

Appendix 12

In this appendix underlining indicates new text and striking through indicates deleted text.



The DFSA Rulebook

Prudential – Insurance Business Module

(PIN)

in relation to Consultation Paper No. 88

6 FINANCIAL AND OTHER REPORTING BY INSURERS

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6.5 Submission of Returns to the DFSA

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6.5.2 ~~When the DFSA has issued a notice announcing that the DFSA's electronic prudential reporting system is in operation, an An Authorised Firm must, from the date specified in the notice, prepare and submit its Annual Regulatory Return in the following manner:~~

- (a) the Annual Regulatory Return, excepting the parts of the Annual Regulatory Return referred to in (b) and (c), must be submitted to the DFSA using the DFSA's electronic prudential reporting system:
 - (i) in accordance with any instructions set out in the notice and any instructions provided through such a system or specified in App10 and PRU; and
 - (ii) within four months of the Insurer's reporting date;
- (b) the Statement by Directors need not be submitted to the DFSA, but must be signed and a copy maintained in accordance with Rules 6.5.3 and 6.5.4; and
- (c) the Global Return for a Branch must be submitted in the manner provided in Rule 6.5.1.

Guidance

The Returns and instructional guidelines are provided in App10, PRU and the DFSA's electronic prudential reporting system.

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6.5.8 ~~When the DFSA has issued a notice announcing that the DFSA's electronic prudential reporting system is in operation, an An Authorised Firm must, from the date specified in the notice, prepare and submit its Quarterly Regulatory Return in the following manner:~~

- (a) the Quarterly Regulatory Return, excepting the parts of the Quarterly Regulatory Return referred to in (b) and (c), must be submitted to the DFSA using the DFSA’s electronic prudential reporting system:
 - (i) in accordance with any instructions set out in the notice and any instructions provided through such a system or specified in App10 and PRU; and
 - (ii) within two months of the Insurer’s reporting date;
- (b) the Statement by Directors must be signed and a copy maintained in accordance with Rules 6.5.9 and 6.5.10; and
- (c) the Global Return for a Branch must be submitted in the manner provided in Rule 6.5.7.

Guidance

The Returns and instructional guidelines are provided in App10, PRU and the DFSA’s electronic prudential reporting system.

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- 6.5.13** (1) When a Return of the kind specified under Rule 6.5.2(a) or Rule 6.5.8(a) is not submitted on or before the due date or within the prescribed period, such non-submission incurs a late payment fee of \$1,000.
- (2) Nothing in this Rule limits the right of the DFSA to take any other action.

Guidance

If a Return is not submitted by the date on which it becomes due, the Person is in breach of a Rule and the DFSA is entitled to take action including, but not limited to, taking steps to withdraw authorisation to conduct Financial Services.

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APP10 REPORTING TO THE DFSA

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A10.5 Statement by directors

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A10.5.2 The Statement by Directors forming part of the Annual Regulatory Return must state that:

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- (b) proper Accounting Records ~~accounting records~~ have been maintained and adequate information obtained by the Insurer;

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