

Appendix

Broking Adminstration APRA Data Collection and Reporting

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APRA Data Collection and Reporting

Overview

On 16 December 2009, changes were introduced to the Corporations Regulations to put in place data collection and reporting obligations for AFS licensed general insurance intermediaries.

These changes result in the provision of data to the Australian Prudential Regulation Authority (APRA) that will assist it to better understand the role of unauthorised foreign insurers (UFIs) and Lloyd's in the Australian market and to assess the extent of reliance on the exemptions to the prohibition on placement of insurance with direct offshore foreign insurers (DOFI exemptions) by Australian insurance brokers. APRA will collect this data on behalf of ASIC.

All AFS licensees authorised to deal in general insurance products have an obligation to provide APRA with the required data.

Important note: All information provided is correct as at 13th April 2010 to the best of our knowledge. Please confirm any details with your compliance officer before

relying on this information.

What Data must be Reported

The Regulations require AFS licensees to collect and provide data in either one or two reports/forms. The submission of form 2 is only required if the licensee has placed business with a UFI in the relevant reporting period.

The first report (**Form 701 Table 1**) requires all AFS licensees who deal in general insurance to provide details of the **premium invoiced** in the relevant reporting period for insurance business placed in the following categories:

- With APRA authorised insurers directly (box A in table 1)
- With Lloyds (either directly of through a foreign (non-AFS licensed intermediary) (box B in table 1)
- With a UFI (either directly of through a foreign (non-AFS licensed intermediary) (box C in table 1)
- Indirectly through another intermediary (including a non-AFS licensed intermediary) with either an APRA authorised insurer, UFIs or Lloyd's underwriters (box D in table 1). So, in other words, for this category all business that is not placed directly with an insurer will be included. This information does not need to be within the categories.

The premium that must be reported is the premium excluding FSL, GST, IPT and stamp duty. However, the premium recorded must include commission, but not fees. Other amounts charged by insurers or brokers, such as survey costs, must not be included.

Also, the premium invoiced must be recorded in the following separate categories, by reference the policy effective date:

- Policy effective in the reporting period.
- Policy effective after the reporting period.
- Policy effective before the reporting period.
- Total invoiced in the reporting period.

Where there is coinsurance, only the premium paid to the UFI should be included in the reported premium. If a policy covers more than one insured who are invoiced separately, the total premium for all insured's must be recorded as one transaction.

This reporting process will cover both UFI and non- UFI business.

So even if you have not placed business with a UFI in the reporting period, this report must be provided.

The second report (Form 701 Table 2) requires additional reporting of 'transaction level data' for all policies placed with an UFI in the relevant period.

It will only need to be given if business is placed with a UFI in the relevant period.

This report must include the required transactional details for every general insurance policy placed either directly or indirectly with a UFI in the relevant reporting period.

The transactional data that is required is the policy transaction type, client code, policy code, invoice date and effective date, APRA class of business, premium, currency of premium, UFI name, UFI country code, and the relevant DOFI exemption type or types, including, for the customised exemption, the exemption reason.

Reporting Timetable

The first reporting period under the Regulations will be 1 May 2010 to 30 June 2010.

After that, reporting will be on a bi-annual basis for the periods of 1 January to 30 June and 1 July to 31 December each year.

Reports must be lodged within 20 business days of the end of the relevant reporting period. (However, APRA has indicated that it will allow licensees 40 business days to submit the first report from 30/06/10).

Lodgement Details

AFS licensed insurance intermediaries that have data to submit only in Table 1 (that is, they have no UFI business) may do so either electronically using the 'Direct to APRA' (**D2A**) system or in paper form by mailing the document, delivering it in person, or emailing a PDF of the document to APRA.

However, those intermediaries that have data to submit in both Table 1 and Table 2 must submit them both electronically using D2A. The option to provide the information in paper form will not apply in this case (unless the AFS licensee contacts APRA to discuss extenuating circumstances that require them to submit both forms in paper format).

Penalties

If the licensee fails to submit data (including additional data and resubmissions requested by APRA), or fails to correct errors or omissions in the data, this will be a breach of the licensee's AFS licence obligations and all usual breach recording and reporting obligations with apply, as well as the usual ASIC enforcement options.

