



Department of Business Regulation

1511 Pontiac Avenue
Cranston, RI 02920

Insurance Bulletin Number 2003-1

Surplus Lines Affidavit by Broker Form

The Department has received inquiries regarding the certification section of the Affidavit by Broker and Insured form required to be filed upon placement of a surplus line policy pursuant to Regulation 11. The form requires that the Surplus Lines Broker and Insured certify under penalty of perjury that the information provided on the form is true and correct. This certification means that the Surplus Lines Broker is attesting that the information is true and correct based on his or her personal knowledge or that he/she has been informed of the information by others and believes the information to be true. Therefore, if a Surplus Lines Broker receives information from an insurance producer (referred to in the industry as a retail broker or retail agent), by signing the form under penalty of perjury he or she is attesting that he/she is informed and believes the information obtained from the insurance producer to be correct. If the Surplus Lines Broker knows or has reason to know that the information provided by the insurance producer is false, the Surplus Lines Broker should not certify the information. However, if the Surplus Lines Broker reasonably believes the information submitted to be true then he or she may certify the information.

Marilyn Shannon McConaghy
Director, Department of Business Regulation
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