

**Commonwealth of Puerto Rico**  
**OFFICE OF THE COMMISSIONER OF INSURANCE OF PUERTO RICO**

**RULE NO. 77**

**CONTENTS**

[Stamped: DEPARTMENT OF  
STATE  
Regulation No. 6739  
Date Filed: December 22, 2003  
Approved: Janet Cortés-Vázquez  
Interim Secretary of State  
By: **(SIGNED)**  
Giselle Romero-García  
Assistant Secretary for Services]

|            |                            |   |
|------------|----------------------------|---|
| SECTION 1. | GENERAL PROVISIONS.....    | 1 |
| SECTION 2. | DEFINITIONS .....          | 1 |
| SECTION 3. | ANNUAL CONTRIBUTIONS ..... | 1 |
| SECTION 4  | SEVERABILITY.....          | 3 |
| SECTION 5  | EFFECTIVE DATE .....       | 3 |

**Commonwealth of Puerto Rico**  
**OFFICE OF THE COMMISSIONER OF INSURANCE**  
**San Juan, Puerto Rico**

**RULE NO. 77**

**REVISION OF ANNUAL CONTRIBUTIONS REQUIRED TO BE MADE BY  
INDIVIDUALS AND ENTITIES ENGAGE IN TRANSACTING OR WRITING  
INSURANCE IN PUERTO RICO**

**SECTION I – GENERAL PROVISIONS**

**SUBSECTION 1 – LEGAL BASIS**

The Office of the Commissioner of Insurance of Puerto Rico hereby establishes Rule 77 of the Regulations of the Insurance Code under the provisions of Sections 2.040, 2.071, and 7.010 of Public Law No. 77, enacted on June 19, 1957, as amended, known as the Puerto Rico Insurance Code and Public Law No. 170 enacted on August 12, 1988, 3 §§ 2101 *et seq.* known as the Uniform Administrative Procedures Act.

**SUBSECTION 2 – PURPOSE**

This Rule is adopted for the purpose of revising the amounts of the annual contributions required to be made by individuals or entities who are seeking to transact or write insurance in Puerto Rico, with a view to aligning such with needs and type of services required. In addition, the proposed adjustment is directed at promoting fairness and reasonability of the contributions, as well as addressing the budgetary needs of the Office of the Commissioner of Insurance.

**SUBSECTION 3 – SCOPE**

This Rule shall be applicable to all natural or legal persons, or entities seeking to transact or write insurance in Puerto Rico or are currently engaged in such transaction or writing under any certificate of authority, license, certificate of eligibility or permit issued by the Office of the Commissioner of Insurance of Puerto Rico under the Puerto Rico Insurance Code or any special law.

**SECTION II – DEFINITIONS**

The terms used in this Rule shall have the same meaning and scope as provided in the Puerto Rico Insurance Code.

**SECTION III – ANNUAL CONTRIBUTIONS**

Contributions which under Section 7.010(1) of the Puerto Rico Insurance Code must be made by those seeking to or those who are engaged in transacting or writing any kind of insurance in Puerto Rico, will be as follows:

| Entity                                                                                                                                                                                              | Annual<br>Contribution |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| (a) Domestic insurers having a volume of written premium for the preceding calendar year of less than twenty million (20,000,000) dollars                                                           | 26,287.00              |
| (b) Domestic insurers having a volume of written premium for the preceding calendar year of twenty million (20,000,000) dollars or more, but less than fifty-five million (55,000,000) dollars      | 42,060.00              |
| (c) Domestic insurers having a volume of written premium for the preceding calendar year of fifty-five million (55,000,000) dollars or more, but less than eighty-five million (85,000,000) dollars | 89,377.00              |
| (d) Domestic insurers having a volume of written premium for the preceding calendar year of eighty-five million (85,000,000) dollars or more                                                        | 126,180.00             |
| (e) Foreign Insurers                                                                                                                                                                                | 6,309.00               |
| (f) Non-profit associations organized under Public Law No. 152, enacted on May 9, 1942                                                                                                              |                        |
| (i) A volume of written premium for the preceding calendar year of fifty million (50,000,000) dollars or more                                                                                       | 31,545.00              |
| (ii) A volume of written premium for the preceding calendar year of less than fifty million (50,000,000) dollars                                                                                    | 5,257.00               |
| (g) Health Services Organizations                                                                                                                                                                   | 5,257.00               |
| (h) Rating bodies, for each class of authorized insurance                                                                                                                                           | 2,103.00               |
| (i) Consulting organizations                                                                                                                                                                        | 525.00                 |
| (j) Foreign insurers engaged exclusively in reinsurance                                                                                                                                             | 2,103.00               |
| (k) Excess lines insurers                                                                                                                                                                           | 1,051.00               |
| (l) Automotive clubs or associations                                                                                                                                                                | 525.00                 |
| (m) Agents                                                                                                                                                                                          |                        |
| (i) Individuals                                                                                                                                                                                     | 157.00                 |
| (ii) Corporations or Firms                                                                                                                                                                          | 315.00                 |
| (n) Solicitors                                                                                                                                                                                      | 52.00                  |
| (o) Brokers                                                                                                                                                                                         |                        |
| (i) Individuals                                                                                                                                                                                     | 525.00                 |
| (ii) Corporations or Firms with a premium production volume of less than one million (1,000,000) dollars                                                                                            | 1051.00                |

|                                                                                                         |          |
|---------------------------------------------------------------------------------------------------------|----------|
| (iii) Corporations or Firms with a premium production volume of one million (1,000,000) dollars or more | 2,103.00 |
| (p) Adjusters                                                                                           | 210.00   |
| (q) Non- resident Agents                                                                                | 841.00   |
| (r) Non- resident Brokers                                                                               | 841.00   |
| (s) Broker-agents                                                                                       | 105.00   |
| (t) Consultants                                                                                         | 420.00   |
| (u) Excess Lines Brokers                                                                                | 525.00   |
| (v) Managers                                                                                            |          |
| (i) Representing two (2) or fewer insurers                                                              | 1,051.00 |
| (ii) Representing more two (2) insurers                                                                 | 5,527.00 |
| (w) General Agents                                                                                      |          |
| (i) Representing two (2) or fewer insurers                                                              | 1,051.00 |
| (ii) Representing more two (2) insurers                                                                 | 5,527.00 |
| (x) Charitable organizations as defined in Public Law No. 230, enacted on August 12, 1999.              | 1,051.00 |

#### **SECTION IV – SEVERABILITY**

If any word, sentence, paragraph, subsection, section or part of this Rule were found to be null or invalid by a court of competent jurisdiction, the order entered by such a court will not affect or invalidate the remaining provisions of this Rule and the effect of such order will be limited to such word, sentence, paragraph, subsection, section or part that has been found to be null.

#### **SECTION V – EFFECTIVE DATE**

The provisions of this Rule will enter into effect thirty (30) days after filing of the Rule at the Department of State of the Commonwealth of Puerto Rico.

#### **SIGNED**

FERMÍN CONTRERAS-GÓMEZ  
COMMISSIONER OF INSURANCE

Date of approval: December 12, 2003

Date of Filing at the Department of State:

Date of Filing at the Legislative Library