

Provisional Regulations on Administration of Insurance Statistics

保险统计管理暂行规定

Chapter 1 General Provisions

Article 1

These Regulations are formulated in accordance with the *Statistics Law of the People's Republic of China*, the *Insurance Law of the People's Republic of China*, the *Detailed Rules for Implementation of the Statistics Law of the People's Republic of China* and other relevant laws and administrative regulations for the purposes of strengthening administration of insurance statistics and ensuring the authenticity, completeness, accuracy and timeliness of insurance statistical information.

Article 2

Insurance statistics in these Regulations refer to the following activities:

1. The China Insurance Regulatory Commission (hereinafter referred to as "the CIRC") and its local offices conduct statistical surveys, collect, process and analyze information reflecting the operating status of insurance institutions according to law, provide statistical information and statistical advisory comments and exercise supervision and administration of insurance statistics;
2. An insurance institution conducts statistical surveys, collects, processes and analyzes information reflecting its own operating status according to law, provide statistical information and statistical advisory comments and exercise administration of its own insurance statistical work.

Article 3

"Statistical information" in these Regulations refers to reports, report forms, documents and materials reflecting the operating status of the insurance institution that submits them to the CIRC and its local office according to law, including statistical data reflecting financial and business status, analysis of operating status and other statistical materials specified by the CIRC.

Article 4

The basic statistical responsibilities of the CIRC and its local offices include collecting, reviewing, aggregating, analyzing and releasing statistical information of insurance institutions in accordance with the law, making statistical forecasts, providing reference and basis for decision making in implementation of insurance supervision and administration and promoting the healthy development of the insurance industry.

The basic statistical responsibilities of an insurance institution include completing all insurance statistical work according to law, making statistical analyses and statistical forecasts, and submitting relevant truthful, complete and accurate insurance statistical information in time.

Article 5

Insurance statistical work shall adhere to the principle of being objective, scientific, consistent and timely.

Article 6

An administrative system with centralized administration and hierarchical accountability is to be adopted in insurance statistical work.

The CIRC is responsible for supervision and administration of the national insurance statistical work and the administration of statistical information of the national insurance industry. A local office of the CIRC is responsible for supervision and administration of the insurance statistical work in the area under its jurisdiction and the administration of statistical information of the insurance industry in the area under its jurisdiction. An insurance institution is responsible for exercising administration of its own insurance statistical work.

Article 7

Statistical institutions and statistical staffs are obligated to keep confidential the State secrets and the business secrets of the insurance institutions being surveyed in insurance statistical work.

Article 8

“Insurance institutions” in these Regulations refer to commercial insurance companies and their branches established with the approval of the CIRC or its local offices and registered according to law.

Chapter 2 Statistical Institutions and Staffs

Article 9

The CIRC shall perform the following statistical responsibilities:

1. To formulate insurance statistics system and statistical standards, establish and perfect insurance statistics index system;
2. To design, develop, maintain, manage and upgrade the statistical information system of the CIRC.

Article 10

The CIRC and its local offices shall perform the following statistical responsibilities:

1. To organize, coordinate and administer the statistical work of insurance institutions, formulate and implement statistical work plans of insurance institutions;
2. To collect, review, aggregate and analyze insurance statistical information, work out statistical analysis report and release relevant insurance statistical information;
3. To manage insurance statistical information, set up and maintain the database of statistical information about the insurance industry;
4. To organize and implement statistical survey, supervision and inspection of statistics about the insurance industry;
5. To organize vocational training of insurance statistical staffs.

Article 11

An insurance institution shall establish or designate a functional department to be responsible for statistical work, set up statistical positions and provide corresponding statistical staffs.

Article 12

An insurance institution shall perform the following statistical responsibilities:

1. To exercise administration of its own statistical work;
2. To formulate its own insurance statistics system;
3. To collect, aggregate, compile and manage its own statistical information and submit statistical information to the CIRC, its local offices and other relevant institutions according to law;
4. To complete tasks of statistical survey assigned by the CIRC and its local offices, conduct internal statistical surveys, analyses and forecasts;
5. To strengthen the development of automation system for statistical information, establish and perfect statistical information management system;
6. To organize inspection of implementation of statistical laws and regulations and statistical quality within itself;
7. To organize vocational training of insurance statistical staffs.

