



COMMONWEALTH OF PUERTO RICO  
OFFICE OF THE COMMISSIONER OF INSURANCE

March 10, 2005

CIRCULAR LETTER NO: C-ES-3-1731-2005

TO ALL FOREIGN INSURERS AUTHORIZED TO TRANSACT PROPERTY AND CASUALTY INSURANCE BUSINESS IN PUERTO RICO

**2004 ANNUAL STATEMENT AND RELATED ITEMS**

Dear ladies and gentlemen:

Section 3.310(1) and (2) of the Insurance Code of Puerto Rico, 26 L.P.R.A. Section 331(1) and (2), stipulates the following:

"(1) Each authorized insurer shall annually, **before the thirty-first day of March**, file with the Commissioner a true statement of its financial condition, transactions, and affairs as of the December 31st preceding. The statement shall be on forms as prescribed by the Commissioner, shall contain information as required by this Code and by the Commissioner, and shall be verified by the oath of at least two of the insurer's principal officers. The annual statement of a reciprocal or Lloyd's insurer shall be verified by his attorney-in-fact.

(2) The annual statement of a foreign insurer not formed in the United States but authorized to transact insurance in a state of the United States, may relate only to its assets, transactions, and affairs in the United States and Puerto Rico (and including, at the insurer's option, the Virgin Islands and the Canal Zone) unless the Commissioner requires otherwise. The statement may be verified by the insurer's United States manager or by its officers duly authorized." (Emphasis supplied).

Pursuant to the aforesaid section, the annual statement for calendar year ending December 31, 2004, must be filed in this Office **on or before March 30, 2005**. The same must be presented in the official form approved by the National Association of Insurance Commissioners with all the schedules, supplements and reports required, including the Management's Discussion and Analysis. For complete instructions about these reports and the Annual Statement Checklist, visit our web page at [www.ocs.gobierno.pr/forms/ia.htm](http://www.ocs.gobierno.pr/forms/ia.htm). In this page it is the 2004 Property

Checklist to obtain the reports and supplements required by NAIC and this Office. The diskette filing for NAIC must be in the electronic format commonly known as the “**March.PDF Filing**” (in PDF format).

Foreign insurers **organized** in the United States, or with port of entry in one of the states of the United States, do not have to submit to this Office the hard copy and electronic filing of the annual statement. Nevertheless, in order to comply with the aforementioned provisions, instead of said filing, these foreign insurers shall submit a hard copy of the following filings:

1. Affidavit of Filing and Financial Statement Attestation
2. Certificate of Deposit
3. Certificate of Investments in Puerto Rico Securities

Foreign insurers **not organized** in the United States that do not file electronically to the NAIC, must submit a hardcopy of their annual statements. In accordance with the provisions of Section 3.310(2), cited above, all such foreign insurers that elect to file an annual statement pertaining only to their United States business, must also include the information regarding their Puerto Rico affairs and transactions. In addition, these foreign insurers must submit the information required in “State Page, Direct Business in the Commonwealth of Puerto Rico”.

Every insurer that does not maintain with the Secretary of the Treasury of Puerto Rico, through this Office, the deposit requested in Section 3.130 of the Insurance Code of Puerto Rico for the protection of all its policyholders and creditors in Puerto Rico and whose State of domicile is a reciprocal state concerning such deposit requirement, shall submit a certification issued by the public official invested with the authority to supervise the insurance business in such State, showing that a deposit from such insurer is being held in trust by the State for said purposes.

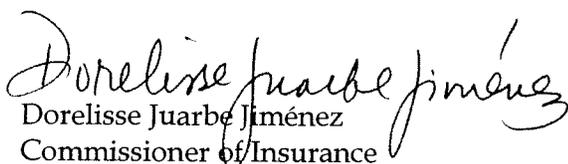
Annual filings must follow all established instructions as specified in the *NAIC Annual Statement Instructions*. For more information regarding annual filings, please visit the NAIC web site at [http://www.naic.org/financial\\_statement\\_filing/index.htm](http://www.naic.org/financial_statement_filing/index.htm).

A copy of the State Page must also be sent to the Puerto Rico Property and Casualty Insurance Guaranty Association, to the following address:

Puerto Rico Property and Casualty  
Insurance Guaranty Association  
PO Box 364967  
San Juan, PR 00936-4967

Strict compliance with the aforesaid provisions is hereby required.

Cordially,

  
Dorelisse Juarbe Jiménez  
Commissioner of Insurance