



INSURANCE COMMISSIONER
State of Oklahoma

*** BULLETIN ***

TO: All Credit Insurers

FROM: Oklahoma Insurance Commissioner

DATE: October 2003

RE: Credit Insurance Compensation Affidavits

Pursuant to Rule 365:10-5-60-73(c) and (d), a notarized affidavit must be completed by **BOTH** credit insurers and its agents which declares upon oath that the insurer has not paid and the agent has not received more than 40% of the net written premiums on credit insurance. Enclosed herein are two affidavits that may be used by the insurer and its agents.

Exhibit A (Insurance Company Notarized Credit Insurance Affidavit), is to be signed by the President and mailed to the Oklahoma Insurance Commissioner **with the annual statement** as a single filing. These filings are due on or before the first day of March.

Exhibit B (Credit Insurance Agent Notarized Affidavit) is to be distributed to your agents. The agents are required to sign and return these affidavits to your company's office. The company will retain these records. They are **not** to be sent to the Insurance Commissioner's office.

Enclosures

INSURANCE COMPANY NOTARIZED CREDIT INSURANCE AFFIDAVIT

Must be filed with the State Insurance Commissioner, State of Oklahoma, **with the annual statement** on or before the first day of March and on the same date each year thereafter. **IF NOT APPLICABLE, MARK AS SUCH AND RETURN.**

Affiant, _____, President/Vice President hereby declares upon oath on behalf of _____ that for the year ending _____ this insurance company, or anyone representing this company, has not paid, or agreed to pay, any compensation in excess of maximum compensation, as set out in Rule 365:10-5-73 of the Oklahoma Insurance Commissioner, to recipients as defined therein.

The presumed maximum compensation of 40% of the net written life insurance premiums and of the net written accident and health insurance premiums allowed to be paid to defined recipients is further defined in Rule 365:10-5-73(b)(3) as follows:

"Compensation" shall include, but not be limited to, the receipt directly or indirectly or reciprocally of commissions, contingent commissions, service fees, policy fees, expense allowances or reimbursements, gifts, all benefits such as items of merchandise, equipment, travel, conventions, vacations, rewards, bonuses, trading stamps, scripts, or any other form of remuneration resulting directly or indirectly from the sale of credit insurance or as an inducement to or payment for sales made or volume of sales obtained. Compensation shall also include any amounts or things of value received from or paid by any person other than as insurer in consideration of the sale or retention of credit insurance.

Officer

Title

State of)
)
County of)

Subscribed and sworn before me this _____ day of _____, _____

Notary Public _____ My Commission Expires _____

[SEAL]

Exhibit B

CREDIT INSURANCE AGENT NOTARIZED AFFIDAVIT

To be filed with insurer and retained in the insurer's records. **Do not return to the Oklahoma Insurance Department.**

Affiant, _____, Credit Insurance Agent for _____ hereby declares upon oath that for the year ending _____ this credit insurance agent has not received or agreed to receive any compensation in excess of maximum compensation, as set out in Rule 365:10-5-73 of the Oklahoma Insurance Commissioner, to recipients as defined therein.

The presumed maximum compensation of 40% of the net written life insurance premiums and of the net written accident and health insurance premiums allowed to be paid to defined recipients is further defined in Rule 365:10-5-73(b)(3) as follows:

"Compensation" shall include, but not be limited to, the receipt directly or indirectly or reciprocally of commissions, contingent commissions, service fees, policy fees, expense allowance or reimbursements, gifts, all benefits such as items of merchandise, equipment, travel, conventions, vacations, rewards, bonuses, trading stamps, scripts, or any other form of remuneration resulting directly or indirectly from the sale of credit insurance or as an inducement to or payment for sales made or volume of sales obtained. Compensation shall also include any amounts or things of value received from or paid by any person other than an insurer in consideration of the sale or retention of credit insurance.

Credit Insurance Agent

State of _____)

)

County of _____)

Subscribed and sworn before me this _____ day of _____, _____.

Notary Public _____

My Commission Expires _____ .

Revised 10/15