

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3389 of 29 January, 2004

LEGAL NOTICE NO. 10 OF 2004

INSURANCE COMPANIES ORDINANCE

**INSURANCE COMPANIES (VALUATION OF ASSETS AND
LIABILITIES) (AMENDMENT) REGULATIONS 2004**

In exercise of the powers conferred on it by section 118 of the Insurance Companies Ordinance, and all other enabling powers, the Government has made the following regulations—

Title and commencement.

1. These regulations may be cited as the Insurance Companies (Valuation of Assets and Liabilities) (Amendment) Regulations 2004 and come into operation on 1st January 2004 and shall apply to periods commencing on or after that date.

Amendment to Schedule 1.

2. Paragraph 1 of Part I of Schedule 1 to the Insurance Companies (Valuation of Assets and Liabilities) Regulations 1996 is amended as follows—

(a) for the definition of “general business amount”, substitute—

““general business amount” is calculated as the higher of—

(i) the insurer’s technical liabilities (net of reinsurance) and an amount equal to whichever is the greater of 3,000,000 euros or 20 per cent of the general premium income; or

(ii) a higher amount not exceeding the net admissible assets determined in accordance with these Regulations;”;

(b) for the definition of “long term business amount”, substitute—

““long term business amount” is calculated as the higher of–

(i) the insurer’s technical liabilities (net of reinsurance and excluding property linked liabilities) together with–

(a) the amount of any deposit back under a contract of long term reinsurance; plus

(b) the margin of solvency (or minimum guarantee fund, if greater) which the insurer if its head office is in Gibraltar, is required to maintain, or if its head office is elsewhere would be required to maintain if its head office were in Gibraltar; less

(c) any implicit items valued in accordance with an Order under section 113 of the Ordinance;

save that for the purposes of assessing compliance with the permitted asset exposure limit, it shall further exclude linked liabilities; or

(ii) a higher amount not exceeding the net admissible assets determined in accordance with these Regulations;”.

Dated the 29th day of January, 2004.

P R CARUANA Q.C.,

Chief Minister