

Chapter Ins 6

GENERAL

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|----------|--|----------|--|
| Ins 6.01 | Foreign company to operate 2 years before admission (p. 181) | Ins 6.50 | Kinds of individual intermediary-agent licenses (p. 278) |
| Ins 6.02 | Company to transact a kind of insurance 2 years before admission (p. 182) | Ins 6.51 | Group coverage discontinuance and replacement (p. 279) |
| Ins 6.05 | Filing of property and casualty insurance forms (p. 182) | Ins 6.52 | Biographical data relating to company officers and directors (p. 282) |
| Ins 6.09 | Prohibited acts by captive agents of lending institutions and others (p. 184) | Ins 6.53 | Insurance consumers advisory council (p. 285) |
| Ins 6.10 | Insurance agents advisory council (p. 187) | Ins 6.54 | Prohibited classification of risks for rating purposes (p. 286) |
| Ins 6.11 | Insurance claim settlement practices (p. 187) | Ins 6.55 | Discrimination based on sex; unfair trade practice (p. 287) |
| Ins 6.12 | Qualification of actuaries (p. 189) | Ins 6.57 | Listing of insurance agents by insurers (p. 289) |
| Ins 6.13 | Public inspection of records and reports (p. 190) | Ins 6.59 | Licensing procedures - individual intermediary - agent (p. 290) |
| Ins 6.17 | Regulation of surplus lines insurance (p. 191) | Ins 6.60 | Apprentice permit procedures - individual intermediary - agent apprentice (p. 291) |
| Ins 6.18 | Reporting and payment of tax by unauthorized insurers transacting business in violation of law (p. 195) | Ins 6.61 | Intermediary records (p. 292) |
| Ins 6.19 | Reporting and taxation of directly placed unauthorized insurance (p. 195) | Ins 6.62 | Competence and trustworthiness standards (p. 293) |
| Ins 6.20 | Investments of insurance companies (p. 199) | Ins 6.63 | Annual regulation charge (p. 294) |
| Ins 6.25 | Joint underwriting and joint reinsurance associations (p. 204) | Ins 6.64 | Insurance marketing intermediary-broker (p. 294) |
| Ins 6.30 | Instructions for uniform classifications of expenses of fire and marine and casualty and surety insurers (p. 205) | Ins 6.65 | Licensing and examination of intermediary-broker (p. 300) |
| Ins 6.31 | Interpretations of the instructions for uniform classifications of expenses of fire and marine and casualty and surety insurers (p. 246) | Ins 6.66 | Proper exchange of business (p. 301) |
| Ins 6.40 | Proxies, consents and authorizations of domestic stock insurers (p. 251) | Ins 6.68 | Unfair discrimination based on geographic location or age of risk (p. 304) |
| Ins 6.41 | Insider trading of equity securities of domestic stock insurers (p. 262) | Ins 6.70 | Combinations of lines and classes of insurance (p. 304-1) |
| Ins 6.42 | Initial statement of beneficial ownership of securities (p. 273) | Ins 6.72 | Risk limitations (p. 304-1) |
| Ins 6.43 | Statement of changes in beneficial ownership of securities (p. 276) | Ins 6.73 | Reinsurance (p. 304-2) |
| | | Ins 6.74 | Suretyship and risk limitations of surety obligations (p. 305) |
| | | Ins 6.75 | Classifications of insurance (p. 306) |
| | | Ins 6.76 | Grounds for disapproval of and authorized clauses for fire, inland marine and other property insurance forms. (p. 307) |
| | | Ins 6.77 | Exemption from midterm cancellation requirements (p. 311) |
| | | Ins 6.78 | Exemption from filing of rates (p. 311) |
| | | Ins 6.79 | Advisory councils (p. 312) |

Ins 6.01 Foreign company to operate 2 years before admission. Experience has demonstrated that until a company has engaged in the business of insurance for at least 2 years there is not a sufficient basis upon which to form a judgment as to whether its methods and practices in the conduct of its business are such as to safeguard the interests of its policyholders and the people of this state. Therefore, no application of a foreign insurance company or mutual benefit society for a license to transact business in Wisconsin will be considered until it has continuously transacted the business of insurance for at least 2 years immediately prior to the making of such application for license.