In addition, a failure to provide the data required will be a strict liability offence with a maximum penalty of \$1,100 for an individual and \$5,500 for a corporation.

However, for reporting entities who are sincerely attempting to comply, but encountering difficulties in doing so, it is likely that ASIC's initial action would be to provide guidance rather than commence enforcement action, at least in the early stages of implementation.

Electronic data submission system

It is important that you are aware of any reporting requirement for Form 2.

BAIS are upgrading **bais** to enable the electronic submission of this form.

There are certain lodgement requirements which can be obtained from https://www.apra.gov.au including APRA's D2A lodgement system.

The default security level for D2A requires users to have a security certificate provided by APRA.

A 'challenge letter' must be submitted to APRA in order to obtain a security certificate. The challenge letter is a letter that will need to be sent to APRA by a general insurance intermediary that wishes or is required to submit data electronically, using D2A. The challenge letter identifies the general insurance intermediary, the individual who will be responsible for lodging data using D2A, and the individual authorising them to lodge the data on behalf of the general insurance intermediary.

The security certificate facilitates the secure transfer of information to APRA. A security certificate allows APRA to identify and authenticate an individual in an organisation, and will be necessary for the use of D2A. A security certificate is needed to download and decrypt forms from APRA, and to encrypt and send data to APRA. Security certificates will not be issued without a challenge letter and a corresponding electronic 'request for a certificate' from D2A.

If more than one person at the Shareholder's organisation will be using D2A to send data APRA, each person must obtain a security certificate. When using D2A, the data sign-off requirement is to be met by the challenge letters. If there is a subsequent change to the individual who will be responsible for lodging the data, another security certificate will need to be obtained.

BAIS will provide more details on the electronic submission function once we have completed discussions with APRA.

Preliminary Work to be Completed in bais

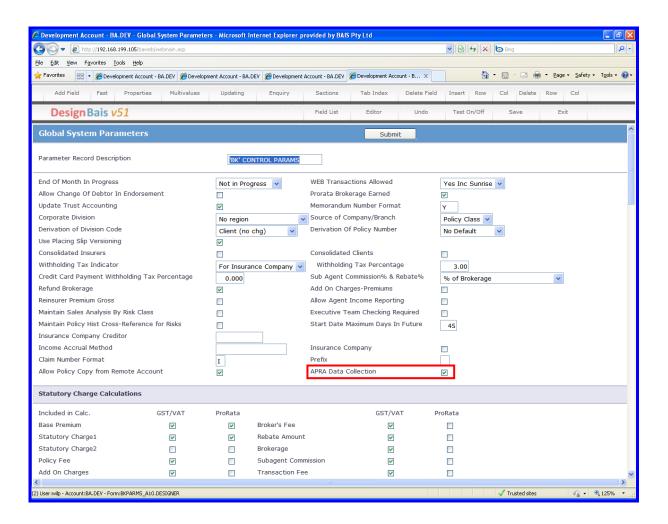
The following section describes the necessary steps required to set your system up to perform data extraction to satisfy APRA's requirements for Form 701 (Tables 1 and 2).

The correct classification of data depends on various codes contained in the **bais** records for each Client, Insurer and Actual Underwriter. Additionally each Risk Class and/or Policy Class should be coded with a valid "APRA Class of Business".

Once extracted, the data can then be imported into the APRA supplied D2A application software. There are additional codes associated with this.

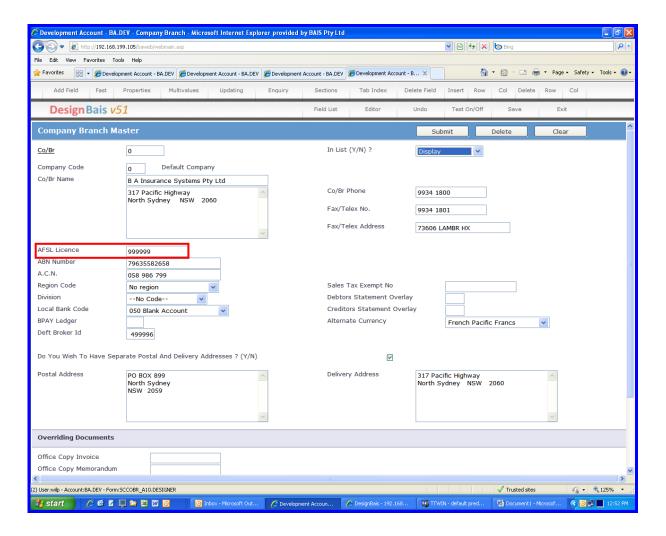
Establishing Global controls

Indicate that APRA Data is to be collected in Broking Parameters screen. This process should already have been done. Simply tick the check box "APRA Data Collection"



