

Audit of General Insurance Companies

12.1 Introduction

The general insurance business in India is governed by the Insurance Act, 1938 which is based on the British Insurance Act. The Act was amended in 1959 for social control to govern the general insurance business on healthy lines. However, it was felt that there still existed some scope for improvement. In view of this, on May 13, 1971 the government nationalised the general insurance industry by an ordinance which became the General Insurance (Nationalisation) Act, 1972. At that time there were 83 domestic insurance companies and 44 foreign insurance companies operating in India. The managements of all the 127 companies were taken over by the Government and accordingly the General Insurance Corporation (GIC) was formed as a government company on November 22, 1973. The GIC as the holding company is entrusted with the task of superintending, controlling and carrying on the general insurance business in the country. Its subsidiaries in all the four zones of the country viz., the Oriental Fire & General Insurance Company (now known as the Oriental Insurance Co. Ltd.), the National Insurance Company Ltd., the New India Assurance Company Ltd. and the United India Insurance Company with all classes of direct business of general insurance except aviation which is written by the GIC.

The liberalisation of insurance sector has changed the nature of State involvement in insurance from controlling operations to establishing and monitoring market functioning rules, prudential regulations, including on solvency requirements and customer protection measures. Accordingly, the Government of India, with a view to achieving effective regulation, decided to establish a regulator of the insurance industry. The decision of the Government was translated into reality by the enactment of Insurance Regulatory and Development Authority (IRDA) Act in the year 1999. The Insurance Regulatory and Development Authority Act, 1999 (Authority in brief) provided for the establishment of an Authority to protect the interests of holders of insurance policies, to regulate, promote and ensure orderly growth of the insurance industry and for matters connected therewith or incidental thereto. The Authority has been assigned the duty to regulate, promote and ensure orderly growth of the insurance business and re-insurance business.

12.2 Legal Framework

It is important for the auditor to familiarise himself with various statutes governing the insurance industry. The auditor, while familiarising himself with various rules, regulations, relevant notifications, should also look into the important aspects arising out of those which might have an effect on determination of nature, timing and extent of audit procedures, while performing his role as an auditor.

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