

as of the end of the preceding calendar year, complying as to form and verification with the requirements of this Act for annual statements, or financial statement as of such later date as the Superintendent may require; (h) a copy of the last report of examination, certified to by an insurance commissioner or other proper supervisory official; (i) a certificate from the proper official of the State or country wherein it is incorporated or organized, that it is duly incorporated or organized and is authorized to write the kind or kinds of insurance which it proposes to write in the District. Before a certificate of authority to transact business in the District is issued to a foreign or alien company, such company shall satisfy the Superintendent that (a) the company is duly organized under the laws of the State or country under whose laws it professes to be organized and is authorized to do the business it is transacting or proposes to transact; (b) its name is not the same as, or so deceptively similar to, the name of any domestic company, or the name of any department of the Federal Government or existing corporation authorized to transact business in the District as to mislead the public or cause confusion; (c) if a stock company, it has a paid-up capital and surplus at least equal to the capital and surplus required by this Act, or, if a mutual company or reciprocal, it has a surplus and provision for contingent liability of policyholders at least equal to the surplus and provision for contingent liability of policyholders required by this Act; (d) its funds are invested in accordance with the laws of its domicile, and in securities or property which afford a degree of financial security substantially equal to that required for similar domestic companies. Before issuing a certificate of authority to a foreign or alien company, the Superintendent may cause an examination to be made of the condition and affairs of such company.

Prerequisites to issuance of certificate.

Foreign or alien company.

Service of process upon unauthorized company.

SEC. 23. (a) SERVICE OF PROCESS UPON UNAUTHORIZED COMPANY.—

(1) The issuance or delivery of a policy or contract of insurance in this District, to a citizen or resident thereof, by a foreign or alien company transacting business in this District without a certificate of authority, shall be deemed equivalent to an appointment by such company of the Superintendent and his successor or successors in office to be its true and lawful attorney upon whom may be served all lawful process in any action or proceeding against it, arising out of such policy or contract of insurance, and said issuance or delivery shall be a signification of its agreement that any such process against it which is so served shall be of the same legal force and validity as if served upon the company.

(2) Service of such process upon the Superintendent, and the responsibility of the Superintendent in regard thereto, shall be in accordance with the provisions for service of process upon authorized companies as provided in subsection (b).

(b) **ATTORNEY FOR SERVICES OF PROCESS.**—Every foreign or alien company now or hereafter authorized to transact business in the District shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors true and lawful attorney for such company, upon whom all lawful process in any action or legal proceeding against it in the District may be served, and therein shall agree that any lawful process against it, which may be served upon its said attorney as herein provided, shall be of the same force and validity as if served upon the company, and that the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by delivering to and leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the company. The Superintendent shall forthwith forward such process by prepaid registered mail to the company, or, in the case of

Attorney for service of process.

Manner of serving.