

AUDITED FINANCIAL STATEMENTS

Liberty Re (Bermuda) Limited  
Years Ended December 31, 2022 and 2021  
With Report of Independent Auditors

# Liberty Re (Bermuda) Limited

## Audited Financial Statements

Years Ended December 31, 2022 and 2021

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## Report of Independent Auditors

The Shareholder  
Liberty Re (Bermuda) Limited

### Opinion

We have audited the financial statements of Liberty Re (Bermuda) Limited (the Company), which comprise the balance sheets as of December 31, 2022 and 2021, and the related statements of operations and comprehensive loss, changes in shareholder's equity and cash flows for the years then ended, and the related notes (collectively referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Company at December 31, 2022 and 2021, and the results of its operations and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Company and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free of material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Company's ability to continue as a going concern for one year after the date that the financial statements are available to be issued.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free of material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Company's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

## **Required Supplementary Information**

Accounting principles generally accepted in the United States require that the incurred claims and allocated claim expenses, net of reinsurance and the cumulative paid claims and allocated claim adjustment expenses, net of reinsurance for the years ending 2021 and prior and the average annual percentage payout of incurred claims by age, net of reinsurance disclosed on pages 29 to 31 be presented to supplement the financial statements. Such information, although not a part of the financial statements, is required by the Financial Accounting Standards Board who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during our audit of the financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Ernst + Young Ltd.*

March 17, 2023

Liberty Re (Bermuda) Limited  
(Incorporated in Bermuda)

Balance Sheets  
(Expressed in United States dollars)

	December 31	
	2022	2021
<b>Assets</b>		
Cash and cash equivalents (Note 3)	\$ 1,224,115	\$ 29,832,052
Investments held in Trust (Notes 3 and 4)	688,264,144	952,247,494
Funds held investments (Note 5)	157,664,713	279,850,761
Funds withheld by LMIC (Note 6)	102,965,176	101,714,554
Retrocession recoverable (Notes 8 and 12)	21,614,112	28,464,183
Premiums receivable	68,408	359,781
Losses receivable	1,489,360	1,523,394
Accrued interest receivable (Note 4)	7,618,322	7,573,596
Deferred tax asset (Note 10)	25,274,065	-
Deferred acquisition costs	312,184	314,312
Policy loans	30,607	29,150
Prepays	-	22,141
Total assets	<u>\$ 1,006,525,206</u>	<u>\$ 1,401,931,418</u>
<b>Liabilities</b>		
Loss and loss expenses reserve (Note 11)	\$ 45,932,563	\$ 40,427,095
Unearned premiums	1,992,715	2,445,625
Future policy benefits (Note 12)	63,462,749	103,869,015
Other policyholder funds and benefits payable (Note 12)	504,481,978	513,066,746
Losses payable	2,143,256	207,219,774
Accounts payable and accrued expenses (Note 7)	1,445,977	1,689,019
Taxes payable	6,642,842	6,357,906
Deferred tax liability (Note 10)	-	17,721,201
Intercompany payable (Note 7)	1,137,937	1,258,929
Total liabilities	<u>627,240,017</u>	<u>894,055,310</u>
<b>Shareholder's equity</b>		
Share capital (Note 9)	79,608,500	79,608,500
Additional paid-in capital	230,916,293	230,916,293
Retained earnings	154,490,285	111,756,693
Accumulated other comprehensive income (Notes 10 and 14)	(85,729,889)	85,594,622
Total shareholder's equity	<u>379,285,189</u>	<u>507,876,108</u>
Total liabilities and shareholder's equity	<u>\$ 1,006,525,206</u>	<u>\$ 1,401,931,418</u>

See accompanying notes.

On behalf of the Board:

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

# Liberty Re (Bermuda) Limited

## Statements of Operations and Comprehensive Loss (Expressed in United States dollars)

	Years Ended December 31	
	2022	2021
<b>Underwriting income</b>		
Reinsurance premiums written and earned	\$ 8,996,723	\$ 8,594,985
Reinsurance premiums ceded (Note 8)	(8,832,176)	(8,109,584)
Change in unearned premiums	452,910	(234,412)
Fee and other revenue	20,350,540	25,995,578
Total net premiums earned and other revenue	20,967,997	26,246,567
<b>Underwriting expenses</b>		
Future policy benefits (Notes 8 and 12)	7,009,696	10,045,885
Loss and loss expenses (Note 11)	8,762,066	10,538,668
Interest credited to policyholder account balances	20,619,787	27,564,940
Other underwriting expenses	20,463	468,918
Policy acquisition costs	1,002,708	989,725
Total underwriting expenses	37,414,720	49,608,136
Net Underwriting Loss	(16,446,723)	(23,361,569)
Net investment income (Note 15)	38,562,525	60,023,583
Realized gain on embedded derivatives (Note 12)	33,741,049	20,567,795
<b>General and administrative expenses</b>		
Management fees (Note 7)	861,080	802,370
Actuarial fees (Note 7)	447,822	454,170
Audit fees	198,450	189,000
Trust fees	78,884	121,348
Bermuda company fees	154,080	149,530
Legal fees	11,162	9,947
Miscellaneous	12,220	11,697
Total general and administrative expenses	1,763,698	1,738,062
<b>Income before income taxes</b>	54,093,153	55,491,747
Federal income tax expense (Note 10)		
Current tax expense	8,812,869	10,824,827
Deferred tax expense	2,546,692	828,440
	11,359,561	11,653,267
Net income after taxes	42,733,592	43,838,480
Other comprehensive loss (Note 14)	(171,324,511)	(49,425,891)
Comprehensive loss	\$ (128,590,919)	\$ (5,587,411)

See accompanying notes.

# Liberty Re (Bermuda) Limited

## Statements of Changes in Shareholder's Equity (Expressed in United States dollars)

	Share Capital	Additional Paid-in Capital	Retained earnings	Accumulated Other Comprehensive Income (Loss)	Total
January 1, 2021	79,608,500	230,916,293	67,918,213	135,020,513	513,463,519
Net unrealized loss on investments, net of taxes	—	—	—	(49,425,891)	(49,425,891)
Net Income	—	—	43,838,480	—	43,838,480
December 31, 2021	79,608,500	230,916,293	111,756,693	85,594,622	507,876,108
Net unrealized loss on investments, net of taxes	—	—	—	(171,324,511)	(171,324,511)
Net Income	—	—	42,733,592	—	42,733,592
December 31, 2022	<u>\$ 79,608,500</u>	<u>\$ 230,916,293</u>	<u>\$ 154,490,285</u>	<u>\$ (85,729,889)</u>	<u>\$ 379,285,189</u>

See accompanying notes.

# Liberty Re (Bermuda) Limited

## Statements of Cash Flows (Expressed in United States dollars)

	<b>Years Ended December 31</b>	
	<b>2022</b>	<b>2021</b>
<b>Operating activities</b>		
Net income	\$ 42,733,592	\$ 43,838,480
Adjustment for items not requiring the use of cash:		
Amortization on investments	(401,907)	606,828
Deferred tax expense	2,546,692	828,440
Net realized gain on sale of marketable securities	(831,604)	(18,309,339)
Investment income on funds held investments	(5,360,154)	(5,530,872)
Investment income from investments held in trust	(28,719,708)	(34,207,054)
Adjustments to reconcile net income to net cash (used in) provided by operating activities:		
Unearned premiums	(452,910)	234,412
Funds withheld by LMIC	(1,250,622)	(2,047,510)
Retrocession recoverable	6,850,071	12,231,734
Premiums receivable	291,373	(140,915)
Losses receivable	34,034	6,472,958
Prepays	22,141	(22,141)
Taxes payable	284,936	4,191,990
Intercompany payable	(120,992)	955,460
Accrued interest receivable	(44,726)	786,146
Loss and loss expenses reserve	5,505,468	8,178,163
Premiums payable	-	(74,252)
Future policy benefits	(40,406,266)	(33,583,241)
Other policyholder funds and benefits payable	(8,584,768)	(184,341,286)
Losses payable	(205,076,518)	204,781,028
Policy loans	(1,457)	(1,388)
Accounts payable and accrued expenses	(243,042)	701,313
Deferred acquisition costs	2,128	33,171
Net cash (used in) provided by operating activities	(233,224,239)	5,582,125
<b>Investing activities</b>		
Purchase of investments held in trust	(165,869,356)	(167,991,496)
Proceeds on sale of investments held in trust	242,939,447	239,770,581
Purchase of funds held investments	(220,331,948)	(73,899,056)
Withdrawals from funds held investments	347,878,159	20,402,117
Net cash provided by investing activities	204,616,302	18,282,146

