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## Analyzing Contingent Capital Facilities

A primary concern for an insurance organization is its need to maintain an amount of capital that is commensurate with the entity's risk profile. For companies with strong balance sheets, robust earnings and limited opportunities for growth, effective capital management may involve returning a portion of that capital via stock buy-backs or the retirement of debt. While A.M. Best does not advocate aggressively removing capital from the balance sheet, too much capital can be problematic in that it exerts pressure to grow and expand operations at a pace that may not be prudent under certain market conditions.

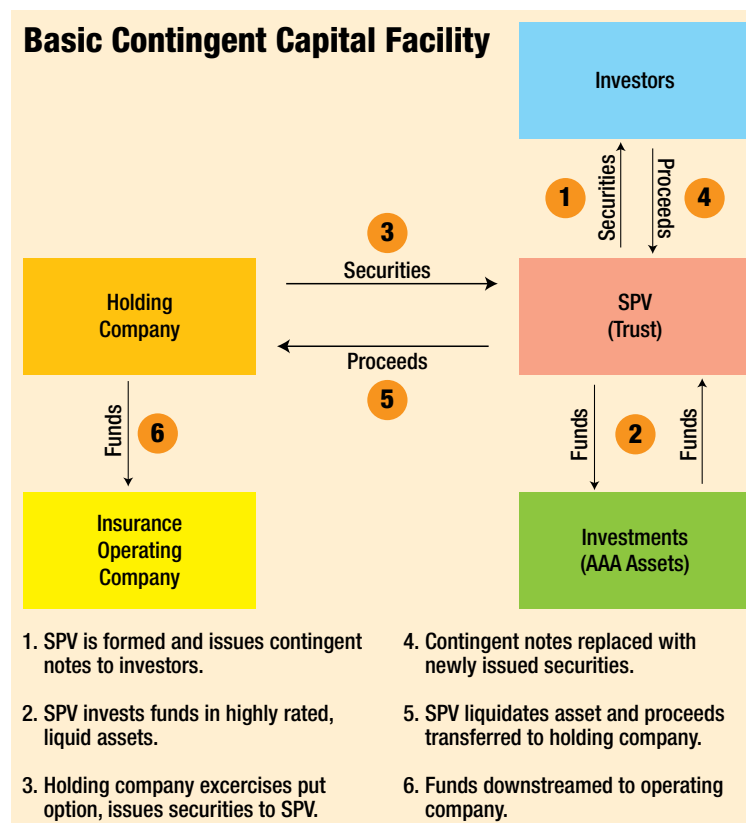
During periods when the market is flush with capital, stock buy-backs become a popular mechanism for companies to achieve an appropriate balance between capital and risk. However, with a diminished capital cushion, management teams become concerned with their ability to take advantage of future market opportunities. A favorable business opportunity such as an acquisition or new line of business may not wait for the company to raise capital. Moreover, under a shock-loss scenario such as a catastrophe, companies may find it difficult to recapitalize afterward at a reasonable cost. This refers to the concept of financial flexibility, which goes hand in hand with capital management and is a key component of A.M. Best's rating analysis.

### Credit for Contingent Capital Facilities

Some management teams have taken proactive steps toward enhancing their financial flexibility. One popular approach is through contingent capital facilities, which allow

companies to preset the terms and conditions of future capital-raising initiatives. Based on the provisions of the facility, A.M. Best will consider giving qualitative and, in some cases, quantitative credit for contingent capital. It should not be inferred, however, that A.M. Best expects all highly rated companies to maintain contingent capital facilities. This is simply one of many ways insurance organizations can demonstrate their financial flexibility.

Considering the recent interest in contingent capital, A.M. Best has determined which provisions likely would



### Analytical Contacts

Carlos Wong-Fupuy  
+44 2(0) 7397 0287  
Carlos.Wong-Fupuy@ambest.com

Ken Johnson, CFA, CAIA, FRM  
+1 908 439 2200 Ext. 5056  
Ken.Johnson@ambest.com

Michael Lagomarsino, CFA, FRM  
+1 908 439 2200 Ext. 5810  
Michael.Lagomarsino@ambest.com

