APPLICATION FOR REGISTRATION AS A RISK RETENTION GROUP (FOREIGN)

NORTH DAKOTA STATE INSURANCE DEPARTMENT
SFN 53915 (1-2008)

Name of Risk Retention Group (must include the phrase "Risk Retention Group")		NAIC Code **(Required)**	
Address	City	State	Zip Code
Group's Federal ID Number	Telephone Number (include area code)		

We, the undersigned President (or Chief Executive Officer) and Secretary on behalf of the above-named Risk Retention Group, make application for registration in North Dakota as a Risk Retention Group ("Group") and do hereby affirm that:

1. The primary activity of this Group consists of assuming and spreading all, or any portion, of the liability exposure of its Group members.

2. The Group is organized for the primary purpose of conducting the activity described under (1) above.

3. The Group is chartered and licensed as a liability insurance company under the laws of the State of _____, and is authorized to engage in the business of insurance under the laws of its chartering state.

4. The Group does not exclude any person from its membership in the Group solely to provide for members of the Group a competitive advantage over such a person.

5. Ownership of the Group consists of one or the other of the following (Check one):

   ☐ The owners of the Group are the only persons who comprise the membership of the Group and who are provided insurance by the Group;

   ☐ The sole owner of the Group is:

Name			
Address	City	State	Zip Code

   an organization whose members only comprise the membership of the Group, and whose owners are only persons who comprise the membership of the Group and who are provided insurance by the Group.

6. The Group is composed of members who are engaged in the following described business or activities, which are similar or related with respect to the liability to which such members are exposed by virtue of related, similar, or common business, trade, produce, services, premises or operations. (Give general description of business or activities engaged in by Group members).

7. The activities of the Group do not include the provision of insurance other than:
   a. liability insurance for assuming and spreading all or any portion of the similar or related liability exposure of its group members; and

   b. reinsurance with respect to the similar or related liability exposure of another risk retention group (or a member of such other risk retention group) engaged in businesses or activities which qualify such other risk retention group (or member) under item (6) above for membership in this Group.

8. The Group will comply with the unfair claim settlement practices laws of North Dakota.

9. The Group will pay, on a nondiscriminatory basis, applicable premium and other taxes which are levied on admitted insurers under the laws of North Dakota.

10. The Group will participate, on a nondiscriminatory basis, in any mechanism established or authorized under the laws of North Dakota for the equitable apportionment among insurers of liability insurance losses and expenses incurred on policies written through such mechanism.

11. The Group has designated the Insurance Commissioner of North Dakota to be its agent solely for the purpose of receiving service of legal documents or process.

12. The Group will submit to examination by the Insurance Commissioner to determine the Group's financial condition, if:
    a. the insurance commissioner of the Group's chartering state has not begun or has refused to initiate an examination of the Group; and

    b. any such examination by the Insurance Commissioner is coordinated so as to avoid unjustified duplication and unjustified repetition.

13. The Group will comply with a lawful order issued in a delinquency proceeding commenced by the Insurance Commissioner upon a finding of financial impairment, or in a voluntary dissolution proceeding.

14. The Group will comply with the laws of North Dakota concerning deceptive, false or fraudulent acts or practices, including any injunctions regarding such conduct obtained from a court of competent jurisdiction.

15. The Group will comply with an injunction issued by a court of competent jurisdiction upon petition by the insurance commissioner alleging that the Group is in hazardous financial condition or is financially impaired.

16. The Group will provide the following notice, in 10-point type, in any insurance policy issued by the Group:

    "NOTICE

    This policy is issued by your risk retention group. Your risk retention group may not be subject to all of the insurance laws and regulations of your state. State insurance insolvency guaranty funds are not available for your risk retention group."

17. The Group has submitted to the insurance commissioner, as part of this application and before it has offered any insurance in North Dakota, a copy of the plan of operation or feasibility study which it has filed with the insurance commissioner of its chartering state. The plan or study submitted herewith discloses the name of the state in which the Group is chartered, as well as the Group's principal place of business, and such plan or study further includes the coverages, deductibles, coverage limits, rates, and rating classification systems for each line of insurance the Group has to offer. The Group will promptly submit to the Insurance Commissioner any revisions of such plan or study to reflect any changes therein including, but without limitation, additional lines of liability insurance which the Group intends to offer, and any change in the designation of the Group's chartering state.

18. The Group has submitted to the insurance commissioner, as part of this application, a copy of the Group's annual financial statement submitted to the state in which it is chartered as an insurance company. The annual financial statement has been certified by an independent public accountant and contains a statement of opinion on loss and loss adjustment expense reserves made by a member of the American Academy of Actuaries or a qualified loss reserve specialist. Hereafter, the Group will submit its annual financial statement to the insurance commissioner by March 1 of each year.

19. The Group will not solicit or sell insurance to any person in North Dakota who is not eligible for membership in the Group.

20. The Group will not solicit or sell insurance in North Dakota, or otherwise operate in this state, if the Group is financially impaired or is in a hazardous financial condition.

21.

Name of Broker(s) or Agent(s) Licensed by the Insurance Commissioner through Whom Purchases in North Dakota will be Effected			
Address	City	State	Zip Code

We do hereby swear and affirm that the aforementioned statements and information are true and correct.

President or Chief Executive Officer
Secretary

STATE OF NORTH DAKOTA)
)ss
COUNTY OF _____)

Sworn to before me this _____ day

of _____, 20__.

_____
Notary Public

My commission expires: _____

(Seal)