Ins 6.02 Company to transact a kind of insurance 2 years before admission. (1) Experience has demonstrated that until a company has engaged in a kind of insurance or in another kind of insurance of the same class for at least 2 years, there is not a sufficient basis upon which to form a judgment as to whether its methods and practices in the conduct of its business in such kind of insurance or another kind in the same class of insurance, are such as to safeguard the interests of its policyholders and the people of this state. Therefore, no application of a foreign insurance company or mutual benefit society for a license to transact a kind of insurance business in Wisconsin will be considered until it has continuously transacted that kind of insurance, or another kind of insurance in the same class of insurance as that for which it makes such application; for at least 2 years immediately prior to making such application. For the purposes hereof, insurance is divided into kinds of insurance according to the provisions of section Ins 6.75 each subsection setting forth a separate kind, and into classes of insurance upon the basis of and including the said kinds as follows:

(a) Fire insurance includes the kinds in section Ins 6.75 (2) (a).

(b) Life insurance includes the kinds in section Ins 6.75 (1) (a) and (b) but excluding all insurance on the health of persons other than that authorized in s. 627.06, Stats., and section Ins 6.70, Wis. Adm. Code.

(c) Casualty insurance includes the kinds in section Ins 6.75 (2) (c) through (n).

(2) Provided, however, that nothing herein shall preclude consideration of an application to transact the kind of insurance in Ins 6.75 (1) (e) or (2) (c) if the applicant company has transacted any of the kinds of insurance in Ins 6.75 (1) (a) and (b) or (2) (d), (e), (k) and (n) continuously for 2 years immediately prior to the making of application for license to transact the kind of insurance in Ins 6.75 (1) (e) or (2) (c).

History: 1-2-56; emerg. am. eff. 6-22-76; am. Register, September, 1976, No. 249, eff. 10-1-76; am. Register, March, 1979, No. 279, eff. 4-1-79.

Ins 6.05 Filing of property and casualty insurance forms. (1) **PURPOSE.** This rule is intended to implement and interpret s. 631.20, Stats., for the purpose of establishing filing procedures for certain property and casualty insurance policy forms.

(2) **SCOPE.** The requirements of this rule shall apply to insurance forms as defined in s. 600.03 (21) to be used to provide any of the lines or classes of insurance listed in Ins 6.75 (2) (a), (d), (e), (f), (g), (h), (i), (j), (l), (m) and (n).

(3) **DEFINITIONS.** In this rule, unless the context otherwise requires, the following words and terms shall have the following meanings:

(a) "Filing" shall mean:

1. Any matter submitted under this rule.
2. The act of filing such matter.

(b) "Basic policy forms" shall mean the basic insurance contracts used by any insurer including coverage parts or forms necessary to complete the contracts, amendatory endorsements needed to effect statutory compliance, and applications which become a part of an insurance contract.

Subscribed and sworn before me,
 a Notary Public, this _____
 day of _____, 19 ____.

 Notary Public

(SEAL)

My commission expires: _____

**FORM B
 BIOGRAPHICAL SKETCH
 DIRECTOR OR OFFICER**

NAME OF COMPANY (OR COMPANIES):

ADDRESS OF COMPANY:

NAME:

RESIDENCE ADDRESS:

TITLE AND FUNCTIONS:

DATE OF APPOINTMENT OR ELECTION:

AGE _____ SEX _____ SOCIAL SECURITY NO.

