



Central Bank of Trinidad and Tobago

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January 08, 2021

CIRCULAR LETTER TO:

ALL INSURANCE COMPANIES, ASSOCIATIONS OF UNDERWRITERS, INTERMEDIARIES
PENSION PLAN TRUSTEES, MANAGEMENT COMMITTEES, PLAN SPONSORS
ASSOCIATION OF TRINIDAD AND TOBAGO INSURANCE COMPANIES (ATTIC)
TRINIDAD AND TOBAGO ASSOCIATION OF INSURANCE FINANCIAL
ADVISORS (TTAIFA)
INSURANCE BROKERS ASSOCIATION OF TRINIDAD AND TOBAGO (IBATT)
TRINIDAD AND TOBAGO INSURANCE INSTITUTE (TTII)

REF: CB-OIFI-063/2021

**INSURANCE COMPANIES AND INTERMEDIARIES' ADMINISTRATIVE FINES
SECTION 260 OF THE INSURANCE ACT, 2018**

The Central Bank of Trinidad and Tobago (Central Bank) wishes to advise all insurers and intermediaries that, in accordance with Section 260 of the Insurance Act, 2018 (Act), the Central Bank may issue a notice to any person who, there is reasonable cause to believe, has committed an offence referred to in Schedule 6 of the Act (Notice). The Notice will offer the person the opportunity to dispense with any liability to conviction in respect of that offence, by payment of the administrative fine specified for the offence in Schedule 6.

It should be noted that where an administrative fine is levied, the law requires the offender to pay the penalty **and** remedy the breach within fifteen (15) business days commencing from the day after receipt of the Notice.

Where a person is given a Notice, no criminal proceedings shall be taken against such person as it pertains to the offence specified in the Notice, until the expiration of the fifteen (15) business days commencing from the day after the Notice was served.

Where a person fails to pay the administrative fine or where the administrative fine was paid but the person continues to commit the offence after the expiration of the fifteen (15) business days following the date of receipt of the Notice, that person is liable on summary conviction for the offence committed. Where a person paid the administrative fine but continues to commit the offence and is convicted, the person is liable to the criminal penalty prescribed in Schedule 6 of the Act from the date after which the payment was made.

The Central Bank advises all persons registered under the Act to review Section 260 and Schedule 6 of the Act in order to understand the requirements of those provisions and the possible consequences for non-compliance. Please take note that Schedule 6 Part A applies to Insurance Companies and Associations of Underwriters, Schedule 6 Part B & C applies to Insurance Intermediaries and Schedule 6 Part D applies to Trustees of Pension Fund Plans.

Please be guided accordingly.

Yours sincerely

Patrick Solomon
INSPECTOR OF FINANCIAL INSTITUTIONS