



THE INSURANCE COMMISSION
OF THE BAHAMAS

Notice Exemption 41

If a Locally Registered Intermediary wishes to carry on business with a Foreign Insurer, it must first carry out the Due Diligence exercise, complete the exemption form and submit to the Commission along with the Terms of Business Agreement. All reporting of insurance business transacted in The Bahamas is reported by the Locally Registered Intermediary annually.

If the Insurance business is placed with an Unregistered Insurer, then a Section 41 Exemption/Dispensation will apply.

Section 41 of the Insurance Act, 2005 ("the Act") states that no insurance cover can be placed or caused to be placed with a company not registered under the Act with respect to (a) property situated in The Bahamas; or (b) liabilities arising in The Bahamas. Approval to do so must be obtained by the Commission provided that the Commission is satisfied that it is not possible to obtain similar protection and or at a comparable cost from a company registered under the Act. Persons proposing to be exempted under the Section 41 of the Act should advise the Commission, via written correspondence, requesting exemption with complete details on type of cover, the company with whom coverage will be placed, and the reason or exemption request. Further, this information should be accompanied with an exemption form along with proof from a local registered company that the insurance cover is not available locally.

Please see the section 41 exemption process below:

1. A formal letter addressed to The Superintendent of Insurance, The Insurance Commission of The Bahamas, P.O. Box N-4844, Nassau, The Bahamas.
2. The attached form must be submitted along with proof (from a locally registered broker/agent/company) that either:
 - a. the type of insurance cover cannot be obtained in the local market or
 - b. the insurance cannot be obtained at a comparable cost.
3. The application turnaround time is between 3-5 days depending on information provided by applicant.

Once the information is received and reviewed, and if exemption is granted, a copy of the cover note and a debit note must be returned to the Commission as proof that the insurance was placed.