



**STATE OF NEW YORK
INSURANCE DEPARTMENT
AGENCY BUILDING ONE
EMPIRE STATE PLAZA
ALBANY, NEW YORK 10004**

**Circular Letter No. 16 (1998)
September 14, 1998**

TO: ALL AUTHORIZED LIFE INSURANCE COMPANIES, ACCREDITED LIFE REINSURERS, FRATERNAL BENEFIT SOCIETIES AND CHARITABLE ANNUITY SOCIETIES

ATTN: CHIEF ACTUARY OR CONSULTING ACTUARY, OR CHIEF FINANCIAL OFFICER

SUBJECT: MAXIMUM RESERVE VALUATION AND MAXIMUM LIFE POLICY NONFORFEITURE INTEREST RATES

Attached hereto is an outline providing maximum reserve valuation and maximum life policy nonforfeiture interest rates for new issues, new purchases or changes in fund (as defined) for years 1982 through 1998 (and other years where shown), under Sections 4217, 4218 and 4221(k) of the New York Insurance Law, as amended in 1982, 1983, 1985, 1986, 1987, 1988, 1990, and 1994.

Versions of this Circular Letter preceding C.L. 10(1995), dated August 1, 1995, distinguished between companies submitting an acceptable Actuarial Opinion and Memorandum (AOM) and companies not doing so. This distinction was a consequence of Section 4217(c)(4)(B)(vi) of the Insurance Law. Section 4217 of the Insurance Law was amended in 1994, and the distinction between maximum valuation interest rates with and without an acceptable AOM was eliminated.

Regulation 126, in effect on December 31, 1993, contained provisions regarding the valuation of annuities, GICs, deposit funds, structured settlements and single premium life policies. Such provisions were not incorporated into Regulation 126 promulgated December 1, 1994. These provisions have been incorporated into Proposed Regulation 151. We plan to formally propose this regulation, via publication in the State Register, in the near future.

This Circular Letter is to be used for informational purposes, as an aid in complying with the law.

Should any person have any question or comment in regard to this matter, please contact Mr. Michael Cebula or Mr. John Karwatowski of the Life Bureau at (518)474-6605.

Very truly yours,

Martin F. Carus
Assistant Deputy Superintendent
and Chief Examiner

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