

FORM C-201
CAPTIVE INSURER ANNUAL FILINGS CHECKLIST
NORTH CAROLINA CAPTIVE INSURANCE
COMPANIES

**(Excluding Association and Special Purpose Financial Captive Insurers
and Risk Retention Groups)**

REQUIRED ANNUAL FILINGS FOR NORTH CAROLINA CAPTIVE INSURERS	SUBMISSION FORMAT	DUE DATE
Direct Economic Impact of North Carolina Captive Insurance Companies (Form C-202, Supplement to the CARF)	Electronically By email or through the NCDOL's Online Filing System in Excel (.xlsx) format	By 3/1 Note: All captive insurance companies must submit Form C-202, including those which have obtained an exemption from the CARF.
Direct Economic Impact - Service Provider (Form C-203)	Electronically By email or through the NCDOL's Online Filing System in Excel (.xlsx) format	By 3/1 Note: The filing is voluntary by each approved captive manager or other service provider. The information will be helpful to the Department in evaluating the economic impact of the North Carolina captive insurance industry.
North Carolina Captive Insurance Company Annual Report ("CARF" Form C- 200)	Electronically By email or through the NCDOL's Online Filing System	Prior to 3/15 (except branch captive insurers) * <i>Exception: See note about CARF due date for industrial, pure, and special purpose captive insurers with a non-December 31st fiscal year-end**</i>
Annual Audit Report (Including Certified Public Accountant's Affirmation)	Electronically By email or through the NCDOL's Online Filing System	6/30***
Statement of Actuarial Opinion	Electronically By email or through the NCDOL's Online Filing System	6/30***
Premium Tax Return and Tax Payment (North Carolina Department of Revenue)	Refer to Instructions of the NC Department of Revenue	3/15
Inactive Captive Insurers (Form C-207)	Electronically By email or through the NCDOL's Online Filing System	3/15****

North Carolina Secretary of State's Office Annual Report and Fee	Refer to Instructions of the NC Department of the Secretary of State	All captive insurers - refer to instructions of the <u>NC Department of the Secretary of State</u>
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- * *Prior to March 1, branch captive insurers must file copies of all reports and statements required to be filed under the laws of the jurisdiction in which it is formed, verified by the oath of two of its executive officers. If the Commissioner is satisfied with the information filed by the branch captive insurer, the Commissioner may waive the requirement for the completion of the CARF by the branch captive insurer.*
- ** *If the captive insurer's fiscal year-end is not December 31st, the due date is 75 days after the captive insurer's fiscal year-end.*
- *** *If the captive insurer's fiscal year-end is not December 31st, the due date is 180 days after the captive insurer's fiscal year-end.*
- **** *Prior to March 15, each inactive captive insurer must submit Form C-207 to provide current contact information and to demonstrate it is not conducting business and possesses funding to meet its required minimum capital.*

	NOTES AND INSTRUCTIONS	
A	Original Filings to NCDOI are to be submitted electronically through email or the Online Filing System	<p>Submit originals (with signatures and notarization, if required) electronically by email or through the NCDOI's Online Filing System. The Online Filing System may be accessed from the NCDOI's website at www.nccaptives.com. On the lower right-hand side of the home page, click on "Captive Managers" and select the tab "Captive Manager Login" to log-in to the system and submit the filings.</p> <p>Please contact Nancy Staples (see contact information in Note B) if you have questions about the Online Filing System.</p>
B	Contact Person for Required Filings	<p>North Carolina Department of Insurance All NCDOI Filings - Nancy Staples Nancy.Staples@ncdoi.gov (919) 807-6180</p> <p>NC Department of Revenue Premium Tax Returns and Tax Payments Latoya Parmele: Latoya.Parmele@ncdor.gov Brian Pearce: Brian.Pearce@ncdor.gov (919) 754-2600</p> <p>NC Department of the Secretary of State Annual Reports and Fees www.sosnc.com (919) 807-2225</p>
C	Mailing Address	<p>North Carolina Department of Insurance Captive Insurance Companies Division Mail Service Center 1203 Raleigh, NC 27699-1203</p>

