

## Guidelines

## Ref.: IRDAI/RI/GDL/MISC/038 /01/2020

दिनांक: 31<sup>st</sup> January, 2020

Τo,

All Insurers as defined under Sec. 2 (9) of the Act, IFSC IIOs, Exempted Insurers;

Re: Guidelines on filing of Re-insurance arrangements with the IRDAI.

- This has reference to the Reg. 3 (3) (A) (b) of the IRDAI (Re-insurance), Regulations, 2018 as per which, the Insurers as defined under Sec. 2 (9) of the Act, IFSC IIOs, Exempted Insurers (hereinafter referred as 'insurer' for the purpose of these guidelines), have to submit its re-insurance Programme for the forthcoming financial year, forty-five (45) days before commencement of the financial year;
- 2. In addition to submissions as per provisions of above mentioned regulations, the insurers shall comply with the following;
  - a. to confirm that, the reinsurance treaty(ies) applicable for particular financial year meet the risk transfer requirements. Any re-insurance arrangement which do not have pure risk transfer such as Capital Gearing Treaty, Alternate Risk Transfer Solution, Financial Re-insurance, non-traditional structured re-insurance solution or any other term or name called, need to be informed to the IRDAI;
  - b. in case the insurer intends to adopt ART, non-traditional structured solutions, Financial Re-insurance, then it shall take prior approval of the Authority, as per provisions of Reg. 8 of the IRDAI (Re-insurance) Regulations, 2018;
  - c. to inform the IRDAI on or before 1<sup>st</sup> March of every year about any proposed reinsurance arrangement (other than pure risk transfer / traditional re-insurance contract) to be entered in to by the insurer as specified in para 3 (a) of this guidelines;
  - d. to obtain due confirmation from the lead reinsurer(s) specifying the methodology used for such risk transfer and its compliance and submit the same with the IRDAI whenever called for;
- 3. We reiterate that, the accounting treatment for the ART agreements shall be as per the provisions of the IRDA Circular No. IRDA/CIR/F&A/053/DEC-04 dated 08<sup>th</sup> December, 2004;
- 4. This is issued in exercise of the powers conferred under Sec. 14 of the IRDA Act, 1999.

These guidelines shall be applicable with immediate effect.

**Executive Director** 

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