CAPTIVEINSURANCETIMES

ISSUE073 03.06.2015 captiveinsurancetimes.com



NAIC adopts captive revisions

A National Association of Insurance Commissioners (NAIC) committee has unanimously adopted proposed revisions to the Part A: Laws and Regulations Accreditation Preamble.

The proposed revisions will add certain captive insurers and special purpose vehicles (SPVs) into the accreditation programme.

Specifically, the revisions will include regulation of those captives and SPVs that assume XXX or AXXX business, variable annuities and long-term care business.

Currently, regulation of these types of companies is not included in the programme's scope.

"This is a critical step forward in the NAIC's work related to the transparency of information and consistency of treatment for these types of captive insurers," commented NAIC president-elect and Missouri insurance director John Huff, who also serves as chair of the financial regulation standards and accreditation committee.

"I look forward to continuing our work to strengthen the accreditation programme."

The committee plans to consider specific grandfathering provisions for transactions already in place as well as the effective date of the proposed revisions at the NAIC's 2015 Summer National Meeting.

If the grandfathering provisions and effective dates are adopted, they will then be presented to the NAIC executive committee and plenary for consideration.

The Captive Insurance Companies Association (CICA) expressed its objection to the revisions last year, claiming they would sweep up captives engaged in writing property/casualty risk.

readmore p2

'A' for MIICL and Lloyd's Syndicate 3000

A.M. Best has affirmed the financial strength ratings of "A (Excellent)" and the issuer credit ratings of "a+" of Markel International Insurance Company Limited (MIICL) and Lloyd's Syndicate 3000, both based in the UK.

The outlook for MIICL's ratings remains stable and the outlook for Syndicate 3000's ratings remains positive.

MIICL's ultimate parent company is Markel Corporation, which is also the ultimate parent company of Syndicate 3000's managing agent, Markel Syndicate Management, and its capital provider, Markel Capital.

The syndicate and MIICL account for around a quarter of the Markel group's gross premium income and provide the group with access to the UK and London markets as well as international business.

readmore p2

Aon releases new flood model

Impact Forecasting, Aon Benfield's catastrophe model development team, has developed a fully probabilistic flood model for Canada to help insurers and reinsurers better underwrite and manage their riverine and off-flood plain exposures.

Once a non-modelled peril, the team of flood and risk experts at Impact Forecasting has developed a new model over the last two years.

The model offers a complete view of Canadian flood risk from providing underwriting data that drills down to individual locations while helping insurers to understand the impact of accumulations on their portfolios, to structuring reinsurance cover and fulfilling regulatory and rating agency requirements.

readmore p2

An established captive and PCC jurisdiction
Your gateway to the European Union Single Market
Reputation, regulation and speed to market
...our strengths

Contact: Michael Ashton ACA, Senior Executive HM Government of Gibraltar Gibraltar Finance, Suite 761, Europort, Gibraltar Office: +350 200 51163 • Mobile: +350 5800 7755 michael.ashton@financecentre.gov.gi www.gibraltarfinance.gi

@GibFinance



NAIC adopts captive revisions Continued from page 1

CICA said at the time: "The proposed [multistate reinsurerl definition is vaque and, in some instances, contradictory."

"No bases have been put forward as to why the proposal should apply to the entire captive industry."

"A" for MIICL and Lloyd's Syndicate 3000

Continued from page 1

According to A.M. Best, MIICL's ratings reflect the continued support of Markel and the company's strategic importance to the Markel group.

In addition, MIICL benefits from excellent stand-alone risk-adjusted capitalisation, strong operating performance and good business profile as a specialist underwriter of marine, professional liability and specialty insurance in the UK and London markets.

MIICL has a strong historical underwriting record, and from 2010 until 2014 achieved a five-year average combined ratio of 88 percent, despite the impact of exceptionally high catastrophe losses in 2011.

In 2014, MIICL reported a profit before tax and equalisation reserve movement of \$95.7 million. MIICL underwrites what A.M. Best has called a "well-diversified" portfolio and leads more than 60 percent of its business.

The ratings of Lloyd's Syndicate 3000 reflect the financial strength of Lloyd's, which underpins the security of all of Lloyd's syndicates.

A.M. Best has stated that the syndicate's financial flexibility is enhanced by the continued support of Markel. The syndicate's capacity for the 2014 year of account was maintained at £500 million.

This is consistent with the prior year and demonstrates Markel's continued commitment to Syndicate 3000 as its main underwriting centre for marine and large US property risks written in the London market.

A.M. Best commented: "Positive or negative movements in the ratings of Markel group would likely lead to corresponding actions for MIICL."

"In addition, a deterioration in stand-alone risk adjusted capitalisation or a reduction in the importance of MIICL in the overall group could lead to negative pressure on the company's ratings."

A factor that may lead to positive or negative rating actions for Syndicate 3000 is a change in the rating of the Lloyd's market, which currently has an financial strength rating of "A (Excellent)" and an issuer credit rating of "a+", both with a positive outlook.

Aon releases Canadian flood model

Continued from page 1

It covers a geographical area representing 98 percent of the Canadian population, while assessing the potential levels of damage based on loss data from Impact Forecasting's seven other country-specific flood models and Canadian client claims information to reflect local characteristics.

