

Order of the Insurance Commission No. 12/2017

Re: Companies' Submission of Non-life Underwriting and Indemnity Report

By virtue of Section 39, paragraph one, and Section 49 of the Non-life Insurance Act B.E. 2535 (1992), as amended by the Non-life Insurance Act (No. 2) B.E. 2551 (2008), together with the resolution adopted at the Insurance Commission's Meeting No. 10/2017 on 29 September 2017, the Insurance Commission prescribes this Order as follows:

Clause 1 This Order shall be called the "Order of the Insurance Commission's Meeting No. 12/2017 Re: Companies' Submission of Non-life Underwriting and Indemnity Report."

Clause 2 This Order shall take effect as from 1 January 2018 onwards.

Clause 3 In this Notification,

"Office" means the Office of the Insurance Commission.

Clause 4 The Company shall submit the non-life underwriting and indemnity report on each of the following insurance policy in accordance with the form prescribed and notified by the Office:

- (1) Mandatory Motor Vehicle Insurance;
- (2) Voluntary Motor Vehicle Insurance;
- (3) Marine and Transportation Insurance;
- (4) Miscellaneous Insurance;
- (5) Accident and Health Insurance;
- (6) Fire Insurance.

In submitting the underwriting and indemnity report by the Company under paragraph one, the Company shall refrain from submitting any false information or concealing any material fact that should have been disclosed.

In a case where the report under paragraph one submitted by the Company is inaccurate or incomplete, the Registrar shall be empowered to order the Company to rectify it and submit the accurate and complete information within the period specified by the Registrar.

Clause 5 The Company shall submit the non-life underwriting and indemnity reports under Clause 4 to the Commission via the Office in accordance with the following periods:

- (1) The Company shall submit the underwriting and indemnity reports under Clause 4 according to the underwriting years from 1 January 2013 to 31 December 2017 by 15 January

2018, with the exception of the claims made from the effective date of this Order onwards where the Company shall submit the indemnity report under Clause 5 (2);

(2) The Company shall submit the underwriting and indemnity reports under Clause 4 (1), Clause 4 (2), Clause 4 (3), Clause 4 (4), and Clause 4 (5) and the indemnity report under Clause 4 (6) from the effective date of this Order onwards every month by the end of the following month;

(3) The Company shall submit the fire underwriting report under Clause 4 (6) from the effective date of this Order within seven days from the entering of those fire insurance contracts.

Clause 6 The Company shall submit the underwriting and indemnity reports under Clause 5 as follows:

(1) The underwriting and indemnity report under Clause 5 (1) shall be submitted in the form of electronic information recording file in a compact disc;

(2) The underwriting and indemnity report under Clause 5 (2) and Clause 5 (3) shall be transmitted by electronic means via the system developed by the Office. If the information transmitted by the Company fails to pass the system verification, it shall be deemed that the Company has not yet transmitted the information as required by such Order.

Clause 7 In a case where a Company is unable to transmit electronic information via the system developed by the Office, the Company shall, before the deadline, send a letter to the Registrar requesting an extension of deadline for such report and entailing the relevant rationale and necessity for such request. The Registrar may consider extending the deadline as it considers appropriate. In this regard, the Company must submit two sets of the report in hard copy, together with the letter requesting the extension.

Clause 8 In a case of an urgent necessity caused by a national disaster or an event severely affecting the public in any area which has prevented a Company from the submitting the non-life underwriting and indemnity report within periods in Clause 5, the Registrar shall be empowered to extend the deadline for such submission as is necessary and subsequently report such extension to the Insurance Commission.

Clause 9 The reports under Clause 4 to Clause 8 shall be made together with the reports under the following notification or orders:

(1) Notification of Insurance Commission Re: Prescription of Particulars relating to Fire Insurance Underwriting B.E. 2551 (2008) dated 25 September 2008;

[Translation]

(2) Order of the Registrar No. 65/2543 Re: Companies' Submission of Fire Insurance Premiums Rates and All Risks Insurance Premiums Rates Reports dated 4 December 2000, Clause 1 and Clause 2, paragraph one;

(3) Order of the Registrar No.14/2545 Re: Submission of Marine and Transportation Underwriting Report dated 10 April 2002;

(4) Order of the Registrar No. 1/2548 Re: Non-life Insurance Companies' Submission of Voluntary Motor Vehicles Underwriting Report by dated 19 January 2005;

(5) Order of the Registrar No. 15/2549 Re: Submission of Miscellaneous Underwriting Report dated 25 September 2006;

(6) Order of the Registrar No. 7/2550 Re: Companies' Submission of Motor Vehicles Underwriting Report under the Protection for Motor Vehicle Victims Act B.E. 2535 (1992) dated 26 April 2007, Clause 1.

The notification or orders in (1), (2), (3), (4), (5), and (6) shall be repealed after 1 year from the effective date of this Order.

Ordered on this 28th day of November B.E. 2560 (2017).

Permanent Secretary, Ministry of Finance
Chairman of the Insurance Commission