Stephen Irwin  
+1 908 439 2200 Ext. 5454  
Stephen.Irwin@ambest.com

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warrant credit in Best's Capital Adequacy Ratio (BCAR), which measures risk-adjusted capital available to meet policyholder obligations. Generally, more credit is given to fully funded facilities, where the special-purpose vehicle (SPV) holds highly rated, liquid securities that the sponsor can access on short notice. A.M. Best also looks favorably on facilities that require put options to be exercised when certain events occur, such as a catastrophe loss (i.e. natural, man-made or pandemic). If the put option rests with the holding company, credit is given if the holding company is obligated contractually to downstream the funds to its insurance operating subsidiary. In cases where the put option involves a hybrid issuance at the operating company level, the maximum available credit would be 90%. This could reach 100% if the facility involves the issuance of equity securities. However, since limitations are placed on all forms of soft capital, in cases where credit is given in the published BCAR model, the maximum credit allowance is 10% of equity capital. Also, where credit is given on a pro forma basis – that is, prior to exercising the put option – the securities to be issued pursuant to the contingent capital facility will count toward the financial leverage calculation.

Facilities that do not conform to these specifications (i.e. the SPV is not fully funded; triggering the facility is subject to management discretion) still can receive credit on a qualitative basis, and on a quantitative basis toward the stress-tested capital requirement. Here, the securities to be put to the SPV would not count toward the financial leverage calculation until actually

issued. The cap on credit given in the stress-tested BCAR would be increased to 35% of equity capital.

### Conclusion

Contingent capital facilities provide companies with financial flexibility and protect the balance sheet against the unexpected. Alternatively, they can enable a company to seize a market opportunity in a timely fashion, without first having to test the appetite of the capital markets. Plus, they allow a company to establish the terms and

## Case Study – Treatment of Contingent Capital Facility

### Holding Company Capital Structure

Debt	\$600
Hybrid	\$200
Equity	\$1,800
<b>Total Capital</b>	<b>\$2,600</b>
Contingent Capital	\$400*

\*operating company has put option to issue a hybrid security

### Operating Company BCAR Treatment

Assuming facility meets guidelines for receiving credit in BCAR (see Table).

	Baseline	Add Contingent Capital Credit
Adjusted Capital	\$2,8001	\$3,0603
Required Capital	\$2,0002	\$2,0504
BCAR Score	140	149

1 Adjusted Capital – Baseline: Starting Equity Capital is \$2600 (assumes all holding company capital downstreamed as equity to operating subsidiary) plus Adjustments totaling \$200 (loss-reserve equity, fixed-income equity, deduction for after-tax net PML) = Adjusted Capital of \$2800.

2 Required Capital based on the risk profile of the company.

3 Figure reflects addition of \$260 (90% of \$400 from contingent capital hybrid issuance is \$360; subject to cap of 10% of equity capital = \$260).

4 Required Capital with Contingent Capital Credit includes additional investment risk of new assets.

### Financial Leverage Treatment

Assume security issued via contingent capital facility qualifies as a hybrid and gets 90% credit – subject to 20% total capital cap (\$600).

#### Unadjusted for Equity Credit

Debt + Hybrid + Contingent/Total Capital	$600+200+400/3,000 = 40\%$
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#### Adjusted for Equity Credit

Debt + Hybrid charge + Contingent charge/Total Capital	$600+20+40/3,000 = 22\%$
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20% cap on equity credit not applicable because  $\$540 < \$600$ .

conditions of future capital-raising activities up front, which reduces the chances of having to pay a risk premium under adverse conditions.

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## METHODOLOGY

**A.M. Best Rating Services, Inc.**  
Oldwick, NJ

**CHAIRMAN & PRESIDENT Larry G. Mayewski**  
**EXECUTIVE VICE PRESIDENT Matthew C. Mosher**  
**SENIOR MANAGING DIRECTORS Douglas A. Collett, Edward H. Easop,**  
**Stefan W. Holzberger, James F. Snee**

**WORLD HEADQUARTERS**  
1 Ambest Road,  
Oldwick, NJ 08858  
Phone: +1 908 439 2200

**MEXICO CITY**  
Paseo de la Reforma 412,  
Piso 23,  
Mexico City, Mexico  
Phone: +52 55 1102 2720

**LONDON**  
12 Arthur Street, 6th Floor,  
London, UK EC4R 9AB  
Phone: +44 20 7626 6264

**DUBAI\***  
Office 102, Tower 2,  
Currency House, DIFC  
P.O. Box 506617,  
Dubai, UAE  
Phone: +971 4375 2780

\*Regulated by the DFSA as a Representative Office

**HONG KONG**  
Unit 4004 Central Plaza,  
18 Harbour Road,  
Wanchai, Hong Kong  
Phone: +852 2827 3400

**SINGAPORE**  
6 Battery Road,  
#40-02B,  
Singapore  
Phone: +65 6589 8400



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