

Pursuant to Article 158-j item 1) related to Article 151 of the Law on Insurance Supervision (Official Gazette of the Republic of Macedonia No. 27/02, 79/07, 88/08, 67/10, 44 / 11, 188/13, 43/14, 112/14, 153/15, 192/15 and 23/16), the Council of Experts of the Insurance Supervision Agency adopted

## **RULEBOOK**

### **on the content of the reports submitted by the insurance agencies, insurance brokerage companies and banks to the Insurance Supervision Agency and the deadlines and manner of submission**

#### **General Provisions**

##### **Article 1**

(1) This Rulebook regulates the contents of the reports that the insurance agencies, insurance brokerage companies and banks that have obtained a license for performing insurance advocacy activities (hereinafter: banks) are obliged to submit to the Insurance Supervision Agency (hereinafter: the Agency) in accordance with Article 151 and Article 150-a paragraph (3) of the Law on Insurance Supervision (hereinafter: the Law) and the deadlines and manner of their submission to the Agency.

#### **Reporting obligation**

##### **Article 2**

(1) The insurance agencies are obliged to inform the Agency on:

1. Change of data entered in the trade register;
2. The structure and volume of insurance advocacy activities for certain insurance companies;
3. Fulfillment of the obligations referred to in Article 134 paragraph (3) of the Law;
4. Fulfillment of the obligations under Article 134 paragraphs (4) and (7) of the Law;
5. Fulfillment of the obligations referred to in Article 134 paragraph (8) of the Law and
6. Annual Financial Reports, in accordance with the Law on Trade Companies.

(2) The banks are obliged to inform the Agency on:

1. The structure and scope of insurance advocacy activities by individual insurance companies;
2. Fulfillment of the obligations referred to in Article 134-g paragraph (4) and (7) of the Law and
3. Fulfillment of the obligations referred to in Article 134-g paragraph (8) of the Law.

(3) Insurance brokerage companies are obliged to inform the Agency on:

1. Change of data entered in the trade register;
2. The structure and volume of insurance brokerage activities by individual insurance companies;
3. Legal and economic relations referred to in Article 141 paragraph (2) of the Law;
4. Fulfillment of the obligations referred to in Article 146 paragraph (2) item 11) of the Law;
5. Fulfillment of the obligations referred to in Article 148 paragraph (4) of the Law;
6. Annual Financial Reports, in accordance with the Law on Trade Companies;
7. Fulfillment of the obligations referred to in Article 150 paragraph (1) and (3) of the Law and
8. Number of concluded insurance contracts and amount of collected and transferred

insurance premium.

### **Notification of change of data entered in the trade register**

#### **Article 3**

(1) With regard to Article 2 paragraph (1) item 1) and paragraph (3) item 1) of this Rulebook, the insurance agencies and insurance brokerage companies are obliged to submit to the Agency an application for entry in the trade register and the necessary attachments (documents and proofs), which contain the data entered in the trade register, simultaneously with their filing in the trade register, and the Decision for registration of changes in the trade register within five working days from the date of receipt of the decision.

### **Reporting on the structure and scope of activities for representation in insurance, that is, insurance brokerage activities by certain insurance companies**

#### **Article 4**

(1) With regard to Article 2 paragraph (1) item 2) and paragraph (2) item 1) of this Rulebook, the insurance agencies and banks are obliged to submit to the Agency data on the structure and scope of insurance advocacy activities for individual insurance companies in accordance with the format and content of the data prescribed with the form - ODS1, which is given in Appendix 1 titled Statistical Data for Insurance Agencies which is an integral part of this Rulebook.

(2) With regard to Article 2 paragraph (3) item 2) of this Rulebook, insurance brokerage companies are obliged to submit to the Agency data on the structure and scope of the insurance brokerage activities by individual insurance companies in accordance with the format and the content of the data prescribed by OBD1 and OBD2 forms, which are given in Appendix 2 titled Statistical Data for Insurance Brokerage Companies which are an integral part of this Rulebook.

(3) Insurance agencies, insurance brokerage companies and banks are obliged to compile the forms ODZ1, OBD1 and OBD2 referred to in paragraphs (1) and (2) of this Article in accordance with the Instructions for filling the forms provided in Appendix 3 of this Rulebook and are its integral part.

(4) Insurance agencies, insurance brokerage companies and banks are obliged to compile the completed forms from paragraphs (1) and (2) of this Article on a quarterly cumulative basis with the following state:

- I quarter 01.01 – 31.03
- II quarter 01.01 – 30.06
- III quarter 01.01 – 30.09
- IV quarter 01.01 – 31.12

(5) Insurance agencies, insurance brokerage companies and banks are obliged to submit the completed forms to the Agency within 30 days from the expiration of the last day of the accounting period for which they are prepared.