Record the APRA supplied AFSL Licence Number in Company Branch Master which is available from the All Options menu under Administration Maintenance – Company Branch.

Note that the AFSL Licence MUST match the supplied code exactly as it will be validated later during the import process (D2A).



Establish APRA parameters in All Options > APRA Parameter Maintenance

Account to Extract This provides you with the ability to consolidate the extract by

combining data from multiple accounts. Most bais users will have

only one database listed here.

Insurers to exclude AFSL Licence Numbers

Enter an insurer code to exclude all transactions from the extract. This will automatically prompt with the valid AFSL Licences for

each Company/Branch in each nominated account. AFSL Licence

Numbers are checked by the APRA D2A import software.

AFSL Names The AFSL Name will default to show which CoBr and Account

applies. Change these to show the correct AFSL Licensee Names.

APRA Consolidation Code This is a code supplied by APRA. This MUST be entered exactly

as supplied by APRA as it will be validated by the APRA D2A

import software.

ABN The ABN Number relative to each AFSL Licence Number should

be entered without any spaces. ABN Number will be validated by

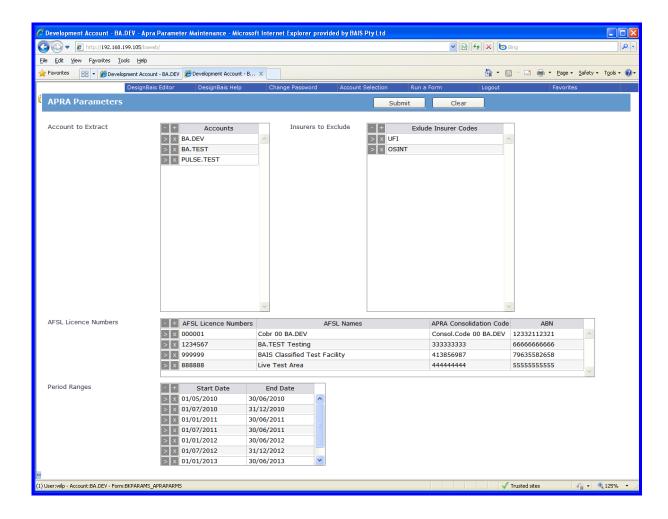
the APRA D2A import software.

Period Ranges These are the APRA reporting periods as stipulated by APRA. The

dates in the example currently conform to the mandatory reporting

periods.

Appendix - APRA Data Collection & Reporting



There are a number of master file changes required to enable the APRA reporting system, including:

Client master file

Insurer master file

Actual Insurers

Policy class, and

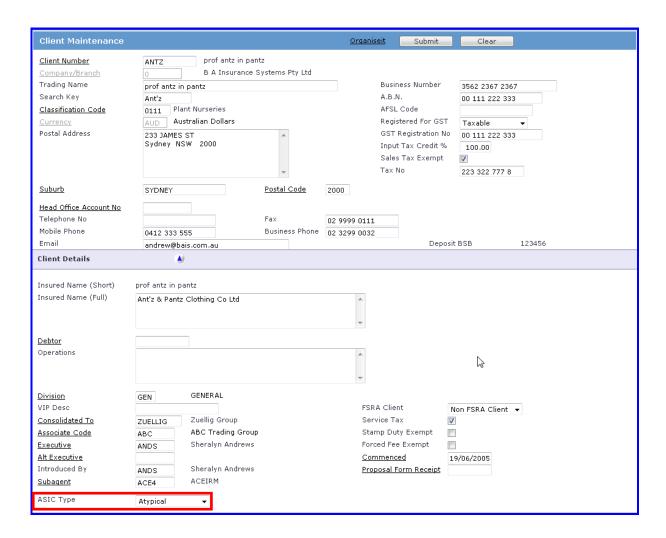
Risk class

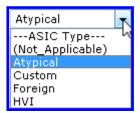
The following sections outline these changes.