Vaclav Rara, flood model developer at Impact Forecasting, commented: "The model is unique in its spatial scope, geographical resolution and state-of-the-art hydrological innovation resulting in enhanced loss Delaware signs IAIS memorandum accuracy estimates."

"It allows essential understanding and transparency through access to underlying data and to the developers in Impact Forecasting for ongoing support."

David Sloan, president and CEO of Aon Benfield Canada, added: "While Southern Alberta and Toronto have diligently been rebuilding their communities following the staggering floods of 2013, our in-house catastrophe experts from across the globe have focused their efforts to develop a flood model for Canada from the ground up."

"Based on its release, I am thrilled that we are able to provide a high-quality tool that will hopefully transform how Canadian insurers underwrite and manage their flood risks both from a location level and aggregate accumulation perspective."

The only way is ethics, says NCCIA Conference report

A North Carolina Captive Insurance Association (NCCIA) committee led by Jonathan Reich, an attorney at Womble Carlyle, has created a code of ethics for its members, effective 1 June.

As the first of its kind in the US, the code requires all current and future NCCIA members to agree in writing to adhere to 10 canons for ethical conduct.

"This code of ethics is the first such code developed to guide the decisions of those advising, counseling, operating, and owning captive insurers," said Reich.

"We believe this code will help the industry grow in North Carolina, as participants and the public will have confidence that captive insurance companies are operated in a responsible manner."

According to the code, captive professionals must not "willfully violate any laws or regulations", or advise clients to willfully violate laws or regulations.

They are also obligated to "fully and frankly disclose any conflicts of interest", or situations

CITINBRI



Latest news

Latest news

Randall & Quilter acquires IC Insurance

p6

 p_4

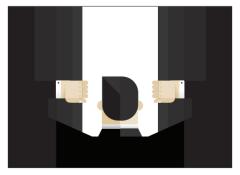
Latest news

London & Capital launches educational roadshows to help prepare insurers for Solvency II



Captive conferences educate and inform in equal amounts, and the Captives & Corporate Strategies Summit did its bit

p11



IoM insight

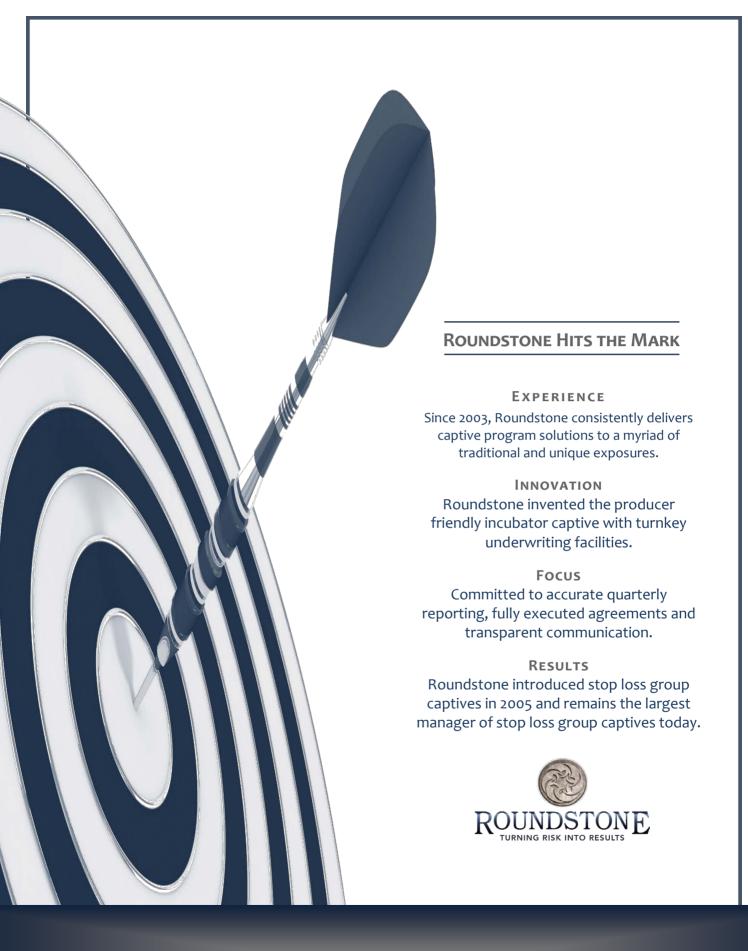
Simon Nicholas of the Isle of Man Captive Association explains what the introduction of ILS means for the domicile

p13

People moves

New appointments at JLT Re, AGCS and Tokio Millennium Re

p17





that could be perceived as a conflict of interest, to each client

Captive insurance professionals in the state will also agree to "continually and regularly" improve their skills and competence.

Reich continued: "This aspirational code is designed to raise awareness of ethical issues faced by captive insurance professionals and to provide guidance in those situations."

"I hope the code's adoption in North Carolina serves as a catalyst for a broader dialogue within the industry on appropriate conduct, appropriate client service, and the ethical operation and utilisation of captive insurers."

