



FINANCIAL SERVICES REGULATORY AUTHORITY

November 6, 2014

Circular to all Insurance Agencies and Brokers

Dear Sir/Madam

Re: Guidelines for requests for extensions for the submission of audited accounts of Insurance Agents and Insurance Brokers

Please find attached guidelines for extensions for the submission of audited accounts of Insurance Agents and Insurance Brokers.

Please be guided accordingly,

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Calixte Leon
Executive Director

/ff

GUIDELINES:
REQUESTS FOR EXTENSIONS FOR THE SUBMISSION OF AUDITED ACCOUNTS
OF INSURANCE AGENTS AND INSURANCE BROKERS

Introduction

Pursuant to s. 15 (1) of the Financial Services Regulatory Authority Act, No. 13 of 2011, the Financial Services Regulatory Authority (FSRA) issues the following guidelines with respect to the granting of extensions beyond the 6-month timeframe stipulated in Regulation 11 of the Registration of Insurance Agents, Insurance Brokers and Insurance Salesmen Regulations (the Regulations).

The following will inform the discretionary powers given to the Authority in granting extensions pursuant to s. 168 of the Insurance Act Cap. 12.08. of the 2008 Revised Laws of Saint Lucia (the Act).

Guidelines

1. A request for an extension of the time required for the submission of audited accounts of an Insurance Agent (Agent) or Insurance Broker (Broker) must be submitted in the form of an application.

2. The application must be submitted by the Agent/Broker and addressed to:

The Executive Director
Financial Services Regulatory Authority
6th Floor, Francis Compton Building
Waterfront
Castries

3. The application must be submitted to the FSRA at least 2 weeks before the date the audited accounts are due under the Regulations.

4. An application must consist of:
 - 1) A letter that sets out:
 - a) the exact nature of the issue giving rise to the late submission of the Audited accounts; and
 - b) a request for an extension of up to one (1) month.
 - 2) A copy of the Agent's/Broker's management accounts accompanied by;
 - a) In the case of an Agent, a copy of its premium bordereaux and age-wise analysis of premiums receivable and payable, or
 - b) In the case of a Broker, a copy of its Brokers' Returns Forms.
 - 3) Supporting documentary evidence relevant to the circumstances such as, but not limited to, a letter from the appointed Auditor.
5. The Authority will not grant an extension if the aforementioned documents set out in 4 (2) above are not included with the application.
6. The Authority will assess the reasonableness of the request set out in the aforementioned letter and will be guided by, among other things;
 - 1) The nature of the circumstances giving rise to a delay in submitting the audited accounts.
 - 2) The degree of control that the Agent/Broker had in the circumstances.
 - 3) Whether the reason(s) for the delay are perennial in nature.
7. Notwithstanding the submission of the aforementioned items in (4) above, **the Authority will grant only one (1) extension not exceeding one (1) month.**
8. The Agent/Broker must submit the audited accounts on, or before the expiration of the one (1) month extension period, failing which the Authority may invoke the cancellation of registration provision set out in s. 67 of the Act.

Effective Date

The aforementioned guidelines shall take effect from **November 30, 2014.**

**Executive Director
Financial Services Regulatory Authority**