

1 **836-027-0005 (Amended)**

2 **Definitions**

3 (1) Unless the context otherwise requires, as used in OAR 836-027-0005 to 836-027-0180:

4 (a) "Executive officer" means chief executive officer, chief operating officer, chief financial
5 officer, treasurer, secretary, controller and any other individual performing functions
6 corresponding to those performed by the foregoing officers under whatever title.

7 (b) "Foreign insurer" includes an alien insurer except where specifically noted otherwise.

8 (c) "Form A" means the form prescribed by OAR 836-027-0100

9 (d) "Form B" means the form prescribed by OAR 836-027-0010

10 (e) "Form C" means the form prescribed by OAR 836-027-0012

11 (f) "Form D" means the form prescribed by OAR 836-027-0160

12 (g) "Form E" means the form prescribed by OAR 836-027-0125

13 (h) "Form F" means the form prescribed by OAR 836-027-0140

14 (i) "Ultimate controlling person" means the person who is not controlled by any other person.

15 (2) Unless the context requires otherwise, other terms used in OAR 836-027-0005 to 836-027-
16 0180 are used as defined in ORS 732.548.

17 Stat. Auth.: ORS 732.572

18 Stats. Implemented: ORS 732.517 - 732.592

19 Hist.: IC 68, f. & ef. 6-22-76; ID 8-1993, f. & cert. ef. 9-23-93; ID 15-1996, f. & cert. ef. 11-12-
20 96; ID 7-2013, f. 12-26-13, cert. ef. 1-1-14; ID 1-2014, f. & cert. ef. 1-8-14

21
22 **836-027-0010 (Amended)**

23 **Registration of Insurers - Statement Filing**

24 An insurer required to file an annual registration statement pursuant to ORS 732.517 to 732.592
25 shall:

26 (1) Furnish the required information on Form B. Form B is set forth on the website of the
27 Department of Consumer and Business Services at www.insurance.oregon.gov.

28 (2) Include a statement that the insurer's board of directors oversees corporate governance and
29 internal controls.

30 Stat. Auth.: ORS 732.572

31 Stats. Implemented: ORS 732.517 - 732.592

32 Hist.: IC 68, f. & ef. 6-22-76; ID 8-1993, f. & cert. ef. 9-23-93; ID 13-1993, f. & cert. ef. 12-1-
33 93; ID 15-1996, f. & cert. ef. 11-12-96; ID 7-2013, f. 12-26-13, cert. ef. 1-1-14; ID 1-2014, f. &
34 cert. ef. 1-8-14; ID 6-2015(Temp), f. & cert. ef. 9-2-15 thru 2-26-16

35
36 **836-027-0012 (Amended)**

37 **Summary of Registration - Statement Filing.**

38 An insurer required to file an annual registration statement pursuant to ORS 732.517 to 732.592
39 is also required to furnish information required on Form C. Form C is set forth on the website of
40 the Department of Consumer and Business Services at www.insurance.oregon.gov. An insurer
41 shall file a copy of Form C in each state in which the insurer is authorized to do business, if
42 requested by the Insurance Commissioner of that state.

43 Stat. Auth.: ORS 732.572

44 Stats. Implemented: ORS 732.517 - 732.592

45 Hist.: ID 8-1993, f. & cert. ef. 9-23-93; ID 15-1996, f. & cert. ef. 11-12-96; ID 6-2015(Temp), f.
46 & cert. ef. 9-2-15 thru 2-26-16

1 **836-027-0100 (Amended)**

2 **Acquisition of Control - Statement Filing**

3 A person required to file a statement pursuant to ORS 732.517 to 732.592 shall furnish the
4 required information on Form A, which is incorporated in and made a part of this rule as Exhibit
5 1. The person also shall furnish the required information on Form E, which is described in OAR
6 836-027-0125. Form E is set forth on the website of the Department of Consumer and Business
7 Services at www.insurance.oregon.gov.

8 Stat. Auth.: ORS 732.705

9 Stats. Implemented: ORS 732.517 - 732.592

10 Hist.: ID 8-1993, f. & cert. ef. 9-23-93; ID 15-1996, f. & cert. ef. 11-12-96; ID 7-2013, f. 12-26-
11 13, cert. ef. 1-1-14; ID 1-2014, f. & cert. ef. 1-8-14; ID 15-1996, f. & cert. ef. 11-12-96; ID 6-
12 2015(Temp), f. & cert. ef. 9-2-15 thru 2-26-16

13
14 **836-027-0125 (Amended)**

15 **Pre-Acquisition Notification**

16 (1) If a domestic insurer, including any person controlling a domestic insurer, is proposing a
17 merger or acquisition under ORS 732.523, the person must file a pre-acquisition notification
18 form, Form E, as required under ORS 732.589. Form E is set forth on the website of the
19 Department of Consumer and Business Services at www.insurance.oregon.gov.

20 (2) If a non-domiciliary insurer licensed to do business in this state is proposing a merger or
21 acquisition pursuant to ORS 732.527, 732.587, 732.589, 732.542 and 732.544, that person shall
22 file a pre-acquisition notification form, Form E. A pre-acquisition notification form need not be
23 filed if the acquisition is beyond the scope of ORS 732.587, 732.589, 732.542 and 732.544.

24 (3) In addition to the information required by Form E, the director may require an opinion from
25 an economist as to the competitive impact of the proposed acquisition.

26 Stat. Auth.: ORS 732.705

27 Stats. Implemented: ORS 732.517 - 732.592

28 Hist.: ID 7-2013, f. 12-26-13, cert. ef. 1-1-14; ID 1-2014, f. & cert. ef. 1-8-14

29
30 **836-027-0140 (Amended)**

31 **Enterprise Risk Report**

32 The ultimate controlling person of an insurer required to file an enterprise risk report under ORS
33 732.569 shall furnish the required information on Form F. Form F is set forth on the website of
34 the Department of Consumer and Business Services at www.insurance.oregon.gov.

35 Stat. Auth.: ORS 732.705

36 Stats. Implemented: ORS 732.517 - 732.592

37 Hist.: ID 7-2013, f. 12-26-13, cert. ef. 1-1-14; ID 1-2014, f. & cert. ef. 1-8-14

38
39 **836-027-0160 (Amended)**

40 **Transactions Subject to Prior Notice - Notice Filing**

41 An insurer required to give notice of a proposed transaction pursuant to ORS 732.574 shall
42 furnish the required information on Form D. Form D is set forth on the website of the
43 Department of Consumer and Business Services at www.insurance.oregon.gov.

44 Stat. Auth.: ORS 732.572

45 Stats. Implemented: ORS 732.517 - 732.592

- 1 Hist.: ID 8-1993, f. & cert. ef. 9-23-93; ID 15-1996, f. & cert. ef. 11-12-96; ID 6-2015(Temp), f.
- 2 & cert. ef. 9-2-15 thru 2-26-16