



Application for Approval as a Non Admitted Reinsurer – Alien
Filing Instructions

Special instructions: Electronic filings will not be accepted. Please ensure you are completing current forms, as forms are updated annually. Please compile documents 1, 2, 3, 4 & 5 in order as they appear on pages 1 and 2 of this checklist provided. Place a checkmark (v) in front of each number as you add the documents to the package. Once you have collected all the documents, place the checklist on top, and mail to the address below. Please do not mail a disk. Please send all documents together if possible.

Please mail completed forms and documents by March 1st to:

**Colorado Division of Insurance
Corporate Affairs
1560 Broadway, Suite 850
Denver, CO 80202**

Alien reinsurers maintaining trust funds and filing under the provisions of § 10-3-118(5)(d), Colorado Revised Statutes and Colorado Amended Regulation 2-1-5 shall provide the following items in order to make a complete application. Items 1, 2, 4, and 5 apply to companies making a renewal filing that have had no changes to their previous trust agreement:

___1) A complete executed application form, including Form AR-1 Certificate of Assuming Insurer.

___2) A report of the trustee to the Commissioner in writing setting forth the market value of the trust and listing the trust's investments at the preceding year end, and shall certify the date of termination of the trust, if so planned, or certify that the trust shall not expire prior to the next following December 31.

___3) A copy of the trust instrument, which must be in a qualified United States Financial Institution for the benefit of all U.S. policyholders. The trust instrument shall be in a form acceptable to the Commissioner and shall provide that:

a. Contested claims shall be valid and enforceable out of funds in trust to the extent remaining unsatisfied thirty (30) days after entry of the final order of any court of competent jurisdiction in the United States.

b. Legal title to the assets of the trust shall be vested in the trustee for the benefit of the United States policyholders and ceding insurers, their assigns and successors in interest.

c. The trust shall be subject to examination, the cost of such examination to be paid by the reinsurer, as determined by the Commissioner.

d. The trust shall remain in effect for as long as the assuming insurer, or any member or former member of a group of insurers, shall have outstanding obligations under reinsurance agreements subject to the trust.

e. No amendment to the trust shall be effective unless reviewed and approved in advance by the Commissioner.

Inquiries: email DOI.CorporateAffairs@dora.state.co.us

___4) A copy of the most recent audited statutory financial statement. Such statement shall contain the information substantially the same as that required to be reported in the NAIC convention blank. All values must be reported in U.S. currency.

___5) A complete, executed current Fee Form attached to the check payment. Each company must submit a check, drawn on a United States bank (alien banks are not acceptable), **made payable to the Colorado Division of Insurance** for the **Total Amount Due** of the applicable fees as stated on the current Fee Form, pursuant to 10-3-207, Colorado Revised Statutes. The check must be **attached** to the Accredited Reinsurer or Alien Reinsurer Maintaining U.S. Trust current Fee Form for proper credit. **A separate check is to be submitted for each company.**

Date payment mailed: _____

Please attach check to current Fee Form and mail by March 1st to:

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