

*Status: Point in time view as at 08/11/2006. This version of this provision has been superseded.*

**Changes to legislation:** Companies Act 1985, Paragraph 48 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 9A

#### FORM AND CONTENT OF ACCOUNTS OF INSURANCE COMPANIES AND GROUPS

##### **Modifications etc. (not altering text)**

- C1** Sch. 9A applied in part (with modifications) (31.12.2004) by [The Insurance Accounts Directive \(Lloyd's Syndicate and Aggregate Accounts\) Regulations 2004 \(S.I. 2004/3219\)](#), **reg. 3(4)(d)**, Sch. 9A applied in part (31.12.2004) by [The Insurance Accounts Directive \(Lloyd's Syndicate and Aggregate Accounts\) Regulations 2004 \(S.I. 2004/3219\)](#), **reg. 8(4)(5)**

### PART I

#### INDIVIDUAL ACCOUNTS

#### CHAPTER II

##### ACCOUNTING PRINCIPLES AND RULES

##### *Section D*

##### *Rules for Determining Provisions*

##### *Provisions for claims outstanding*

- 48 (1) Explicit discounting or deductions to take account of investment income is permitted, subject to the following conditions:
- the expected average interval between the date for the settlement of claims being discounted and the accounting date shall be at least four years;
  - the discounting or deductions shall be effected on a recognised prudential basis;
  - when calculating the total cost of settling claims, the company shall take account of all factors that could cause increases in that cost;
  - the company shall have adequate data at its disposal to construct a reliable model of the rate of claims settlements;
  - the rate of interest used for the calculation of present values shall not exceed a rate prudently estimated to be earned by assets of the company which are appropriate in magnitude and nature to cover the provisions for claims being discounted during the period necessary for the payment of such claims, and shall not exceed either —

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- (i) a rate justified by the performance of such assets over the preceding five years, or
  - (ii) a rate justified by the performance of such assets during the year preceding the balance sheet date.
- (2) When discounting or effecting deductions, the company shall, in the notes to the accounts, disclose —
  - (a) the total amount of provisions before discounting or deductions,
  - (b) the categories of claims which are discounted or from which deductions have been made,
  - (c) for each category of claims, the methods used, in particular the rates used for the estimates referred to in sub-paragraph (1)(d) and (e), and the criteria adopted for estimating the period that will elapse before the claims are settled.

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