SB 667 passes final reading

The Texas Captive Insurance Association (TxCIA) has confirmed that SB 667 has passed its third and final reading in the House of Representatives and is currently awaiting the governor's signature.

If signed into law, the bill will authorise pooling, credit for reinsurance, and equity dividends in

After passing thorugh the Senate several weeks ago, SB 667 was sent to the House of Representatives, where John Smithee acted as sponsor.

The TxCIA also said that another bill, HB 2557, consumers. I look forward to working with had been passed earlier in the week. While this other IAIS MMoU members to strengthen bill was not one drafted by TxCIA, it did file a our regulation and supervision of the global card of support for it.

HB 2557 bill allows county hospital districts the The MMoU sets minimum standards to which ability to form captives under Texas law, either on their own or in conjunction with another hospital district.

Delaware signs IAIS memorandum

Delaware has become the latest domicile to sign the International Association of Insurance Supervisors (IAIS) Multilateral Memorandum of Understanding (MMoU).

Since the first jurisdiction was admitted in June 2009, membership of the international supervisory cooperation and information exchange agreement has grown to include 51 signatories representing more than 63 percent of worldwide premium volume.

"The Department of Insurance is excited to be admitted as a signatory to the MMoU, because so many insurance companies domiciled in Delaware today conduct business around the world," said Delaware insurance commissioner Hufeld added: "The MMoU is an essential Karen Weldin Stewart

when advocating on behalf of our become a MMoU signatory."

insurance marketplace."

signatories must adhere, and all applicants are subject to review and approval by an independent team of IAIS members.

Through membership in the supervisors are able to exchange relevant information with and provide assistance to other signatories, thereby promoting the financial stability and sound supervision of cross-border insurance operations for the benefit and protection of consumers.

"We are glad to welcome Delaware as a signatory to the MMoU and to see the number of US signatories continue to increase," said Felix Hufeld, chair of the executive committee of the IAIS.

"In order to achieve our ultimate goal of policyholder protection within the global insurance marketplace, an insurance supervisor needs the ability to cooperate quickly and effectively."

regulatory tool—not only in crisis situations, but on a day-to-day basis—for supervisors to foster "Effective communication and cooperation safer and more stable insurance markets, and with other global regulators is essential the IAIS encourages each of its members to



Striking the Right Balance

For over two decades we have been at the forefront in the design and implementation of risk management solutions for a vast array of clients. We offer a comprehensive range of captive management services through our team of experienced insurance professionals.

From the feasibility study and business plan preparation, through the license application and company incorporation processes to the ongoing daily management of the captive, we manage the process at each and every step to suit our clients' requirements.

Contact us to see how our unique approach can deliver the right outcome for you and your business.

Derek Lloyd +1 (284) 494 4078 derek.lloyd@amsfinancial.com

www.amsfinancial.com

HELP TAKE CARE OF YOUR PEOPLE AND BUSINESS TOGETHER.

With Zurich, you can get a variety of tailored global solutions: employee benefits, liability and property insurance.
And if you consolidate them into a single captive it could be financially beneficial – giving you greater control of your insurance portfolio.

FIND OUT MORE AT zurich.com/captives

ZURICH INSURANCE. FOR THOSE WHO TRULY LOVE THEIR BUSINESS.

ZURICH[®]

This is intended as a general description of certain types of insurance and services available to qualified customers through subsidiaries within the Zurich Insurance Group, as in the US, Zurich American Insurance Company, 1400 American Lane, Schaumburg, IL 60196, in Canada, Zurich Insurance Company Ltd (Canadian Branch), 100 King Street West, Suite 5500, PO Box 290, Toronto, ON M5X 1C9, and outside the US and Canada, Zurich Insurance plc, Ballsbridge Park, Dublin 4, Ireland (and its EEA branches), Zurich Insurance Company Ltd, Mythenquai 2, 8002 Zurich, Zurich Australian Insurance Limited, 5 Blue St., North Sydney, NSW 2060 and further entities, as required by local jurisdiction. Certain coverages are not available in all countries or locales. In the US, risk engineering services are provided by The Zurich Services Corporation. Employee benefits insurance coverages are provided by the relevant Zurich entity or a network partner in the main jurisdictions. Employee benefits insurance coverage issued in the United States in all states except New York is issued by Zurich American Life Insurance Company, an Illinois domestic life insurance company located at its registered home address of 1400 American Lane, Schaumburg, IL 60196. In New York, employee benefits insurance coverage is issued by Zurich American Life Insurance Company of New York, a New York domestic life insurance company located at its registered home address of One Liberty Plaza, 165 Broadway, New York, New York 10006. Certain products, contract terms and services may not be available in all jurisdictions or may vary by local jurisdiction.



Current international MMoU signatories include: Australia, Austria, Bermuda, Canada, Chile, Chinese Taipei, France, Germany, Hong Kong, Japan, the Netherlands, Qatar, Singapore, Switzerland and the UK.

US states Virginia, Washington, Pennsylvania, Nebraska, Michigan, Connecticut and California are also signatories to the MMoU.

Randall & Quilter acquires IC Insurance

Randall & Quilter Investment Holdings has signed an agreement to acquire the entire issued share capital of IC Insurance from owners AstraZeneca UK and Imperial Chemicals Industries.

