p>For the two years preceding entry into the reinsurance agreement and on an annual basis thereafter, the assuming insurer's annual audited financial statements, in accordance with the applicable law of the jurisdiction of its head office or domiciliary jurisdiction, as applicable, including the external audit report;</p> <p>For the two years preceding entry into the reinsurance agreement, the solvency and financial condition report or actuarial opinion, if filed with the assuming insurer's domestic regulator;</p> <p>Prior to entry into the reinsurance agreement and not more than semi-annually thereafter, an updated list of all disputed and overdue reinsurance claims outstanding for 90 days or more, regarding reinsurance assumed from ceding insurers domiciled in the United States; and</p> <p>Prior to entry into the reinsurance agreement and not more than semi-annually thereafter, information regarding the assuming insurer's assumed reinsurance by the ceding insurer, ceded reinsurance by the assuming insurer, and reinsurance recoverable on paid and unpaid losses by the assuming insurer.</p>	<p>The assuming insurer's annual audited financial statements, in accordance with the applicable law of the jurisdiction of its head office or domiciliary jurisdiction, as applicable, including the external audit report.</p> <p>The solvency and financial condition report or actuarial opinion, if filed with the assuming insurer's domestic regulator;</p> <p>An updated list of all disputed and overdue reinsurance claims outstanding for 90 days or more, regarding reinsurance assumed from ceding insurers domiciled in the United States.</p> <p>An assuming insurer domiciled in the U.S. must provide the most recent NAIC Annual Statement Blank Schedule F (property/casualty) and/or Schedule S (life and health). An assuming insurer domiciled outside the U.S. must provide this information using Form JR-F (property/casualty) and/or Form JR-S (life and health).</p>

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§ 125.4(i)(2)(vi)	<p>Prompt Payment of Claims:</p> <p>The assuming insurer must maintain a practice of prompt payment of claims under reinsurance agreements. The lack of prompt payment will be evidenced if any of the following criteria is met:</p> <p>More than 15% of the reinsurance recoverables from the assuming insurer are overdue and in dispute as reported to the Superintendent;</p> <p>More than 15% of the assuming insurer’s ceding insurers or reinsurers have overdue reinsurance recoverables on paid losses of 90 days or more that are not in dispute and that exceed for each ceding insurer \$100,000, or as otherwise specified in a covered agreement; or</p> <p>The aggregate amount of reinsurance recoverable on paid losses that are not in dispute, but are overdue by 90 days or more, exceeds \$50,000,000, or as otherwise specified in a covered agreement.</p>	Forms RJ-F (property/casualty) and/or RJ-S (life and health).
§ 125.4(i)(2)(iv)	<p>Form RJ-1:</p> <p>An assuming insurer must submit Form RJ-1.</p>	Form RJ-1.
§ 125.8	Fee: \$2,000.00 annually	Mail a check made payable to “Superintendent of Financial Services.”

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II. Filing Requirements When New York is the “Passporting State” for a Reciprocal Jurisdiction Reinsurer

To facilitate multi-state recognition of assuming insurers and to encourage uniformity among the states, the NAIC has initiated a process called “passporting” under which the Superintendent has the discretion to defer to another state’s determination with respect to compliance with this section.

If an NAIC-accredited jurisdiction has determined that the conditions set forth under the *Filing Requirements for Lead States* have been met, the Superintendent has the discretion to defer to that jurisdiction’s determination and add such assuming insurer to the list of assuming insurers to which cessions shall be granted credit. The Superintendent may accept financial documentation filed with the Lead State or the NAIC.

11 NYCRR Citation	Requirements	Information to Be Submitted
§125.4(i)(2)(iv)	<p>Form RJ-1:</p> <p>An assuming insurer must submit Form RJ-1.</p>	Form RJ-1.
§ 125.1(a)(3)	<p>Lead State:</p> <p>If an NAIC -accredited jurisdiction has determined that the assuming insurer has met the conditions to be a reciprocal jurisdiction reinsurer, then the Superintendent may defer to that jurisdiction’s determination. The Superintendent may accept supporting financial documentation filed with another NAIC-accredited jurisdiction or with the NAIC.</p>	A copy of the approval letter or other documentation provided to the assuming insurer by the NAIC-accredited jurisdiction. The letter should include the jurisdiction, effective date, and lines of business reinsured.
§ 125.8	Fee: \$2,000.00 annually	Mail a check made payable to “Superintendent of Financial Services.”