Client Master

Changes need to be made to the client master **only** if you use Unauthorised Foreign Insurers (UFI).

If you use UFI's then you will need to complete an extra field to show the ASIC Type.





Choices for this dropdown are shown in the panel to the left.

Appendix - APRA Data Collection & Reporting

The available ASIC Types in	dentified as i	part of the	legislative	changes are:
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High-value Insured

Applies to all corporations, partnerships or trusts that has total group operating revenue or assets of \$200 million or more or employees of 500 or more.

Atypical Risks

Exempt classes (High Risk i.e. Nuclear, Terrorism, Shipowners P&I). Please refer to regulations for specific risks.

Foreign Law

Placement is subject to foreign law.

Customised

Exemption that cannot be placed in the Australia market (requires application to ASIC).

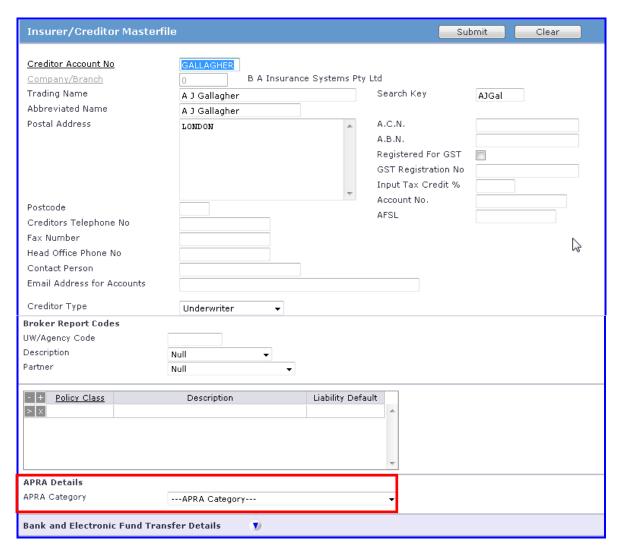
Not Applicable

The system will either assume that no value or blank is not applicable or alternatively as part of the release process, all existing records will be set to 'Not Applicable'.

Insurer Master

All **bais** users will need to update the Insurer Master file to enable the new data collection and reporting requirements.

You will note that there is a new section added to the Insurer/Creditor Master file form.



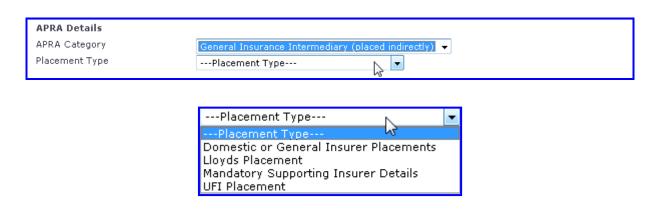
Relevant choices for this dropdown are shown below.



Additional fields are presented for General Insurance Intermediary and Unauthorised Foreign Insurer.

General Insurance Intermediary

Where the entity is identified as a General Insurance Intermediary you will be required to complete another field – Placement Type.



The available Placement Types identified as part of the legislation changes are:

Mandatory Supporting Insurer Details

This flags that Supporting Insurer details will be mandatory when processing a policy. It will not be possible to leave blank and advise at a later time. (See instructions for setting up Actual Insurers as these will be required if this option is selected.)

General Insurer Placement

This flag indicates that all placements are underwritten 100% with APRA authorised general insurers. This option is not allowed where the Overseas Insurer Flag is set to 'Y'.

Lloyds Placement

This flag indicates that all placements are underwritten 100% with Lloyds cover holders.

UFI Placement

This flag indicates that all placements are underwritten 100% with a UFI(s).

If a general insurance intermediary places with a mixture of general insurers, Lloyds or UFI(s), then the first option 'Mandatory Supporting Insurers' should be used.

