

**NEW YORK STATE
INSURANCE DEPARTMENT**

**FIRST AMENDMENT TO REGULATION NO. 36
(11 NYCRR 200)**

ANNUAL REPORTS

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, and 4410 of the Insurance Law, do hereby promulgate the following First Amendment to Part 200 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 36), to take effect upon publication in the State Register.

(Matter in brackets is deleted; new matter is underlined)

The statutory authority references for Part 200 are repealed and a new statutory authority is added to read as follows:

Insurance Law Sections 201, 301, and 4410

Sections 200.1 and 200.2 are amended to read as follows:

§200.1 Filing of report.

Pursuant to section [37-i] 4410 of the New York Insurance Law, each employee welfare fund subject to the law is required to file with the superintendent an “annual report”. This is a condensed report, containing certain pertinent information from the annual statement, designed for distribution to employee-members, contributing employers and participating labor organizations. Section [37-i] 4410 reads in part as follows:

Such annual report shall be kept on file with the superintendent and at the principal office of the trustees [and such]. The report, or such portion thereof as the superintendent [shall deem] deems appropriate [and relevant], shall be made available by the superintendent or by the trustees, or both, for inspection by any employer contributing to such fund, by any labor organization which is a party to an agreement establishing such fund, or by any employee covered by such fund. In addition and to such extent that he deems it to be in the public interest, the superintendent may require the trustees to mail such report[,] or such portions [thereof as the superintendent shall deem appropriate and relevant, to employees covered by the fund, to contributing employers or to any labor organization which is a party to an agreement establishing such fund, or] of it to any or all of such parties.”

§200.2 Distribution of report.

It is hereby directed that each employee welfare fund shall distribute the annual report as follows:

(a) [A copy of the annual report to be filed with the superintendent on or before March 1, shall be sent to each employee-member, contributing employer and participating labor organization not later than June 1, 1957.

(b)] A copy of the annual report required to be filed [subsequent to March 1, 1957] with the superintendent shall be sent to each employee-member, contributing employer and participating labor organization not later than five months after the close of the fund's fiscal period covered by the report.

[(c)] (b) Publication of the annual report in a periodical distributed to all employee-members, contributing employers and participating labor organizations shall be deemed compliance with the foregoing requirements providing attention is directed to such publication on the first page or the cover of the periodical, in type not less than 18 point.