

Article - Insurance

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§7–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Affiliate” means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.
- (c) “Control”, “controlling”, “controlled by”, or “under common control with” means the direct or indirect possession of the power to direct or cause the direction of the management and policies of a person, through ownership of voting securities or of securities convertible into voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, whether or not the power is exercised or sought to be exercised unless the power is the result of an official position with or corporate office held by the person.
- (d) (1) “Enterprise risk” means any activity, circumstance, event, or series of events involving one or more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse effect on the financial condition or liquidity of the insurer or its insurance holding company system as a whole.
 - (2) “Enterprise risk” includes anything that would:
 - (i) cause the insurer’s risk based capital to fall to or below a company action level under Title 4, Subtitle 3 of this article; or
 - (ii) cause the insurer to be in a hazardous financial condition under § 9–102 of this article.
- (e) “Insurance holding company” means a person that directly or indirectly controls an insurer or controls a person that controls an insurer.
- (f) “Insurance holding company system” means two or more affiliates, at least one of which is an insurer.
- (g) “Subsidiary” means an affiliate of a person that, directly or indirectly, through one or more intermediaries, is controlled by that person.
- (h) “Ultimate controlling person” means the person within a holding company system that is not controlled by any other person.

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