

## Article - Insurance

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§5–901.

(a) In this subtitle the following words have the meanings indicated.

(b) “Ceding insurer” means an insurer that procures insurance for itself from another insurer for all or part of an insurance risk.

(c) “Primary certifying state” means a state other than Maryland:

(1) in which the insurance regulatory agency or its equivalent has designated and assigned a rating to an assuming insurer as a certified reinsurer; and

(2) the designation or rating from which the Commissioner has used to designate or assign a rating to the assuming insurer in this State under § 5–910(b) of this subtitle.

(d) “Qualified jurisdiction” means a jurisdiction that the Commissioner determines meets the requirements of § 5–909 of this subtitle.

(e) “Qualified United States financial institution” means:

(1) for purposes of issuance or confirmation of a letter of credit under § 5–914(c)(3) of this subtitle, an institution that:

(i) is organized or, in the case of a United States office of a foreign banking organization, licensed under the laws of the United States or any state;

(ii) is regulated, supervised, and examined by federal or state authorities having regulatory authority over banks and trust companies; and

(iii) has been determined by either the Commissioner or the securities valuation office of the National Association of Insurance Commissioners to meet the standards of financial condition and standing that are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the Commissioner; or

(2) for purposes of eligibility to act as a fiduciary of a trust under this subtitle, an institution that:

(i) is organized or, in the case of a United States branch or agency office of a foreign banking organization, licensed under the laws of the United States or any state and has been granted authority to operate with fiduciary powers; and

(ii) is regulated, supervised, and examined by federal or state authorities having regulatory authority over banks and trust companies.

(f) “Reinsurer” means an insurer from which a ceding insurer procures insurance for itself for all or part of an insurance risk.

(g) “Trusted surplus” means funds held in a trust account in excess of the reinsurer’s liabilities attributable to reinsurance ceded to the reinsurer by United States ceding insurers in accordance with this subtitle.

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