Article 13

Statistical staffs shall be provided in accordance with the following requirements:

1. Statistical staffs shall abide by the principle of seeking truth from facts and have strong professional ethics and expertise necessary for completing statistical work;
2. The number of statistical staffs shall be kept appropriate in accordance with the demands of statistical work;
3. Statistical staffs shall be kept relatively stable.

Chapter 3 Collection and Submission of Statistical Information

Article 14

Statistical information may be collected and submitted through network system and fax, etc. in forms such as consulting forms and questionnaires.

Article 15

A statistical year is a Gregorian year. It starts at 0:00 of January 1 each year and ends at 24:00 of December 31 of the same year.

Article 16

An insurance institution shall submit monthly quick reports, monthly reports, quarterly reports, semiannual reports, annual reports and irregular reports on statistical information to the CIRC and its local office.

The CIRC may change the submission frequency of statistical information according to the demand of supervision and administration.

Article 17

Statistical information shall be submitted within the first 2 working days of the next month for monthly quick reports, the first 10 days of the next month for monthly reports and the first 12 days of the next quarter, the next half year and the next year for quarterly reports, semiannual reports and annual reports respectively. Irregular reports shall be submitted at the time specified by the CIRC.

If falling on a statutory holiday including May 1, October 1 and Spring Festival, the above time for submission of monthly reports, quarterly reports, semiannual reports and annual reports may be postponed by 3 days.

The CIRC may change the submission time of statistical information according to the demand of supervision and administration.

Chapter 4 Statistical Survey and Statistical Analysis

Article 18

The CIRC and its local offices may conduct statistical survey of insurance institutions as needed. The contents of statistical survey mainly include business operating status, financial status and staffs of insurance institutions.

Article 19

The CIRC and its local offices shall regularly analyze and study the developments of the insurance market and macro-economy and conduct surveys and researches on their impact on the development of the insurance industry. An insurance institution shall regularly analyze its own insurance operating status.

Chapter 5 Statistical Information Release

Article 20

The CIRC shall regularly release statistical information about the national insurance industry through its website. A local office of the CIRC shall regularly release statistical information of the insurance industry in the area under its jurisdiction according to relevant stipulations of the CIRC.

Article 21

Statistical information released by a local office of the CIRC shall not contain the following contents:

1. Statistical information outside the area under its jurisdiction that has not been released;
2. Results of comparative analyses of the aforementioned statistical information.

Article 22

An insurance institution shall release relevant statistical information according to law.

Release of statistical information by an insurance institution shall not harm the legitimate interests of other units or individuals.

Article 23

No unit or individual shall release insurance statistical information related to the State secrets without approval. Insurance statistical information related to the State secrets shall be released and administered in accordance with laws, administrative regulations and other rules concerning confidentiality.

Chapter 6 Statistical Supervision and Administration

Article 24

An insurance institution shall submit truthful, complete and accurate statistical information according to stipulations of the CIRC and its local offices.

Article 25

Any delay or rejection of submission, insufficient submission, concealment, overstatement, or counterfeiting or falsification of statistical information are prohibited. The statistical information submitted shall not contain misleading statement.

Article 26

An insurance institution shall take measures to ensure the consistency of statistical information.

Article 27

The CIRC and its local offices shall conduct a review of the statistical information submitted. In case of any doubt, inquiry shall be made to the institution submitting the information.

Article 28

Where the statistical information submitted by an insurance institution contains any error, the CIRC and its local offices have the right to order the insurance institution to make correction and to offer an explanation on paper.

Article 29

The person in charge of an insurance institution shall neither, in violation of relevant stipulations, alter the statistical information submitted by a statistical institution and statistical staffs in accordance with relevant stipulations nor force or instruct the statistical institution and statistical staffs to falsify or counterfeit statistical information. Where the aforementioned person in charge finds any error in the calculation of statistical information or in data source, he shall indicate such error. The statistical institution concerned shall conduct verification and make correction according to relevant stipulations.

Article 30

The legal person institution and a branch of an insurance institution shall respectively designate a person in charge as the person responsible for insurance statistics.

The legal person institution and a branch of an insurance institution shall respectively designate an internal functional department as a department for contact. The main person in charge of this department is a contact for insurance statistics.

A local office of the CIRC shall specify the specific scope of branches mentioned in the preceding two paragraphs according to the actual conditions in the area under its jurisdiction.

