



REPUBLIC OF VANUATU

INSURANCE ACT NO. 54 OF 2005

Insurance (Amendment) Regulations

Order No **6** of 2010

In exercise of the powers conferred on me by section 104 of the Insurance Act No. 54 of 2005, I, the Honourable SELA MOLISA, Minister of Finance and Economic Management make the following Order:

1 Amendments

The Insurance Regulations Order No. 16 of 2006 is amended as set out in the Schedule.

2 Commencement

This Order commences on the date on which it is published in the Gazette.

Made at Port Vila this *12th* day of *February*, 2010.


Honourable SELA MOLISA
Minister of Finance and Economic Management



SCHEDULE

AMENDMENTS OF THE INSURANCE REGULATIONS ORDER NO. 16 OF 2006

1 Clause 1 (definition of licensed insurer)

After the definition,

Insert

“**net premium** means the gross premium (less returned premium) net of reinsurance premium payable “

2 After Clause 2

Insert

“**2A** A cell in a protected cell company must obtain approval and authorisation from the Reserve Bank by providing details of ownership, business plan and any additional information that may be required by the Reserve Bank”

3 Subclause 7(8)

Delete “long term”, substitute “life”.

4. Subclauses 4(3), 9(1), 14(1), 14(2), 16(1), 17(2), 22(1), 22(2), 23(1) and 23(2)

Delete “Commission”, substitute “Reserve Bank”

5. Paragraphs 2(b), 8(a), 8(d), 9(2)(c), 13(a), 18(1)(a), 18(1)(b), 18(2)(a), 18(2)(b), 19(d) and 21(a)

Delete “Commission”, substitute “Reserve Bank”

6 Clause 22 (heading)

Delete “Commission”, substitute “the Reserve Bank”

7 Clause 23 (heading)

Delete “Commission”, substitute “Reserve Bank”

8 Schedule 1- Paragraph 1(1)(b)

Repeal the paragraph, substitute

“(b) for any insurer other than a captive insurer, carrying on life insurance business-VT25 million; and

(ba) for a captive insurer carrying on general insurance business- US \$ 100,000.00 or such other amount as may be approved by the Reserve Bank; and”

9 Schedule 1-Paragraph 1(1)(c)

Repeal the paragraph, substitute

“(c) for a captive insurer carrying on life insurance business-US\$200,000.00”.

10 Schedule 1- Subclause1(2)

Delete “Commission may allow an insurer a lesser”, substitute “Reserve Bank may require an insurer to maintain a lesser or higher”

11 At the end of Clause 1 of Schedule 1

Add

“(3) For a captive insurer, the capital may be in the currency of the country where the risk is located or as may be determined by the Reserve Bank.”

12 Schedule 3- Paragraphs 1(a), (b),(c) and (d)

Delete “Commission” substitute “Reserve Bank”

13 Schedule 3- Clause2

Delete “Commission”, substitute “Reserve Bank”

14 Schedule 3-Paragraph 3(b)

Delete “Commission” substitute “Reserve Bank”

15 Schedule 4-clause 1(definition of net premium)

Repeal the definition.

16 Schedule 4- Paragraph 2(c)

Repeal the paragraph, substitute

“(c) for contingency relative to catastrophe exposure- not less than 3% of the total premium or other amount approved by the Reserve Bank.”

17 Schedule 4-Clause 5

Delete “Commission”, substitute” Reserve Bank”

18 Schedule 5-(heading)

Delete “**COMMISSION**”, substitute “**RESERVE BANK**”

19 Schedule 5

Before “Licensee”, insert “(1)”

20 Schedule 5- (Column under the heading “Amount payable”)

- (a) Delete “Application fee US\$ 500.00” corresponding to “Captive insurer” in the column under the heading “Licensee”, substitute, “Application fee US\$ 250.00”
- (b) Delete “License fee US\$ 5,000.00” corresponding to “Captive insurer” in the column under the heading “Licensee”, substitute, “License fee US\$ 2,000.00”
- (c) Delete “Renewal fee US\$ 5,000.00” corresponding to “Captive insurer” in the column under the heading “Licensee”, substitute “Renewal fee US\$ 2,000.00”

21 Schedule 5

Delete “inspection of documents held by the Commission”, substitute “Inspection of documents held by the Reserve Bank”.

22 Schedule 5

At the end of the Schedule,

Add`

"(2) Fees for captive insurer may be in the currency of the country where the risk is located.

23 Schedule 6- Form 1 -Item 17

Delete "Commission" substitute "Reserve Bank"

24 Schedule 6- Form 1

Delete

"The Insurance Section

VANUATU FINANCIAL SERVICES COMMISSION

PORT VILA

VANUATU",

Substitute,

"The Insurance Unit

RESERVE BANK OF VANUATU

PORT VILA

VANUATU"

25 Schedule 6- Forms 2 and 3

Delete

"The Insurance supervisor

FINANCIAL SERVICES COMMISSION

PORT VILA

VANUATU",

Substitute

"The Insurance supervisor

RESERVE BANK OF VANUATU

PORT VILA

VANUATU"

26 Schedule 6- Form 4

Delete

"Supervisor of Insurance

FINANCIAL SERVICES COMMISSION

PORT VILA

VANUATU”,

Substitute

“The Insurance supervisor
RESERVE BANK OF VANUATU
PORT VILA
VANUATU”