Article - Insurance

[Previous][Next]

§8–514.

(a) A reinsurance broker shall keep a record of each transaction that relates to a contract of reinsurance transacted by the reinsurance broker for at least 10 years after the contract expires.

(b) For each contract of reinsurance, the record required by this section shall include:

(1) the type of contract, limits, underwriting restrictions, classes or risks, and territory;

(2) the period of coverage, including effective and expiration dates, cancellation provisions, and required notice of cancellation;

(3) the requirements for reporting and settling balances;

(4) the rate used to compute the reinsurance premium;

(5) the names and addresses of assuming reinsurers;

(6) the rates of all reinsurance commissions, including commissions on any retrocessions handled by the reinsurance broker;

(7) proof of placement;

(8) details of retrocessions handled by the reinsurance broker, including the identity of retrocessionaires and the percentage of each contract assumed or ceded;

(9) financial records, including premium and loss accounts; and

(10) any related correspondence and memoranda.

(c) In addition to the records required by this section, a reinsurance broker shall keep written evidence that the assuming reinsurer:

(1) has agreed to accept the risk, if the reinsurance broker, while acting for a ceding authorized insurer, procured a reinsurance contract directly from an assuming reinsurer; and

(2) has delegated binding authority to its representative, if the reinsurance broker, while acting for a ceding authorized insurer, procures a reinsurance contract from a representative, other than an employee, of an assuming reinsurer.

(d) (1) An authorized insurer shall have reasonable access to and the right to copy and audit all accounts and records maintained by the reinsurance broker that relate to business transactions with the authorized insurer.

(2) The reinsurance broker shall maintain accounts and records in a form usable by the authorized insurer.

[Previous][Next]