Where the 'General insurance intermediary' is flagged as Foreign, the data collected will be represented based on the Placement Flag of the Supporting Insurer(s).

Unauthorised Foreign Insurer

Where the entity is identified as a UFI you will be required to complete additional information:



Firstly, you will be required to enter the country code of the UFI.

Secondly, you will be required to enter the ASIC Type (defined below).



- Atypical Risks, exempt classes (High Risk i.e. Nuclear, Terrorism, Shipowners P&I). Please refer to regulations for specific risks.
- Foreign Law, placement is subject to foreign law.
- Customised, exemption that cannot be placed in the Australia market (requires application to ASIC).
- Not Applicable the system will either assume that no value or blank is not applicable or alternatively as part of the release process, all existing records will be set to 'Not Applicable'.

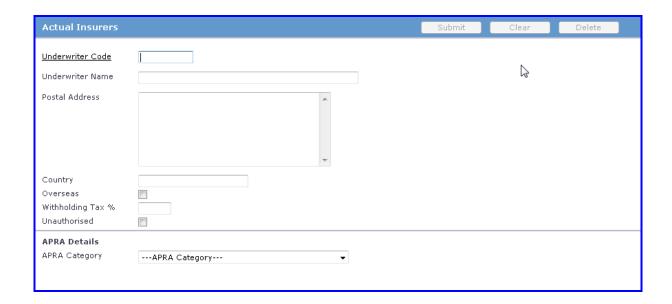
APRA has indicated the following order of reporting precedence, this will be determined based on the Client ASIC Type first, followed by the Insurer ASIC Type:

```
1st – High Value Insured
2nd – Atypical
3rd – Foreign Law
4th – Customised
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If a UFI applies to more than one Insurer ASIC Type, each type will need to be setup as a separate Insurer record. Therefore only the Client ASIC Type will be compared to the Insurer ASIC Type to determine reporting precedence.

Actual Insurers

Where business is placed through a foreign intermediary bais has mandated that the Actual Insurers on the placement be recorded. The UFI reporting requirements dictate that these Actual Insurers are identified in accordance with the reporting rules. bais has been updated to enable this reporting.





These changes are Mandatory and a transaction involving Actual Insurers will not be allowed to proceed until the APRA category is updated.

Policy and Risk Class Changes

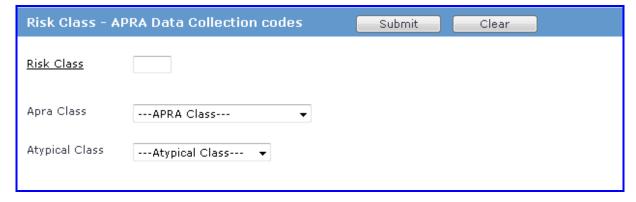
The new reporting structures require additions to both policy and risk classes.

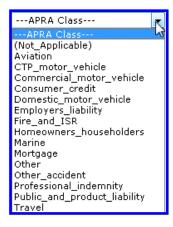