DATE OF BIRTH _____ PLACE OF BIRTH _____

DURATION OF EMPLOYMENT WITH COMPANY:

LAST PREVIOUS OCCUPATION OR EMPLOYMENT: (1)

RELATIONSHIPS WITH OTHER INSURERS WHICH HAVE THE
 EFFECT OF LESSENING COMPETITION SUBSTANTIALLY OR
 IN WHICH THIS INSURER AND SUCH INSURERS HAVE MATE-
 RIAL ADVERSE INTERESTS:

OTHER: (2)

- (1) In the case of a director who is not otherwise an employe ("outside director") so indicate under "TITLE AND FUNCTIONS" and show here the principal occupation.
- (2) Add any additional information, such as the use of aliases or a conviction of an officer for a felony or the naming of an officer, other than as a party plaintiff or complainant in any criminal action or in a civil action in which fraud was an issue.

 Signature of person reporting for the company

 Dated

 Title

History: Cr. Register, June, 1973, No. 210, eff. 7-1-73; emerg. r. (2) (a), eff. 6-22-76; r. (2) (a), Register, September, 1976, No. 249, eff. 10-1-76; am. (2) (c), Register, March, 1979, No. 279, eff. 4-1-79.

Ins 6.53 Insurance consumers advisory council. (1) **PURPOSE.** The purpose of this rule is to create an insurance consumers advisory council to be appointed by the commissioner pursuant to ss. 15.04 (3), 227.018, and 601.20 (1), Stats.

(2) **MEMBERSHIP.** The council shall consist of the commissioner or a member of his staff designated by him and at least 6 but no more than 12 other citizen members. Members will be appointed with due consideration given to representation of all income levels, ethnic and racial groups and without discrimination as to sex. In addition, at least one, and no

more than 3 members, shall be appointed who have expertise in the insurance business.

(3) **TERM.** Members of the council shall be appointed to serve for a term of 2 years except that one-half of the initial appointments under this rule shall be for a one-year term and the remaining members for a two-year term.

(4) **DUTIES.** It shall be the duty of the council to advise the commissioner on matters relating to:

- (a) Consumer education in insurance.
- (b) Insurance advertising, solicitation and deceptive practices.
- (c) Insurance availability, insurance policy exclusions, and other market problems.
- (d) Possible standardization and simplification of insurance contracts.

(5) **OFFICERS.** The council shall annually elect a chairman and a vice-chairman. The commissioner or his designee shall act as secretary and keep a record of all proceedings, transactions, communications, and other official acts of the council. The files and records of the council shall be maintained at the office of the commissioner.

(6) **MEETINGS.** The council shall meet at least twice a year when called by the commissioner and at such other times when requested by the commissioner or by 3 or more members.

(7) **EXPENSE REIMBURSEMENT.** Members of the council shall receive no salary or compensation for service on the council but shall be reimbursed for their actual and necessary expenses in attending meetings or while performing other duties as directed by the commissioner.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; emerg. am. (1), eff. 6-22-76; am. (1), Register, September, 1976, No. 249, eff. 10-1-76.

Ins 6.54 Prohibited classification of risks for rating purposes. (1) **PURPOSE.** This rule interprets and implements ss. 601.01 (3) (b), 625.02, 625.11, 625.12 (2), 625.13, and 625.21 (2), and ch. 628, Stats., for the purpose of prohibiting certain practices.

(2) **SCOPE.** This rule applies to all contracts issued, renewed or amended in Wisconsin affording automobile insurance coverage and all contracts issued, renewed or amended in Wisconsin affording coverage for loss or damage to real property used for residential purposes for not more than four living units or affording coverage for loss or damage to personal property used for residential purposes.

(3) **PROHIBITED PRACTICES.** (a) No insurance company shall refuse, cancel or deny insurance coverage to a class of risks solely on the basis of any of the following factors (taken individually or in combination), nor shall it place a risk in a rating classification on the basis of any of the following factors without credible information supporting such a classification and demonstrating that it equitably reflects differences in past or expected losses and expenses and unless such information is filed in accordance with ss. 625.12, 625.13 and 625.21 (2), Stats.:

1. The applicant's or insured's past criminal record;