(6) Insurance agencies, insurance brokerage companies and banks are obliged to submit the reports referred to in paragraphs (1) and (2) of this Article to the Agency within the specified time limits in electronic form in a manner determined by the Insurance Supervision Agency.

**Notification for fulfillment of the obligations referred to in Article 134 paragraph (3) and Article 146 paragraph (2) item 11) of the Law**  
**Article 5**

(1) With regard to Article 2 paragraph (1) item 3) and paragraph (3) item 4) of this Rulebook, insurance agencies, insurance brokerage companies are obliged to inform the Agency on:

1. Changes in the ownership structure of the company by submitting a statement from the shareholder's book of the company, within 5 days from the day of recording the change in the Central Securities Depository;
2. Investments in the purchase of shares and stakes of other companies with which the company acquires at least 10% of the shares, i.e. the stakes in the company, by submitting an extract from the Central Securities Depository within 5 days from the date of recording the investment in the depository;
3. Appointment and dismissal of members of the management body of the company by submitting an Appointment, i.e. Dismissal Decision adopted by competent body of the company and data for the appointed person, within 5 days from the day of the decision;
4. Existence of any other legal and economic relations with insurance companies or other companies, by submitting a written notification for the stated relations, the concluded contract or other supportive documentation, within 5 days from the date of occurrence of the relationship.

**Notification of fulfillment of the obligations referred to in Article 134 paragraph (4) and (7) and Article 150 paragraph (1) and (2) of the Law**  
**Article 6**

(1) With regard to Article 2 paragraph (1) item 4), paragraph (2) item 3) and paragraph (3) item 7) of this Rulebook, insurance agencies, banks and insurance brokerage companies are obliged to submit to the Agency an insurance contract for professional liability entered into with an insurance company within 15 days from the date of conclusion, i.e. renewal of the contract.

(2) Insurance agencies, insurance brokerage companies and banks are obliged to notify the Agency about the eventual termination of the contract from paragraph 1 of this Article, as well as for its alteration and/or amendment.

(3) With regard to the insurance agencies and banks, the contract referred to in paragraph (1) of this Article must not be concluded with the insurance company with which the insurance agency concluded an agreement for performing advocacy activities in insurance.

**Fulfillment of the obligations referred to in Article 134 paragraph (8) and Article 148 paragraph (4) of the Law**  
**Article 7**

(1) With regard to Article 2 paragraph (1) item 5) of this Rulebook, the insurance agencies are obliged to submit to the Agency data on the persons who have a license for an insurance agent and who are employed with regular employment relationship in the insurance agency or have signed a contract for insurance advocacy with the insurance agency in accordance with the form and content of the data prescribed in Form ODZ2 which is given in Appendix 1 of this Rulebook and is its integral part.

(2) With regard to Article 2 paragraph (2) item 3) of this Rulebook, the banks are obliged to submit to the Agency data on the persons who have a license for an insurance agent and who are employed with regular employment relationship in the bank, in accordance with the form and content of the bank prescribed in Form ODZ2 which is given in Appendix 1 of this Rulebook and is its integral part.

(3) With regard to Article 2 paragraph (3) item 5) of this Rulebook, insurance brokerage companies are obliged to submit to the Agency data on the persons who have a license for insurance broker and who are employed with regular employment relationship in the insurance brokerage company, in accordance with the form and content of the data prescribed in Form OBD3 which is given in Appendix 2 of this Rulebook and is its integral part.

#### **Legal and economic relations referred to in Article 141 paragraph (2) of the Law Article 8**

(1) With regard to Article 2 paragraph (3) item 3) of this Rulebook, insurance brokerage companies are obliged to inform the Agency about each contract for performing insurance brokerage activities concluded with the insurance companies according to which the insurance brokerage company is entitled to a special or higher commission for mediation in the conclusion of insurance contracts for a particular class of insurance or for a particular insurance company.

(2) In addition to the notification referred to in paragraph (1) of this Article, the insurance brokerage companies are obliged to submit the contract to the Agency within 5 days from the date of its conclusion.

(3) Insurance brokerage companies are obliged to inform the Agency about each amendment of the concluded contract referred to in paragraph (1) of this Article, as well as for its termination within a period of 5 days from the day of the amendment, i.e. termination.

#### **Article 9**

(1) With regard to Article 2 paragraph (1) item 6 and paragraph (3) item 6 of this Rulebook, the insurance agencies and insurance brokerage companies are obliged to submit to the Agency Annual unaudited financial reports prepared in accordance with the Law on Trade Companies no later than March 1 of the current year, for the previous business year.