IC Insurance was formed in 1926 as the UK registered captive insurer for Imperial Chemical Industries. It ceased active underwriting in 1996.

Its residual liabilities comprise primarily of US workers' compensation reinsurance of the United Insurance Company pooling facility along with some residual losses from self-insured liabilities and London market underwriting activity.

IC Insurance had claim reserves as at 31 December 2014 amounting to £1.9 million and shareholder's funds of £22.5 million.

The consideration payable by Randall & Quilter Federal Insurance Office, have created Team in cash from existing resources and its bank facility with RBS is £17 million.

Ken Randall, chairman and CEO of Randall & Quilter, commented: "This is one of a number of current transactions we are assessing where a corporate parent is looking to dispose of their legacy captive prior to the implementation of Solvency II."

NAIC CEO Ben Nelson urges international cooperation

US regulators must convince international regulators that protecting policyholders takes a combination of capital and risk-based standards. according to Ben Nelson of the National Association of Insurance Commissioners (NAIC).

Speaking to A.M. Best. Nelson claimed that regulators around the world are struggling to find common ground, even those in the US, to prevent the possibility of a future systemic failure.

"To prevent a systemic failure of companies. the entire industry or the economy, some international segments are focused on capital, because that is the way they look at to regulate banks," he said.

"Instead of getting a 'one-size-fits-all' capital standard, which is imposed by international sources, the NAIC, along with the Federal Reserve, the Treasury Department and the

USA to examine what kind of capital standards is necessary for insurers in the US."

Although some regulators think more capital is the solution. Nelson said that he does not.

"Adding more capital isn't necessarily the answer. Finding a way to blend risk-based capital and solvency standards is the answer in the US, and we are looking for ways to be cooperative with international interests."

Looking ahead, Nelson has stated that he expects concerns and struggles in terms of making sure the US maintains a system that is safe and works for the protection of policyholders.

He added: "At the same time, we recognise that we're not alone, that we're not isolated and we have to work within the international community."

Strong rating for BP captive

A.M. Best has affirmed the financial strength rating of "A- (Excellent)" and the issuer credit rating of "a-" of Saturn Insurance of Vermont.

Saturn is a captive of UK-based integrated global oil and gas company. BP. The outlook for both ratings is stable.

According to the agency, the ratings reflect Saturn's "strong" risk-adjusted capitalisation

♦JLT

What is

JLT Insurance Management

offering?

Best Service Provider and Innovation in Captive Management, truly the winning combination

We provide the following services:

- · Captive Feasibility Studies
- Program Design
- **Funding Analysis**
- Captive Efficiency and Strategy Reviews
- Risk Transformation Capabilities and Facilities
- Rent-a-Captive Solutions

JLT Insurance Management is a member of the Jardine Lloyd Thompson Group plc.

Captive Insurance and Reinsurance Company Management

from Barbados, Bermuda, Connecticut, Guernsey, Malta, New York, Singapore. South Carolina, Vermont and through an affiliated company "2RS" in

For further information please contact:

Kilian Whelan

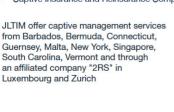
JLT Insurance Management

+1 441 292 4364 or kilian_whelan@jltgroup.bm









Is your Manager listening?

THE RELATIONSHIP BETWEEN A CAPTIVE AND ITS MANAGER CAN DETERMINE A CAPTIVE'S SUCCESS.

Active Captive Management provides the following services:

- Captive consultation and risk analysis
- Feasibility studies
- · Domicile recommendation
- · Capital and collateral evaluation
- Access to national service provider network
- Company licensing and formation

- Underwriting and policy administration
- Captive accounting
- · Claims processing
- Annual compliance and regulatory management
- · Annual risk analysis review



To request a risk analysis, visit us online at: www.activecaptive.com or call 800-921-0155

Active Captive Management provides management services in the onshore domiciles of: Alabama, Delaware, District of Columbia, Florida, Kentucky, Hawaii, Montana, Missouri, Nevada, New Jersey, North Carolina, Oregon, Oklahoma, South Carolina, Tennessee, and Utah. Off-shore domiciles include: Anguilla and Nevis.





two years".

In addition, the ratings factor in BP's financial strength and commitment to Saturn.

Risk-adjusted capitalisation is expected by A.M. Best to remain strong. Internal capital generation is expected to support an increase in underwritten risk over the medium term from new lines of business.

Saturn writes large gross line sizes relative to its balance sheet size but comprehensive reinsurance with its sister company, Jupiter Insurance Limited, protects its balance sheet.

Furthermore. Saturn benefits from low investment risk with cash or short term deposits representing about half of its investment portfolio. The remainder comprises a deposit with BP, which has "excellent liquidity terms" according to A.M. Best.

The agency stated: "Saturn's underwriting performance was strong in 2014, demonstrated by a combined ratio of 29 percent."

"Technical performance benefited from benign claims experience, reflecting the low-risk profile of the majority of its risks.

The captive's importance to and integration within BP's overall risk management framework is a positive rating factor."

and "good financial performance over the last Further development of Saturn's business Monticello is a core part of Vale's risk-management profile. maintenance of good technical performance and continued importance of the captive to the BP group would lead to positive rating pressure for A.M. Best.

