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## STATUTORY INSTRUMENTS

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# 2004 No. 353

## The Insurers (Reorganisation and Winding Up) Regulations 2004

### PART VI

#### THIRD COUNTRY INSURERS

##### Interpretation of this Part

**48.**—(1) In this Part—

- (a) “relevant measure”, in relation to a third country insurer, means
  - (i) a winding up;
  - (ii) an administration order made under paragraph 13 of Schedule B1 [<sup>F1</sup>or under paragraph 14 of Schedule B1 to the 1989 Order];or
  - (iii) a decision of the court to reduce the value of one or more of the insurer’s contracts, in accordance with section 377 of the 2000 Act;
- (b) “third country insurer” means a person—
  - (i) who has permission under the 2000 Act to effect or carry out contracts of insurance [<sup>F2</sup>other than by virtue of regulation 8 or 11 of the EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018]; and
  - (ii) whose head office is not in the United Kingdom <sup>F3</sup>....

(2) In paragraph (1), the definition of “third country insurer” must be read with—

- (a) section 22 of the 2000 Act;
- (b) any relevant order made under that section; and
- (c) Schedule 2 to that Act.

**F1** Words in reg. 48(1)(a)(ii) added (6.4.2007) by [The Insurers \(Reorganisation and Winding Up\) \(Amendment\) Regulations 2007 \(S.I. 2007/851\)](#), regs. 1, **2(17)**

**F2** Words in reg. 48(1)(b)(i) inserted (31.12.2020) by [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), **2(17)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F3** Words in reg. 48(1)(b)(ii) omitted (31.12.2020) by virtue of [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), **2(17)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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### Application of these Regulations to a third country insurer

**49.** Parts III, IV and V of these Regulations apply where a third country insurer is subject to a relevant measure, as if references in those Parts to a UK insurer included a reference to a third country insurer.

### Disclosure of confidential information: third country insurers

<sup>F4</sup>**50.** . . . . .

**F4** [Reg. 50](#) omitted (31.12.2020) by virtue of [The Credit Institutions and Insurance Undertakings Reorganisation and Winding Up \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/38\)](#), regs. 1(3), **2(18)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes and effects yet to be applied to :**

- Regulations power to modify conferred by [2023 c. 29 s. 3Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)