

A BILL

entitled

INSURANCE AMENDMENT ACT 2025

WHEREAS it is expedient to amend the Insurance Act 1978 to provide that the Bermuda Monetary Authority may make rules in relation to statutory financial statements, in particular, in respect of matters relating to prudential and technical standards, and the form and content of information to be contained in statutory financial statements; and to validate Rules made by the Bermuda Monetary Authority in relation to such matters;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Insurance Act 1978, may be cited as the Insurance Amendment Act 2025.

Amends section 6A

2 Section 6A(1) of the Insurance Act 1978 is amended by inserting the following after paragraph (f)—

“(fa) statutory financial statements;”.

Amends section 15

3 Section 15 of the Insurance Act 1978 is amended by inserting the following after subsection (3)—

“(3A) The form and information to be contained in statutory financial statements pursuant to subsection (2) may be prescribed by—

- (a) regulations made by the Minister under section 53 in respect of Class 1, Class 2, Class 3, Class A, Class B, Class IGB and Class ILT insurers;

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(b) rules made by the Authority in respect of Class 3A, Class 3B, Class 4, Class C, Class D, Class E, Class IILT, Class IIGB insurers, Special Purpose Insurers and Collateralized Insurers.

(3B) Sections 6, 7 and 8 of the Statutory Instruments Act 1977 shall not apply to rules made by the Authority under subsection (3A)(b).”.

Validation

4 Any rules which were made by the Bermuda Monetary Authority under section 6A of the Insurance Act 1978 before the coming into operation of this Act are hereby deemed to have been validly made in respect of prudential and technical standards in relation to statutory financial statements and the form and content of information to be contained in statutory financial statements.

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EXPLANATORY MEMORANDUM

This Bill seeks to amend the Insurance Act 1978 to provide that the Bermuda Monetary Authority may make rules in relation to statutory financial statements, in particular, in respect of matters relating to prudential and technical standards and the form and content of information to be contained in statutory financial statements; and to validate rules made by the Authority in relation to such matters.

Clause 1 provides the citation for the Bill.

Clause 2 amends section 6A(1) of the Insurance Act 1978 to insert a new paragraph (fa) “statutory financial statements” which will allow the Bermuda Monetary Authority to make prudential and technical standards in relation to statutory financial statements.

Clause 3 amends section 15 of the Insurance Act 1978 to provide that the form and information contained in statutory financial statements pursuant to subsection (2) can be prescribed by regulations made by the Minister with respect to particular classes of insurers or by rules made by the Bermuda Monetary Authority with respect to other classes of insurers. And also provides that Rules made by the Bermuda Monetary Authority under new subsection (3A)(b) are not subject to parliamentary scrutiny.

Clause 4 validates any rules made by the Bermuda Monetary Authority under section 6A of the Insurance Act 1978, in respect of prudential and technical standards in relation to statutory financial statements and the form and content of information to be contained in statutory financial statements, prior to this Bill coming into force.