These changes are required where insurance is placed with a UFI.

The changes are the same for policy class and for risk class. In a transaction the risk class will take precedence.

Two new maintenance forms have been developed specifically for these changes: Policy Class – APRA Codes and Risk Class – APRA Codes. Both are accessed from the Broking Administration – Policy Setup menu.





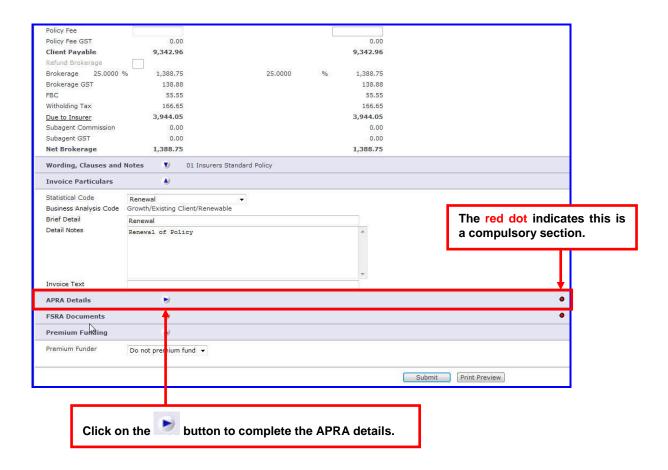




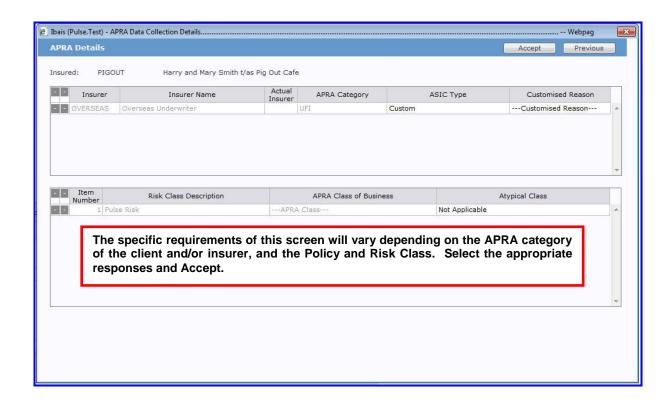
bais Transactions

Capturing APRA Details in Transactions

When processing a transaction where additional APRA data collection is required (e.g. where there is an Unauthorised Foreign Insurer), the system will indicate this with an extra compulsory section to be completed in the Policy Processing screen:



The APRA details screen appears:



The Extract Process

Every financial transaction will be evaluated to determine what information is gathered at the time of processing. This data is validated before the transaction is accepted and will be stored and used to provide default data to the actual extract process which follows.

APRA Reporting Extract: This process is run from the All Options menu (Administration > Broking > Statutory Reporting > APRA Reporting Extract).

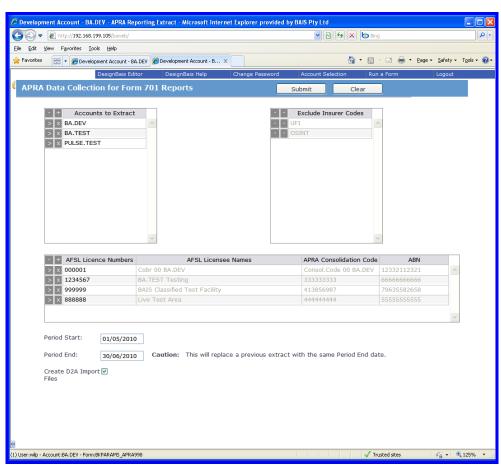
The Accounts and AFSL Licence details may be altered at the time of the extract.

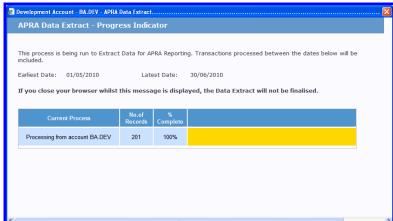
Period Start and End will default, but if changed must match the table of Period Ranges shown above.

Extracts may be rerun if required, however you should be aware that if an extract has been sent to APRA you will need to co-ordinate with APRA to replace your submission. A rerun will be indicated with a message on the screen (see example). Reruns will replace all extract data pertaining to the same **Period End Date**.

The extract will cycle through relevant transaction records, picking up stored APRA codes (in the absence of stored codes the system will attempt to calculate the relevant codes).

The **Extract Process** will provide a progress indication in a pop-up screen (see sample below) and will email the resultant file (or files) to the user. (Refer also to Part 4 below.)





