

**COMMISSIONER OF SECURITIES & INSURANCE
MONTANA STATE AUDITOR**

840 Helena Avenue, Helena, MT 59601
Phone - 406.444.2040 or 800.332.6148
Fax – 406.444.3797 – <http://csimt.gov>

**Variable Life and/or Annuity Contract Authority
Application Requirements**

1. Current certificate of compliance or certified copy of the company's domiciliary certificate of authority evidencing authority to write the requested line in the domiciliary state;
2. Surrender the current Montana Certificate of Authority for amendment;
3. Copy of the domiciliary laws and regulations regarding variable contracts;
4. Biographical information for the company officer(s) having oversight of the variable program <http://csimt.gov/wp-content/uploads/service-of-process-form-2018-INSURER.pdf>. This information may be provided on the standard NAIC biographical affidavit form; however, specific information should be attached outlining the affiant's related education, background and experience that qualifies that individual for administering a variable program;
5. Five years of financial information for the company's separate accounts; and
6. If five years of financial information for the company's separate accounts is not available, please refer to Section 33-20-605(2), MCA.

Montana Code Annotated 2017

TITLE 33. INSURANCE AND INSURANCE COMPANIES
CHAPTER 20. LIFE INSURANCE
Part 6. Variable Contracts

- 33-20-605. Requirements for doing business. (1) No insurer may deliver or issue for delivery within this state a variable contract unless the insurer is authorized to transact life insurance or annuity business in this state and the commissioner is satisfied that its condition or method of operation in connection with the issuance of variable contracts will not render its operation hazardous to the public or its policyholders in this state. In making such a determination, the commissioner must consider, among other things:
- (a) the history and financial condition of the insurer;
 - (b) the character, responsibility, and fitness of the officers and directors of the insurer; and
 - (c) the laws and regulations under which the insurer is authorized in the state of domicile to issue variable contracts. For this purpose, the state of entry of an alien insurer is its place of domicile.
- (2) The commissioner may consider an insurer to have met the provisions of this section if:
- (a) the insurer is a subsidiary of an authorized life insurer or is affiliated with an authorized life insurer through common management or ownership; and
 - (b) either it, the parent, or the affiliated insurer meets the requirements of this section.