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Fecha

Aprobado: Sila M. Calderón
Secretario de Estado
Por: Lourdes I. de Cherbuin
Secretaria Auxiliar de Estado

Commonwealth of Puerto Rico
OFFICE OF THE COMMISSIONER OF INSURANCE
P.O. Box
Santurce, Puerto Rico

AMENDMENT TO THE REGULATION OF THE INSURANCE CODE OF PUERTO RICO

Section I. - Pursuant to the provisions of Section 2.040 of the Insurance Code of Puerto Rico, I hereby notify the insurance industry, the insurance consumers and the general public that Section 4 p) 7 of Rule XXIV of the Insurance Regulations has been amended as follows:

RULE XXIV

APPROVAL OF FORMS AND LANGUAGE OF EDITION

Legal Authority: Sections 11.110, 11.140

This rule shall govern the filing with the Commissioner of policy forms, bond forms required by Rule XXIV-A, application forms, printed riders and endorsement forms. All such forms shall be filled with the Commissioner and shall be offered to the prospective insureds written in the Spanish language, except as provided in Section 4 of this Rule.

Section 1. - The filing with the Commissioner of policy forms, application forms, printed riders and endorsement forms made by rating bureaus whose charter, articles of incorporation, rules and regulations give them control over such forms and riders to be used by their members and subscribers shall be considered a filing by said members and subscribers.

a) Any deviation from such filing by a member or subscriber shall be directly filed with the Commissioner by the deviating member or subscriber.

b) It shall be taken for granted that any insurer admitted as a new member or subscriber of a rating bureau shall use the forms of such rating bureau from the effective date of its membership of subscribership.

c) Any insurer which ceases to be a member or subscriber of a rating bureau shall immediately comply with the filing requirements established in Section 11.110 of the Insurance Code.

Section 2. - Any insurer which is not a member or subscriber of a rating bureau shall file with the Commissioner wvery policy form, bond forms required by Rule XXIV-A, application forms, written riders and endorsement forms which it intends to use.

Section 3. - The filing with the Commissioner of policy forms, application forms, written riders and endorsement forms shall be made as follows:

a) Every filing shall be accompanied with a transmittal letter indicating the following:

1. The name of the rating bureau or insurer making the filing under the signature of an authorized person.

2. If a new form, it shall be so stated in the transmittal letter, which shall also contain a description of the coverage as well as of the submitted form.

3. If a revision of a form previuosly submitted, it shall be so stated in the transmittal letter informing also the date of approval of the previous form and the proposed changes.

4. All the enclosed forms with their respective titles and numbers shall be numerated in the transmittal letter.

b) General Requirements:

1. The transmittal letter shall be submitted in duplicated.

2. The forms submitted shall be sent in duplicate.

Section 4. - At the option of the rating bureau or the insurer, the following forms may be filed with the Commissioner and offered to the prospective insureds written in English:

a) Used in connection with Commercial Multiple Line Contracts or contracts commonly known as excess insurance or "umbrella".

b) Used in connection with commercial inland marine insurance.

c) Used in connection with boiler and machinery insurance.

d) Used in connection with automobile dealer's and non-dealers risks within the Commercial Automobile Insurance Manual.

e) Used in connection with workmen's compensation insurance and employers liability insurance.

f) Used in connection with Builder's Risk insurance.

g) Used in connection with Highly Protected Risks Rating Plan.

h) Used in connection with insurance whereby the original policy is delivered to any vendor, mortgage or pledgee of any motor vehicle and in which policy any interest of the vendee, mortgagor, or pledgor is insured with reference to such vehicle.

i) Used in connection with title insurance.

j) Used in connection with aircraft insurance.

k) Used in connection with commercial automobile insurance.

l) Used in connection with commercial fire and allied lines insurance.

m) Used in connection with commercial general liability insurance.

n) Used in connection with commercial crime and glass insurance.

o) Used in connection with farm and farmowners insurance.

p) Used in connection with life or disability insurance, but limited to the following forms:

1) Policies issued pursuant to the conversion privilege under group insurance contracts.

2) Annuity contracts.

3) Policies issued pursuant to a blanket (as permitted by section 17.010 of the Insurance Code) or franchise plan (as permitted by sections 13.261 and 16.340 of the Insurance Code) provided that the coverage is not available to the general public and can be obtained and maintained only because of the insured's membership in the particular group.

4) Policies issued pursuant to contractual rights under individual policies issued prior to June 5, 1976.

5) Policies issued pursuant to contractual rights under individual policies lawfully solicited, written and delivered outside of Puerto Rico convering only subjects of insurance not resident, located or expressly to be performed in Puerto Rico at the time issuance.

6) Policies issued in connection with pension and welfare plans as defined by and subject to Public Act 93-406, approved September 2, 1974 (Employee Retirement Income Security Act of 1974).

7) Policies issued by an insurer during the first year after being admitted in Puerto Rico or during any additional period of time which the Commissioner may grant upon good cause.

8) Life insurance policies with variable benefits.

q) Used in connection with mortgage guaranty insurance.

r) Used in connection with insurance on boats, vessels, ships, hulls, or interest therein, and including any liability arising from the construction, repair, operation, maintenence or use of the subject of such insurance.

s) Used in connection with surety insurance.

t) Used in connection with policies issued to members of the armed forces of the United States of America residing or serving in military reservations in Puerto Rico.

u) Used in connection with policies issued to personnel residing or working in military reservations of the United States of America.

Section 2. - This amendment shall be effective thirty (30) days after it has been filed in the Department of State and after the publication in a newspaper of general circulation, once a week, for two consecutive weeks, of a notice to the effect that such amendment has been approved.

Approved on: September 30, 1981

Amended on: January 21, 1985

Filing Date at Department of State: February 5, 1985

Amended on: June 23, 1988

Filing Date at Department of State:

Juan Antonio García
Commissioner of Insurance