Article 31

An insurance institution shall report to the CIRC or its local office within 10 working days after designating or changing the person responsible for insurance statistics or the contact for insurance statistics.

Article 32

The statistical information submitted by an insurance institution shall be reviewed and confirmed by its legal representative or the main person in charge of the branch that submits the information.

Article 33

The CIRC and its local offices shall establish a circular system for the submission of statistical information, inspect the delay of submission of statistical information, the number of times for alteration of statistical information submitted and the quality of statistical data, and regularly release the inspection result.

Article 34

The CIRC and its local offices are responsible for exercising statistical supervision and inspection of insurance institutions. The contents of statistical supervision and inspection mainly include the implementation of statistical system, the setup of statistical positions, the statistical staffs provided, the quality of statistical information and other relevant aspects of an insurance institution.

An insurance institution shall accept the statistical supervision and inspection exercised by the CIRC and its local offices according to law.

Article 35

An insurance institution shall regularly inspect and summarize its own statistical work. Where any problem is found, correction should be made in time.

Chapter 7 Awards and Penalties**Article 36**

The CIRC shall assess the statistical work of the CIRC system. It shall award the statistical staffs or units that meet one of the following criteria in the way of commendation, merit recording, outstanding merit recording, promotion of title, promotion of position or conferment of an honorable title and bonuses may also be granted:

1. Those who make outstanding contribution to reforming and improving insurance statistical system and methodology;
2. Those who make outstanding achievements in accomplishing insurance statistical survey, or ensuring timely and accurate reporting of statistic materials;
3. Those who make important achievements in renovation of statistical analysis, forecast and supervision;
4. Those who achieve significant outcome in utilizing and promoting modern information technology in statistical work;
5. Those who make important contribution to improving insurance statistical education and vocational training, making statistical research, or upgrading statistics;
6. Those who adhere to the principle of seeking truth from facts, abide by laws and have outstanding performance in fighting against violations of insurance statistical laws, regulations or insurance system;
7. Those who contribute to reporting and disclosing of statistical violations.

Stipulations of the preceding paragraph shall, mutatis mutandis, apply to the self-assessment of an insurance institution on its insurance statistical work.

Article 37

Where an insurance institution violates these Regulations and commits one of the acts set forth in Article 38 and Article 39, the CIRC or its local office may conduct a supervisory conversation with it.

Article 38

Where an insurance institution violates these Regulations and commits one of the following acts, it shall be given a warning and ordered to make correction. Where it fails to make correction within the prescribed time limit, it shall be fined between RMB 10,000 and 100,000:

1. Failure to submit relevant statistical information at the prescribed time;
2. Statistical information has material omission;

3. Statistical information contains misleading statement.

Article 39

Where an insurance institution violates these Regulations and commits one of the following acts, it shall be given a warning, ordered to make correction and fined between RMB 100,000 and 500,000. Where the circumstances are serious, its business scope may be restricted, or it may be ordered to stop accepting any new business, or its license for conducting insurance operations may be revoked:

1. Providing false statistical information;
2. Rejecting or hampering inspection and supervision in accordance with the law.

Article 40

A statistical staff of the CIRC or its local offices who has any of the following behaviors shall be disciplined by his working unit or superior one in the way of warning, severe warning, demerit recording , severe demerit recording and demotion:

1. Overstate, counterfeit or falsify insurance statistical information;
2. Violate the confidentiality articles in these Regulations, breach his authorization and release insurance statistical information on his own decision, which cause serious consequences.

Chapter 8 Supplementary Provisions

Article 41

Where there are stipulations concerning insurance statistical work of the following institutions in laws, administrative regulations or regulations of the CIRC, such stipulations shall apply. Where there are no such stipulations, these Regulations shall apply:

1. Insurance intermediaries;
2. Insurance group companies;
3. Insurance holding companies;
4. Public-policy-oriented insurance companies;
5. Insurance asset management companies. .

Article 42

Stipulations of these Regulations concerning statistical work of the legal person institution of an insurance company shall apply to the statistical work of a foreign insurance branch company.

Article 43

A local office of the CIRC may formulate detailed rules for implementation according to these Regulations.

Article 44

The CIRC is responsible for the interpretation of these Regulations.

Article 45

These regulations shall come into effect as of November 1, 2004. *Temporary Measures on Administration of Insurance Supervision Statements* promulgated by the CIRC on February 23, 1999 shall be repealed simultaneously.

End.