> The rating agency confirmed that negative rating actions may arise from any "material deterioration" in Saturn's risk-adjusted capitalisation, or a significant increase in retention levels on Saturn's current and planned programmes without a commensurate increase in its capital base.

Ratings downgrade for Vale S.A. captive

Moody's has affirmed the "Baa3" insurance financial strength (IFS) rating and changed the outlook to negative from stable for Monticello Insurance Limited, the captive reinsurance subsidiary of Brazil-based mining company. Vale S.A.

The change in Monticello's outlook follows the decision by Moody's to change Vale's rating outlook to negative on 12 May.

The rating agency said the affirmation of Monticello's "Baa3" rating is based primarily on the support provided by Vale and on Monticello's integration with the global risk management Risk levels are rising in Western economies function of the group.

programme and is the sole insurance captive used in Vale's property insurance and business interruption programme worldwide.

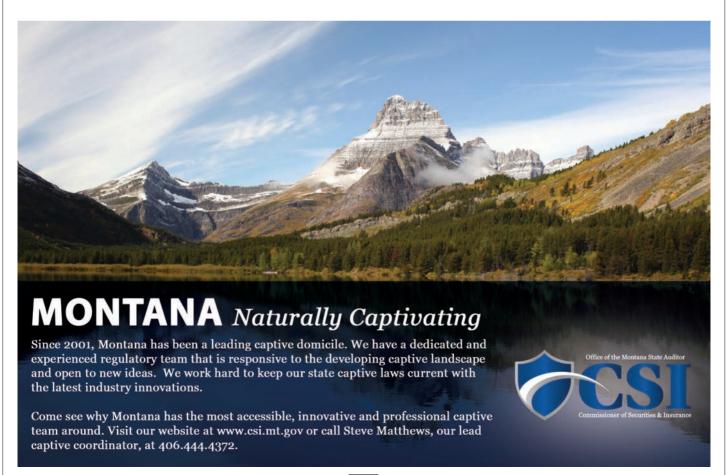
Explicit support from Vale to Monticello, which has been provided through capital injections totalling \$240 million over the past three years. and ongoing financial support to cover losses is a key driver of Monticello's credit rating, without which Monticello's rating would be lower.

The rating agency has stated that it expects that Monticello will continue to receive extensive parental support from Vale, including its willingness to backstop Monticello's obligations to its fronting insurance carriers, and to provide additional capital to Monticello in the event that it has insufficient funds to meet its obligations under the reinsurance assumed.

Moody's has stated Monticello's rating is constrained by its product risk concentration and significant risk exposures which has resulted in earnings volatility, as the company reported a net loss in 2012, as well as the weak sovereign credit profile and operating environment of Barbados, where Monticello is domiciled.

Terror threats rise in the West

due to the increased terrorism threat posed



YOUR HANGE INSURANCE.

Enjoy your insurance freedom in Delaware.

- Top 10 domestic domicile in terms of written premium
- Efficient and well-run Department of Insurance
- Collaborative regulators
- Low premium taxes
- Well-established service provider infrastructure
- Legal home to two-thirds of the Fortune 500
- Preeminent body of corporate and alternative entity law
- Stable legislative environment
- Flexible leading-edge insurance statutes
- 150 traditional commercial insurers, 600+ captives and regulators who understand the difference
- Delaware WHERE BUSINESS GETS DONE

You DEcide.

DelawareCaptive.org

DCIA

4023 Kennett Pike, #801 • Wilmington, DE 19807 Email: info@delawarecaptive.org

Phone: 888-413-7388







by Islamic extremists, according to the Aon Terrorism and Political Violence map.

The map, released by Aon Risk Solutions and The Risk Advisory Group, provides an insight for businesses with an aim to reduce risk exposures. Australia, Belgium, Canada, Denmark, Estonia, France, Germany, Ireland and Norway are all countries with an increased risk rating.

These rises are largely due to increased terrorism threats.

The top risks for business include increased terrorism threats across developed economies. and a progressively uncertain and dangerous geopolitical environment, where the risk of armed conflict is growing amid changing and unstable regional balances of power.

GC Securities completes tropical cyclone cat bond

GC Securities has arranged a placement catastrophe bond with notional principal of \$100 million to manage Louisiana Citizens Property Insurance Corporation's tropical cyclone risks.

The bond was placed through a newly formed Bermuda-domiciled catastrophe bond shelf programme, Pelican III Re, to benefit Louisiana Citizens Property Insurance Corporation, also

known as LA Citizens. It is also the company's challenges relating to investment portfolios third foray into the cat bond market for tropical cyclone risks.

Citizens's traditional reinsurance programme to provide per occurrence protection from tropical cyclone-related losses.

It replaces LA Citizens's maturing catastrophe bond protection by providing three years of risk transfer protection at a 56 percent price reduction, and improved structural features, including a broader definition of named storms, the addition of a liquidity feature to advance the next 30 days of expected claims payments, and increased flexibility with respect to the annual reset option.

L&C prepares for Solvency II

London & Capital has launched educational roadshows across Europe to help prepare European insurers ahead of the upcoming Solvency II regulations.