APRA Reporting

If you are only required to submit APRA Form 701 (Table 1) you can submit it as a printed copy, a pdf or submit it electronically via the APRA D2A software.

If you are required to submit APRA Form 702 (Table 2) because you deal with Unauthorised Foreign Insurers, then you will be **required** to submit your reports electronically via the APRA D2A software.

Regardless of whether you submit electronically or not, it is strongly suggested that the Audit reports are run to check that all coding is correct. Period End Date must match a date used for an Extract. The Reports are located in **All Options > Administration > Broking > Statutory Reporting**. Report Samples are given at the end of this document.

1. APRA Form 701 - Audit Listing

Category A, B, C or D is mandatory (A separate Audit Listing for Category C is available – see below)

Period End Date is mandatory

AFSL Licence is optional

Account is optional

Note:

Categories have been pre-determined by APRA and are represented on APRA Form 701 – Table 1.

Category A -

Business the general insurance intermediary placed directly with APRA authorised general insurers.

Category B -

Business the general insurance intermediary placed directly, or placed through a foreign intermediary, with Lloyd's underwriters.

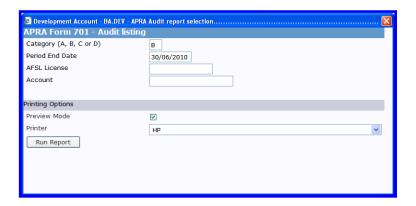
Category C -

Business the general insurance intermediary placed directly, or placed through a foreign intermediary, with unauthorised foreign insurers. This will be nil for general insurance intermediaries only required to submit data in Table 1. As the information required for this category is more detailed, the user should run the Audit Listing for Category C rather than this listing for Category C.

Category D -

Business the general insurance intermediary placed indirectly, through another general insurance intermediary, with either:

- (i) APRA-authorised general insurers;
- (ii) Lloyd's underwriters; or
- (iii) UFIs.



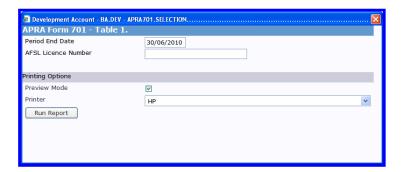
2. APRA Form 701 - Table 1

This is the hard copy version of APRA Form 701 Table 1