(2)

**Report on the number of concluded insurance contracts and the amount of collected and transferred insurance premium**

**Article 10**

(1) The insurance brokerage companies that receive payments on their account for insurance premium, are obliged continuously to have internal base and control for the number of concluded insurance contracts and the amount of the collected and transferred insurance premium accordance with the form and content of the data prescribed with Form OBD4 given in Appendix 2 of this Rulebook entitled STATISTICAL DATA FOR INSURANCE BROKERAGE COMPANIES which is an integral part of this Rulebook.

(2) The insurance brokerage companies referred to in paragraph (1) of this Article are obliged to complete the OBD4 Form referred to in paragraph (1) of this Article in accordance with the Instructions for filling the form given in Appendix 3 of this Rulebook and is an integral part thereof.

(3) With regard to Article 2 paragraph (3), item 8 of this Rulebook the insurance brokerage companies referred to in paragraph (1) of this Article are obliged to report to the Insurance Supervision Agency once a month, at the last working day of the month at the latest, for the previous month for the for the number of concluded insurance contracts and the amount of the collected and transferred insurance premium accordance with the form and content of the data prescribed with Form OBD5 given in Appendix 2 of this Rulebook entitled STATISTICAL DATA FOR INSURANCE BROKERAGE COMPANIES which is an integral part of this Rulebook.

(4) The insurance brokerage companies referred to in paragraph (1) of this Article are obliged to complete the OBD5 Form referred to in paragraph (1) of this Article in accordance with the Instructions for filling the form given in Appendix 3 of this Rulebook and is an integral part thereof.

**Specifying the format for submitting the documentation necessary for the implementation of this Rulebook**

**Article 11**

(1) Insurance agencies, insurance brokerage companies and banks are obliged to submit the documentation they attach to the notification, which is referred to in this Rulebook in original or a copy verified by an authorized person (notary), signed by an authorized person or by the appropriate competent authority. If the document to be submitted is in another language, together with the original it is submitted translated into Macedonian by a certified court interpreter and certified by an authorized person, notary.

**Submitting other documentation at the request of the Agency**

**Article 12**

(1) Insurance agencies, insurance brokerage companies and banks are obliged to submit other information and documents at the request of the Agency necessary for conducting supervision over the operation of the company, or performing the other responsibilities of the Agency.

**Transitional and final provisions**  
**Article 13**

**(Article 11 of the Rulebook on the content of the reports that the insurance agencies, insurance brokerage companies and banks submit to the Insurance Supervision Agency and deadlines and manner of submission published in the "Official Gazette of the Republic of Macedonia" No. 56/12)**

(1) This Rulebook shall enter into force on the day of its publishing in the "Official Gazette of the Republic of Macedonia", except for the provisions of Article 2 paragraphs (2) and (3) of this Rulebook which shall start to be applied in the preparation of the reports as of 30 June 2012.

**(Article 10 of the Rulebook on Amending and Supplementing the Rulebook on the contents of reports that insurance agencies, insurance brokers companies and banks submit to the Insurance Supervision Agency and the deadlines and manner of submission published in the "Official Gazette of the Republic of Macedonia" No. 189/14)**

(1) This Rulebook shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia" and it will start to be applied from the notification of the operations of the insurance brokerage companies in January 2015.

**(Article 7 of the Rulebook for Amending and Supplementing the Rulebook on the contents of reports that insurance agencies, insurance brokerage companies and banks submit to the Insurance Supervision Agency and the deadlines and manner of submission published in the "Official Gazette of the Republic of Macedonia" No. 61/16)**

(1) This Rulebook shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia ", and will be applied from 1 April 2016.

(2) The companies are obliged to apply this Rulebook in the preparation of reports for the second quarter of 2016.

No. \_\_\_\_\_  
from \_\_\_\_\_  
Skopje

**President of the Council of Experts**  
**Klime Poposki, Ph.D.**

**ODZ1 - Structure and volume of insurance advocacy activities performed by individual insurance companies –**

**ODZ2 – Employed licensed agents**

**ATTACHMENT 2 STATISTICAL DATA FOR INSURANCE BROKERAGE COMPANIES**

**OBD1 and OBD2 – Structure and volume of insurance brokerage activities by individual insurance companies**

**OBD3 – Employed licensed insurance brokers**

**ATTACHMENT 3 INSTRUCTION FOR FILLING OF FORMS ODZ1, OBD1 AND OBD2**

**Annexes are not translated in English.**