The wealth manager is working with local insurance associations to discuss the challenges ahead for small insurance companies and captives in a series of roadshows this month.

Solvency II requires a top-to-bottom review of capital management, risk modelling and reporting processes. This will include specific of the European insurance market.

and will require changes to portfolio modelling, construction and reporting.

The cat bond is positioned alongside LA In conjunction with the roadshows and to overcome some of the challenges ahead. London & Capital has launched its Compass offering to meet the demands that captives are facing in the run-up to the end of the year.

> Compass identifies key investment needs and requirements for the transition, as well as the ability to review existing portfolios.

> In light of Solvency II, this includes analysis of capital-weighted returns and volatilities and is intended position portfolios in line with market cycles and the wider macro environment.

> William Dalziel, head of institutional clients at London & Capital, said: "Solvency II is a complicated piece of legislation and one that has caused some concern among insurers in the EU."

> "Captives in particular are likely to suffer under it and we've created Compass to offer a solution for those companies which are faced with navigating the complex changes."

> London & Capital recently hired Malcolm Cutts-Watson, former deputy global CEO of Willis's global captive practice, as a consultant to help London & Capital further understand the needs



Managing Assets for Captive Insurers for Over 20 Years

"Your Outsourced CIO"

- **Turnkey or a la Carte Services**
- **Fully Customized Fixed Income & Equity Management**
- **Asset Allocation & IPS Development Services**
- **Stress Testing & Interest Rate Sensitivity Analysis**
- **Peer Review & Regulatory Reporting**
- 24/7 On-Line Portfolio Accounting and Dashboards
- **Direct Interface with Seasoned Portfolio Managers**
- The Madison Organization Manages \$16 Billion*

480-596-3338 or info@madisonscottsdale.com www.madisonscottsdale.com





An intimate but educational affair, the Captives & Corporate Insurance Strategies Summit in Toronto served to provide a refreshing blend of industry updates, educational discussions and interactive panels.

The focus of the sessions also shifted, ranging from investment strategies to regulatory compliance and financial markets.

Although the audience was a mixture of industry stalwarts and relative newcomers, a large portion of the conference's content was dedicated to education. This was illustrated by a number of case studies presented in order to edify those assembled on industry best practices.

With this theme in mind, one of the panel discussions focused on how to optimise a captive once established. The panel explained that 40 to 50 cents of every premium dollar given by companies to commercial insurers is spent on expenses, overheads and the likeprecisely the kind of outlay that can occur from an inefficient insurance strategy.

The speakers claimed that an important contributor to the optimisation of a captive programme was to have the correct mentality about the concept of captive insurance itself. One panellist said: "A captive insurance programme is a long-term focus, not a shortterm fix. Moreover, captives formed purely as a method of gaining favourable tax treatment will most likely fail. Captives need to be seen as a strategic asset, not a headache."

The panel explained that communication is another key component to the success of a captive—this includes being proactive in keeping up with any incoming regulations and maintaining a good understanding of the relevant jurisdictional landscape.

According to speakers in a separate panel discussion, the practice of "hardening a captive" is integral to surviving audits and eventually thriving under increasing regulatory towards the same goal."

scrutiny. The panel said that the key to doing this successfully is understanding a captive's primary exposures, bringing in the correct experts such as actuaries and accountants to help, and managing reputational risk.

One speaker claimed that financial modelling is a useful tool to "justify the use of a captive to CFOs" and influence how a captive's board makes decisions. Self-auditing was a recurring theme throughout the conference, with one speaker pointing out that the phenomenon would soon become best practice in the industry, and a useful way to harden a captive against audit.

Other important techniques pointed out by the speakers included having "contemporaneous documentation" and managing reputational risk through the use of transparency. Cooperation with ratings agencies is essential for this, according to one speaker, who would not even consider working with an unrated entity.

Continuing the theme of compliance with regulations, a later panel discussed the importance of using "clean" documentation when it comes to efficient captive governance.

The panel said that getting "the facts" in a captive's paper trail correct is the ideal way to do this, and cited the case of Standard Life Assurance Company of Canada as an example of how not to go about it.

After establishing a new branch in Bermuda. Standard Life expected an asset bump of around \$1.2 billion but was found by the Tax Court of Canada to have acted incorrectly. The judge cited mixed-up dates in the signing of a reinsurance treaty and the hiring of an unqualified bookkeeper as examples of Standard Life's clerical mistakes.

minute at first can come together to create an important problem. All the pieces must line up

The panel suggested submitting the minutes of board meetings for review as a way to avoid such complications.

Moving from defence to offence, so to speak. the subject of investment strategies was broached by another panel. The speakers recommended equities as having the best potential returns, despite historically being seen as more of a risk.

Although the panel predicted that yields would "grind higher" in the coming years, they stressed this would not be in a straight line. They also predicted that there would be less investment in fixed income over the long term.

As well as the educational sessions, the conference allowed time for market updates and some domicile-specific industry discussion. Given the location of the event and the number of attendees from the Caribbean, much was mentioned of the business-friendly tax agreements between Canada and domiciles such as Bermuda, the British Virgin Islands and Barbados.

