

191—96.9(505,508) Unilateral contract terminations. A contract subject to this chapter shall allow the insurer to unilaterally and immediately terminate, without future liability of the insurer or obligation to provide further benefits, upon the occurrence of any one of the following events that is material and that is not cured within 30 days following the insurer's discovery of it:

96.9(1) The investment guidelines are changed without the advance consent of the insurer and the investment manager is not controlling, controlled by or under common control with the insurer;

96.9(2) The segregated portfolio, if managed by an entity that is not controlling, controlled by or under common control with the insurer, is invested in a manner that does not comply with the investment guidelines; or

96.9(3) Investment discretion over the segregated portfolio is exercised by or granted to anyone other than the investment manager.

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