D	Delivery Instructions	All filings must be submitted electronically by email or through the Online Filing System no later than the due date. If the due date falls on a weekend or holiday, then the deadline is extended to the next business day. If you encounter issues with the Online Filing System, please contact Nancy Staples (See contact information in Note B).
E	Late Filings:	A captive insurer's license may be suspended or revoked for refusal or failure to submit an annual report, or any other report or statement required by law or by lawful order of the Commissioner per North Carolina General Statute 58-10-435(a)(3).
F	Signature/Notarization/ Certification	For the CARF, two executive officer signatures are required. Those signatures must be notarized. (Directors who do not also serve as an executive officer are not permitted to sign).
G	Amended Filings	<u>CARF</u> : An electronic version of the amended pages must be filed by email or through the Online Filing System within 10 days of the amendment along with an executed Jurat Page and explanation for the amendment. <u>Annual Audit Report and Statement of Actuarial Opinion</u> : An electronic version of the amended Annual Audit Report and/or Statement of Actuarial Opinion must be filed by email or through the Online Filing System within 10 days of the amendment along with an explanation for the amendment.
H	Extension of Required Filing Due Dates	Annual Report, Annual Audit Report, and Statement of Actuarial Opinion: The request for an extension, along with an explanation about the need for the extension, must be received by the NCDOL by email or through the Online Filing System <u>not less than 10 days prior to the filing due date.</u>
I	Exemption from Required Filings	Annual Report (CARF): A captive insurance company may make a request for exemption from the CARF at least 30 days prior to the due date, subject to compliance with the annual audit requirements of North Carolina General Statute 58-10-415. This request should be submitted by email or through the Online Filing System. Annual Audit Report and Statement of Actuarial Opinion: A captive insurance company may make a request, at least 90 days prior to the captive insurance company's fiscal year-end or as otherwise required by the Commissioner, for an exemption from compliance, if the Commissioner finds that compliance would cause the insurer a financial or organizational hardship. Requests are considered on a case-by-case basis. This request should be submitted electronically by email or through the Online Filing System.
J	Annual Report (CARF) in <u>Excel</u>	CARF: The completed CARF is to be submitted electronically in the <u>Excel workbook form</u> . The executed Jurat Page must be submitted in PDF form.

K	Audit Report	<p>GS 58-10-415(d) requires the audited financial report to include a note providing a reconciliation of differences, if any, between the audited financial report and the CARF. Additionally, related auditor communications as required by GAAP are to be provided to the Department. Finally, the CPA is to furnish a written statement in the engagement letter or other document submitted to the insurer that the CPA is aware of and will comply with the responsibilities imposed by GS 58-10-420(b) and 58-10-420(c).</p>
L	Protected Cell Captive Insurance Companies or Special Purpose Captive Insurers with Cells/Series	<p>Consolidating Information in CARF and Audited Financial Statement:</p> <p>CARF: A consolidating Excel worksheet providing a Balance Sheet and Statement of Income for each cell/series, the captive insurer's core, and a total column that reconciles to the CARF must be filed electronically along with the CARF.</p> <p>Audit Report: The audit report must include supplemental information providing a Balance Sheet and Statement of Income for each cell/series and the captive insurer's core, and a total column that reconciles to the Balance Sheet and Statement of Income contained within the audit report.</p> <p>Actuarial Opinion: Each captive insurance company and its cells/series may file separate Statements of Actuarial Opinion on or before June 30th of each year.</p> <p>As an alternative to the filing of separate opinions, each captive insurance company may file a combined Statement of Actuarial Opinion, which certifies the adequacy of loss reserves and loss expense reserves of each cell/series and the captive insurance company's core, if applicable. Each combined actuarial certification must include a supplemental schedule showing the loss and loss expense reserves for each cell/series and the captive insurer's core, if applicable. The loss and loss expense reserve reported in the supplemental schedule must equal the loss and loss expense reserve amount reported in the combined audited financial statement. In addition, the reserves reported in the supplemental schedule must agree to the reserves reported in the CARF filed for the captive insurance company's core and its cells/series.</p>

M	Notice of Material Misstatement of the Financial Position	Pursuant to N.C.G.S. 58-10-420(b), a captive insurance company shall require its independent certified public accountant to immediately notify in writing an officer and all members of the board of directors or other governing body of the captive insurance company of any determination by the independent certified public accountant that the captive insurance company has materially misstated its financial condition in its report to the Commissioner as required in G.S. 58-10-405. A captive insurance company receiving a notification pursuant to this subsection shall forward a copy of the notification to the Commissioner within five business days after receipt of the notification and shall provide the independent certified public accountant with proof that the notification was forwarded to the Commissioner. If the independent certified public accountant fails to receive the proof within the five-day period required by this subsection, the independent certified public accountant shall within the next five business days submit a copy of the notification to the Commissioner.
N	Automatic Exemption from Disclosure Requirements of ASU 2015-09	The Financial Accounting Standards Board (“FASB”) issued Accounting Standards Update (“ASU”) 2015-09, which applies to all insurance entities that issue short-duration contracts as defined in Topic 944, Financial Services – Insurance. The NCDOL recognizes these disclosure requirements require additional expenses and resources of NC licensed captive insurers while users of captive insurer financial statements are limited. A NC captive insurer is automatically exempted from this disclosure requirement by adopting a modified GAAP approach and including a disclosure of this GAAP departure in the annual report (item 3 of the Questionnaire) and audited financial statement.