

October 19, 1964  
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JOHN L. GUIDERY  
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October 19, 1964

NO. 204

BULLETIN TO ALL MEMBERS

RE: Delinquent Filings

Please refer to Pages 33 and 34 of the Surplus Line Association manual, which reads as follows:

"FILING REQUIREMENTS. 1. All filings for new term policies to be sent to reach the Stamping Office not later than 15 days following the inception date of the insurance except, when complete filings cannot be made within 15 days because of incomplete details for writing a contract or for other reasons, it shall be permissible to file temporary binding notice containing essential information, provided such binding notices are replaced by complete filings within 30 days of inception, or renewed for not exceeding 15 days, such extensions being final and subject to complete filings at the end of that period. (Further extensions of binders may be filed with the Stamping Office for submission to the Insurance Commissioner for his approval.)

2. All filings for renewal term policies to be sent to reach the Stamping Office not later than 60 days following the inception date of the insurance.

3. All filings for short term policies to be sent to the Stamping Office not later than the attachment date of the insurance.

The filing requirements apply to all risks placed with non-admitted insurers. The original evidence of coverage must include a complete description of the insurance and the rate charged, regardless of whether evidence of such insurance is in the form of a certificate, policy or binder.

The filing broker is directly responsible for the accuracy and correctness of the data in the form filed by him. The records relating to each risk should be

complete in all respects, to enable verification of the information submitted on the SL form whenever the question would arise where a further check would be necessary. It is recommended that where the source of the quotation of the nearest rate is not a published rate, a statement or notation should be made a part of the filing showing where the rate was secured and the name of the person that issued the quotation.

Whenever the Stamping Office receives a filing, which, in its opinion, constitutes a violation of the Constitution and By-Laws of the Association, the filing broker will be notified within ten days of receipt, exclusive of Saturdays, Sundays or holidays. The filing broker has ten days in which to cancel, refile or submit data as requested.

Filings in apparent violation of the Regulations of the Insurance Commissioner or the Law are required to be immediately forwarded to the Insurance Commissioner. However, the Stamping Office will notify the filing broker that the filing has been referred to the Insurance Commissioner. The same procedure that is now in effect, namely, that the filing broker has ten days in which to cancel, refile or submit data as requested remains unchanged."


While the stamping office has made no attempt to enforce the time requirements to the letter, it was felt that the increasing number of delinquent filings should be brought to the attention of the Stamping Office Committee in its meeting on October 7, 1964.

Accordingly the Stamping Office Committee instructed the stamping office to issue this bulletin which is to be directed to the attention of the leading executive in each member's office.

The stamping office will continue to keep a record of each member's history of delayed filings, and will send, quarterly, a notice to each office which appears to violate the delayed filing rules with some regularity.

Should the bulletin and subsequent notices fail to reduce the number of delayed filings received in this office, the records of delinquent filings, exceeding the normal, of each offending member will be filed with the Insurance Department.

We urge you to institute measures which will insure prompt filings in all cases except those situations where delay is unavoidable in which event we should be provided with a binder, or with an explanatory letter.

  
John L. Guidery  
Manager