

SCHEDULE 6

CERTIFICATES BY DIRECTORS AND ACTUARY AND REPORT OF THE AUDITORS

PART III

Auditors' report

10. The report required by regulation 29 above shall, in addition to any statement required by section 237(2) and (3) of the 1985 Act⁽¹⁾ or article 245(2) and (3) of the 1986 Order⁽²⁾, as appropriate, as applied by the said regulation 29 state—

- (a) in the auditors' opinion, whether Forms 9 to 17, 20 to 45 and information furnished pursuant to regulations 19 to 21 and 23 above have been properly prepared in accordance with the provisions of these Regulations;
- (b) in the auditors' opinion, and according to the information and explanations they have received—
 - (i) whether the certificate required to be signed in accordance with regulation 28(a) above, otherwise than in relation to statements required by regulations 24, 26 and 31 above, has been properly prepared in accordance with these Regulations; and
 - (ii) subject to paragraph 11 below, whether it was or was not unreasonable for the persons giving the certificate to have made the statements therein (other than statements required by regulations 24, 26 and 31 above); and
- (c) the extent to which, in giving their opinion, the auditors have relied—
 - (i) in the case of a company carrying on long term business, on the certificate of the actuary given in accordance with the requirements of Part II of this Schedule with respect to the mathematical reserves and required minimum margin, required EEA minimum margin or required United Kingdom minimum margin, as the case may be, of the company; and
 - (ii) in the case of a company including implicit items on Form 9, on the identity and value of any implicit items as they have been admitted in accordance with regulation 23(5) of the Insurance Companies Regulations.

11. To the extent that the information and explanations they have received do not allow the auditors to express an opinion on whether it was or was not unreasonable for the persons giving the certificate required to be signed in accordance with regulation 28(a) above to have made the statement required by paragraph 5 above, the auditors shall add to their report such qualification, amplification or explanation as may be appropriate.

12. Where the auditors refer in their report or in any note attached thereto to any uncertainty, the report shall state whether, in the auditors' opinion, that uncertainty is material to determining whether the company has available assets in excess of its required minimum margin, required EEA minimum margin or required UK minimum margin, as the case may be.

(1) Section 237 was substituted by the Companies Act 1989 (1989 c. 40), section 9.

(2) Article 245 was substituted by the Companies (Northern Ireland) Order 1990 (S.I.1990/593) (N.I.5), article 11.