Karen Weldin Stewart, CIR-ML
Commissioner

Delaware Department of Insurance

DATE: December 2011

TO: All Insurers Subject to Guaranty Fund Assessments in Delaware

FROM: Ann Fletcher, Tax and Fees Coordinator

RE: **IMPORTANT NOTICE REGARDING CALENDAR YEAR 2011 PREMIUM TAX GUARANTY FUND ASSESSMENT CREDITS**

The Delaware Insurance Department will not be sending the yearly *Notice of Guaranty Fund Assessment Premium Tax Offset Allowance* to any company for the calendar year 2011 annual premium tax filing due on or before March 1, 2012.

There are no companies that have any guaranty fund premium tax offsets available to apply to calendar year 2011 annual premium tax.

Based on a Deputy Attorney General's memorandum, it is the Delaware Insurance Department's continued position that only payments to the Delaware Insurance Guaranty Association or the Delaware Life and Health Insurance Guaranty Association for **Class "C" assessments a**re permitted to be applied as premium tax offsets. Payments for Class "A" and Class "B" assessments may not be applied as premium tax offsets.

No Class "C" assessment has been paid by any company since before calendar year 2001, therefore all available premium tax offsets for guaranty fund assessment payments have expired.

Questions regarding this notice should be directed to me via email at Ann.Fletcher@state.de.us.