Spokespeople from Bermuda and the British Virgin Islands discussed proposed expansion into Latin America and Asia, given that 60 percent of both domiciles' business is currently sourced from the US.

Canada, in particular, is the number one source market for Barbados, which is largely due to the great deal of mining company captives from the country.

In other positive news, the panel expressed its comfort with issues such as the Organisation for Economic Co-operation and Development's Base Erosion and Profit Shifting plan and pending Solvency II implementation in Europe.

One speaker pointed out that captive One panellist said: "Facts that might look domiciles should welcome this increasing level of scrutiny, as it breeds transparency and reveals any holes in the legislation that need to be mended. CIT

LAWYERS

FEDERAL & STATE INCOME **ESTATE & GIFT TAX** CORPORATE, REGULATORY AND **INSURANCE EXPERIENCE**

AM CAPST 17 YEARS OF

CAPTIVE/ALTERNATIVE RISK PLANNING SERVICES SPANNING SEVEN DOMICILES



TRUE TURNKEY SERVICES



25 Years of Excellence



CAPSTONE NAMED AS 26TH MOST INFLUENTIAL IN THE CAPTIVE INDUSTRY



FOR THE MIDDLE MARKET

Capstone Associated Services, Ltd.



Can you give some context Having worked on ILS structures whilst in around what facilitated introduction of the Insurance Special Purpose Vehicle (ISPV) legislation? Was there a great deal of government support?

KPMG, Aon, and Appleby were involved in the working party to consult on the ISPV legislation. This was triggered by each of us being approached by global clients, some of whom already had a presence on the island, regarding how to execute insurance-linked securities (ILS) structures in the Isle of Man.

At the time, a tailored legislative framework did not exist and so the working party collaborating with the regulator and government set upon designing the framework and writing the proportionate and tailored regulation.

It was felt that transparency, speed to market, and clarity (being written in plain English) were the key objectives.

The commercial reinsurers that approached us were looking for a reputable insurance jurisdiction with a tailored ILS regulatory framework this side of the Atlantic.

How does the Isle of Man's offering differ from the nearest competition? Did any particular domicile inspire the Isle of Man to introduce the new legislation?

The benefit of writing the ILS legislation when we did was that we were able to assess what life, non-life reinsurance, funds, e-gaming, worked well in other domiciles.

Bermuda for over six years, I was very familiar with the framework and the evolution of their ILS and reinsurance industry since the early 2000s. Equally, with Aon, Appleby, and KPMG's presences in Bermuda and other leading ILS jurisdictions, we were able to choose the 'best in class' features from each framework and apply them to the Isle of Man.

When we consulted with the industry and subsequently tested our regulations with a leading global ILS broker it was clear that the London market and other leading users of ILS did not want any bells and whistles but more a robust, proportionate framework which provided transparency to applicants and speed to market—hence the five day regulatory decision turnaround time (if the application is correctly submitted).

Has there been much action on the ILS front as a result or is it too early to tell? Is there any pressure to succeed, given the effect this kind of legislation has had on other domiciles?

ILS is a very exciting and fast evolving area of insurance and the Isle of Man legislation has been market tested by several global and wellrespected players in the ILS market, including some of those who already have a presence on the island.

With a promising pipeline, we expect this to complement the Isle of Man's already successful and diverse financial services industry. The Isle of Man has globally-recognised international and space industries all of which have shown

interest and each of the key advisors on the island, with previous experience in ILS, are working on early stage projects.

We are confident that from discussions with local and international, including European, sponsors that we will soon develop the pipeline into successful well-executed transactions.

Are there any other regulatory initiatives on the horizon?

Insurance regulation is changing around the world and the Isle of Man is not alone with this. The Insurance and Pensions Authority, our insurance regulator, is currently consulting on enhanced regulations in conjunction with the International Association of Insurance Supervisors core principles whilst being mindful of Solvency II, given our London and Dublin market neighbours. CIT



of Man Captive Association Simon Nicholas







Industry Events

2015 AIRMIC Conference

Date: 15-17 June 2015 Location: Liverpool

The Airmic Conference has become the most important event in the calendar for the insurance and risk management industry. The whole industry comes together to share experiences and influence forward thinking. This three-day conference will host a programme of 24 risk and insurance related diverse workshops, high profiled keynote speakers, social opportunities to network and the largest exhibition hall to date with an excellent showcase of products and services.

16th Annual SCCIA Executive Educational Conference

Date: 21-23 September 2015 Location: South Carolina

Save the date for the 16th Annual SCCIA Conference, returning to downtown Charleston in September 21-23, 2015. The event features presentations by the top players in the industry, continuing education opportunities, networking and fun!



TITANIC LIVERPOOL

RAISING THE PROFILE OF RISK

2015 AIRMIC CONFERENCE 15 -17 June

The ACC Liverpool Airmicconference2015.com



Industry appointments

the position of global head of analytics with finance and currency. immediate effect.

He joined JLT Re in June 2014 as global head of strategic advisory, having developed that practice to combine the key disciplines of enterprised risk management, rating agency advisory, and other strategic consulting.