It will automatically be followed by APRA Extract Information (below) which indicates the selection used for the entire Extract for the Period End Date.

Period End Date is mandatory

AFSL Licence is optional.



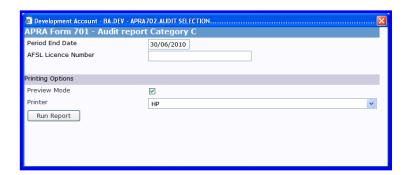
3. Audit Listing for Category C

This is an audit report showing information relevant only to the collection of data for the Table 2 content of Form 701.

Period End Date is mandatory

AFSL Licence is **optional**.

Refer below for explanation of Review column



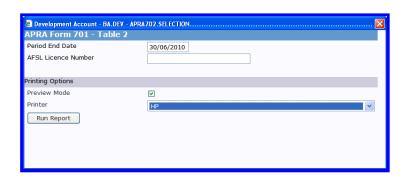
4. APRA Form 701 – Table 2

This is the hard copy version of APRA Form 701 Table 2.

Period End Date is mandatory

AFSL Licence is optional.

Refer below for explanation of Review column



Appendix - APRA Data Collection & Reporting

Note:

"Review" column in reports for Category C and Table 2 above indicates instances where one or more APRA codes have been determined programmatically in the absence of file held codes.

Any such instance should be validated by the user prior to importing the extracted data into the APRA D2A software.

Using the Extracted Data

The extract process will create a file for each extracted AFSL Licence, which is compatible with the APRA D2A application software. This is in XBRL format (a derivative of XML).

These files will be emailed to the user who initiated the extract process.

The filename is in the format of: APRAD2A_nnnnnnn_ddmmmyyyy.XML

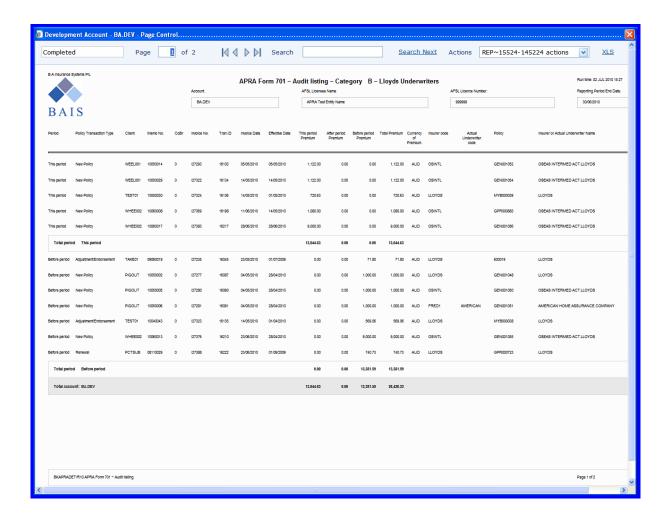
e.g. APRAD2A_999999_30JUN2010.XML is data extracted for AFSL Licence 999999 on 30 Jun 2010

It is the responsibility of the user to store these files in a safe area for the subsequent importation process.

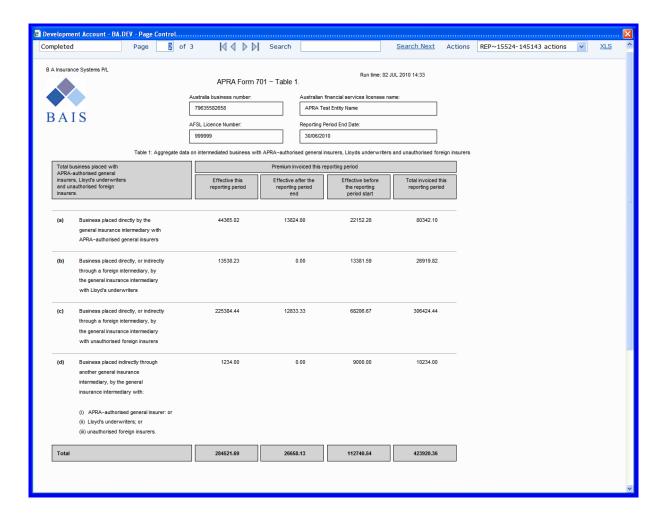
Contact APRA for more information about how to submit the required forms in hard copy, email (Table 1 only) or via APRA's D2A software application.

Report Samples

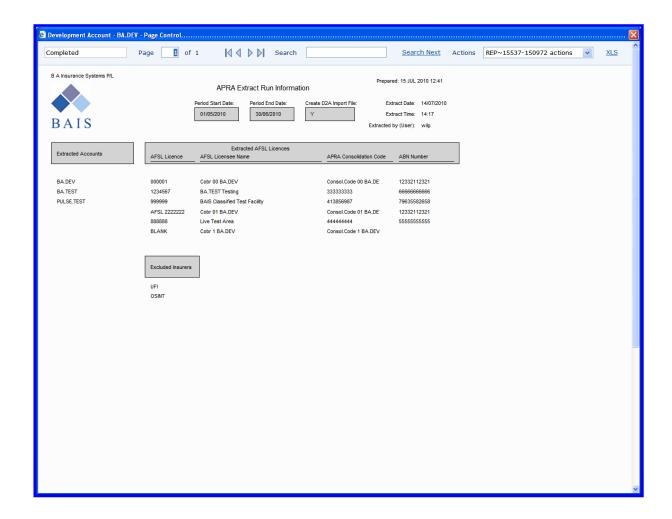
APRA Audit Listing



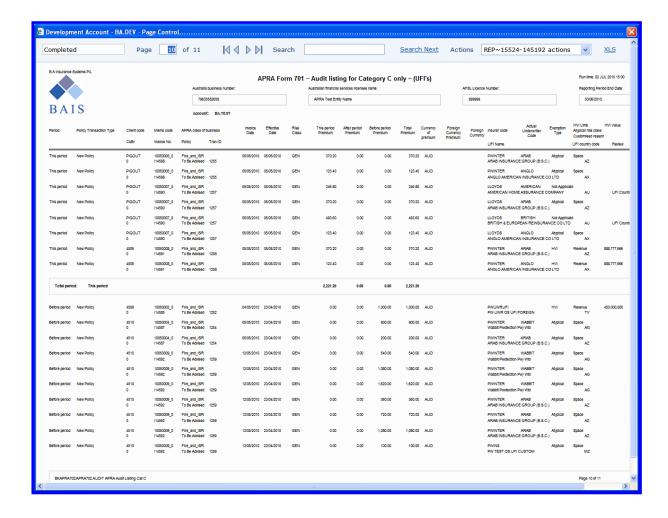
APRA Form 701 Table 1



APRA Extract Information (automatically follows APRA Form 701 Table 1)



APRA Audit Listing Category C



APRA Form 701 Table 2

