

Gibraltar

57

TOTAL RE/INSURANCE
UNDERTAKINGS

3

CAPTIVES

7

PROTECTED CELL
COMPANIES

30

CELLS

- ✓ Recognised as an established financial services onshore domicile for both commercial (re) insurance undertakings & captive (re)insurers
- ✓ Go-to destination for companies wishing to access the UK market
- ✓ 1st EU member state to introduce Protected Cell Company (PCC) legislation (pre-Brexit)
- ✓ UK passporting rights
- ✓ Solid legal foundation & robust regulation with approached & efficient regulator
- ✓ Cost-effective solutions for a wide variety of insurance structures
- ✓ SRS Gibraltar flexible offerings: insurance undertakings, captives, PCCs, & third-party cells

Regulation

Regulator: Gibraltar Financial Services Commission (GFSC)

Applicable Regime: Solvency II equivalent

Minimum Capital Requirement:

- 2.7 million EUR for an authorised undertaking carrying on direct general business, including captive insurance undertakings, except in the case where all or some of the risks included in any of the classes 10-15 are covered, in which case it shall be no less than 4 million EUR
- 4 million EUR for an authorised undertaking carrying on direct long-term business, including captive insurance undertakings
- 3.9 million EUR for an authorised undertaking carrying on business restricted to (re)insurance, except in the case of a captive (re)insurance undertaking, in which case the MCR shall be no less than 1.3 million EUR

Reporting Frequency: Quarterly

Intercompany Loans: Possible (subject to prior regulatory approval, meeting of SII Prudent Person Principles, & post-loan solvency adequacy)

Licensing

Process: Pre-application introductory meeting, followed by staged application for authorisation. 3-stage process within suggested maximum of 9 months:

Stage 1: Business model, capital, key individuals

Stage 2: Risks framework, financial crime, business continuity, corporate governance, IT systems

Stage 3: Non-financial resources, compliance structure, conduct of business, KPIs, consumer duty, operational resilience

Timeframe*: (Re)Insurance Companies & PCCs: 9-12 months (reduced to 3-6 months in respect to the individual protected cells)

Captives: 3 months

**From the date of submission of completed application to the GFSC. These timelines can vary significantly.*

KYC Ownership/Control Thresholds:

Qualifying Shareholder: 10% or more of share capital (or voting rights)

- Beneficial Owner: 25% + of share capital (or voting rights)

Governance

Requirements for:

- **FTE Captives:** No [unless commercial (re)insurer]
- **FTE Cells:** No
- **FTE Commercial Insurance Undertakings:** Yes

- **Local Director Captives:** Yes
- **Local Director Cells:** No
- **Independent Director Captives:** Yes
- **Independent Director Cells:** No
- **Outsourcing:** Permitted (subject to governance & substance rules)

Tax

Corporate Tax Rate: 15%

Set-Up and Annual Costs

Captives & Cells: Competitive for domiciles with Solvency II regimes. Final costs dependant on various factors such as overall business plan, number of lines of business, countries of risk, & outsourcing requirements. Contact us for cost indications.

ABOUT SRS

SRS is the world's largest independent insurance company manager. With over 25 years' experience, SRS provides management and consulting services to a wide range of insurance company structures, from single-parent captives to complex commercial insurers and reinsurers. SRS has operations in North America, South America, Europe, Barbados, Bermuda, Canada, Cayman Islands, and South Africa.