Prior to joining JLT Re, Flandro was global head of business intelligence for Guy Carpenter.

Ed Hochberg, CEO of JLT Re North America. said: "Having worked closely with [Flandro] since he joined JLT Re last year I knew his energy, enthusiasm and experience would make him perfect for this role as we continue to build out our analytics capability."

"Over the last 10 months, [Flandro] has worked closely with the analytics teams, our clients, and our prospects, bringing key skills and experience from his strategic advisory role."

Jeffrey Melnick has been appointed as CFO at EisnerAmper, replacing partner Brett James, who has retired after 38 years with the firm.

Melnick's experience includes senior level finance and business development positions with firms including General Electric and Marsh, most recently as CFO of the Marsh Risk Consulting and Marsh Captive Solutions groups.

EisnerAmper CEO Charly Weinstein said: "In Melnick we have a highly experienced professional whose background in financial strategy at a global firm will assist us as we expand operations further in US markets and abroad."

"His skills in planning, budgeting and controls will be of significant value as our firm looks to grow having joined the company in 1996. and compete in ever changing economic times."

Allianz Global Corporate & Specialty (AGCS) has departments of PWC in Bermuda. appointed Willem van Wyk as CEO for Dubai.

As CEO, van Wyk will report to Carsten Scheffel, member of the board of management and chief regions and markets officer.

He started at AGCS as the head of market CEO of JLT Re, but said he would retain his management Australia in 2008 and prior to that, position as group finance director until the he was head of business development for a appointment of his successor. global broker in Dubai.

including property, liability, financial lines, engineering, energy and marine.

The Bermuda Monetary Authority (BMA) has Prior to his new role, he served at Barclays, appointed Shanna Lespere as its COO.

In her new position, Lespere will oversee of Barclays UK Retail and Business Banking. the BMA's operational functions, including communications, document enterprise risk management,

JLT Re has promoted David Flandro to technology project management, facilities, and

"Lespere has been the ultimate team player at the [BMA], and we are delighted that she's agreed to take on this important role," says Jeremy Cox, chief executive of the BMA.

"Worldwide, regulatory requirements have increased considerably over the past decade. and we've had to raise our standards accordingly. Being solid operationally is essential to ensuring we function as a worldclass regulator and Bermuda remains a credible, trusted and respected jurisdiction."

Lespere has been with the BMA for more than 10 years. She joined in 2004 as assistant director of the Banking, Trust and Investment Department's investment group.

Since then she has worked throughout the organisation, including as director of the insurance department, director of licensing and authorisations and director of international affairs.

Lespere's most recent position at the BMA was as director of operations.

Chairman of the BMA's board of directors, Gerald Simons, added: "We know [Lespere] will continue to bring value to the organisation in her new and expanded position and we look forward to working even more closely with her.

"One of the key responsibilities of the board is to oversee the leadership of the BMA. The top team is excellent; [Lespere's] promotion will strengthen it even further."

Before joining the BMA, Lespere was a vice president at Aon Insurance Managers (Bermuda)

She also worked in the audit and accounting

Jardine Lloyd Thompson (JLT) has appointed Charlie Rozes as group finance director, succeeding Mike Reynolds.

In August 2014, JLT appointed Reynolds as

Rozes will join JLT on 1 September and will report AGCS's Dubai office covers a range of business to group chief executive, Dominic Burke. Rozez will join the board as an executive director and will also be a member of the group executive committee.

> where, since 2011, he has held the role of global head of investor relations. He has also been CFO

management, Mark Julian has been promoted to head of information Tokio Millennium Re's UK branch.

Julian will take over from Takavuki Sumi, who is returning to Japan to assume a new role within the Tokio Marine Group.

Prior to his new role, he served as chief risk officer and chief actuary at Tokio Millennium.

Stephan Ruoff, CEO of Tokio Millennium Re. commented: "We are delighted to [promote Julian] to head of Tokio Millennium Re UK. The UK branch is an important part of our business strategy going forward and I have full confidence in [his] ability to take the branch to the next level."

Tokio Millennium Re recently received authorisation from the Prudential Regulation Authority to operate a branch office in the UK.

The UK branch will begin writing business on 1 July. CIT

CAPTIVE**INSURANCE**TIMES

Editor: Mark Dugdale

markdugdale@captiveinsurancetimes.com

Tel: +44 (0)203 750 6022

Reporter: Stephen Durham stephendurham@captiveinsurancetimes.com

Tel: +44 (0)203 750 6022

Editorial assistant: Becky Butcher beckybutcher@blackknightmedialtd.com

Tel: +44 (0)203 750 6018

Account manager: Joe Farrell joefarrell@captiveinsurancetimes.com Tel: +44 (0)203 750 6027

Publisher: Justin Lawson

justinlawson@captiveinsurancetimes.com

Tel: +44 (0)203 750 6028

Marketing director: Steven Lafferty

Designer/Business development: John Savage johnsavage@captiveinsurancetimes.com Tel: +44 (0)203 750 6021

Published by Black Knight Media Ltd Provident House, 6-20 Burrell Row Beckenham, BR3 1AT, UK

Company reg: 0719464 Copyright © 2015 Black Knight Media Ltd. All rights reserved.