Liberty Re (Bermuda) Limited

Statements of Cash Flows (continued)  
*(Expressed in United States dollars)*

	Years Ended December 31	
	2022	2021
Net (decrease)/increase in cash, cash equivalents and restricted cash	\$ (28,607,937)	\$ 23,864,271
Cash, cash equivalents and restricted cash, beginning of year	29,832,052	5,967,781
Cash, cash equivalents and restricted cash, end of year	<u>\$ 1,224,115</u>	<u>\$ 29,832,052</u>
<b>Cash, cash equivalents and restricted cash comprise</b>		
Cash and cash equivalents	\$ 336,010	\$ 559,715
Restricted cash <i>(Note 3)</i>	750,675	29,136,677
Short term deposits and money fund	137,430	135,660
	<u>\$ 1,224,115</u>	<u>\$ 29,832,052</u>
<b>Supplemental disclosure of cash flow information</b>		
Cash paid to the Parent for federal income taxes	<u>\$ (8,648,948)</u>	<u>\$ (5,677,367)</u>

*See accompanying notes*

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements *(Expressed in United States dollars)*

December 31, 2022 and 2021

### **1. General**

Liberty Re (Bermuda) Limited (the Company) was incorporated under the laws of Bermuda on June 24, 1998. The Company is a wholly-owned subsidiary of Liberty Mutual Insurance Company (LMIC), a United States company. The Company is licensed under the Bermuda Insurance Act 1978, amendments thereto and Related Regulations, to write long-term business and all classes of property and casualty business.

### **Long-Term Business**

The Company's long-term business operations have consisted of life, annuity and accident and health risks for groups and individuals. Effective January 1, 2003, the group life and single premium group annuity policies were commuted. The remaining long-term business consists of three variable annuity reinsurance contracts with third parties, which commenced in 1998 and 1999, to reinsure Guaranteed Minimum Death Benefits (GMDB) and Guaranteed Minimum Income Benefits (GMIB).

As a result of the sale of all the shares of Liberty Life Assurance Company of Boston (LLAC) by Liberty Mutual Group Inc., effective May 1, 2018, the Company entered into a reinsurance agreement with LLAC, where LLAC ceded to the Company, on an indemnity reinsurance basis, all of LLAC's liabilities with respect to a legacy block of LLAC's affiliated corporate owned life insurance policies, as well as life insurance policies issued to Liberty Mutual employees (COLI policies). All of the COLI policies reinsured by the Company are universal life with nonguaranteed elements.

All obligations of the Company under the COLI reinsurance agreement are guaranteed by Liberty Mutual Group Inc.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 1. General (continued)

#### Property and Casualty Business

On November 30, 2018 the Company signed a novation agreement with St. James Insurance Company Ltd. and LMIC. Included in the novation was a Loss Portfolio transfer from September 30, 1987 to December 31, 2003 plus Deductible Reimbursement policies with LMIC issued from January 1, 2004 to January 1, 2017. From January 1, 2004 the workers' compensation, employer's liability, and general liability risks were covered up to \$5 million per event, and auto liability risks up to \$1 million per event limit. The employer's liability was not renewed on January 1, 2010. Effective January 1, 2014, the limits for workers' compensation and auto liability are \$2 million per occurrence and general liability remains at \$5 million. Effective January 1, 2017 auto physical damage was added to this policy with no limit per occurrence and the policy was not renewed on January 1, 2018. All of these lines of business are insured subject to an annual aggregate limit ranging from \$23 million to \$30.5 million per policy in excess of annual retentions varying from \$2 million to \$2.4 million.

On December 17, 2018, the Company signed a novation agreement with St. James Insurance Company Ltd. and Magna Carta Insurance Company (Bermuda) Ltd. The Company provides punitive damage reinsurance coverage to Magna Carta Insurance Company (Bermuda) Ltd. with a maximum limit of \$50 million on any one original policy since January 25, 2016. Effective January 1, 2019 the maximum limit was increased to \$100 million on any one policy. The policies are limited to "wrap policies" supplementing policies issued by a select group of approved companies.

### 2. Significant Accounting Policies

The financial statements of the Company have been prepared in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Significant accounting policies are summarized as follows:

#### Cash and Cash Equivalents

The Company considers money market funds and all highly liquid debt instruments, with an original maturity of three months or less at the date of purchase, to be cash equivalents.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 2. Significant Accounting Policies (continued)

##### Investments Held in Trust

The Company has established trusts with Bank of New York Mellon in favor of its long-term business ceding companies. These trusts are made up of cash and investments (refer to Notes 3 and 4).

Investments Held in Trust include corporate bonds, municipal taxable bonds, municipal tax-exempt bonds, government bonds and mortgage-backed fixed maturity securities classified as available-for-sale securities and are reported at fair value with changes in fair values, net of deferred income taxes, reported in accumulated other comprehensive income. The Company recognizes income using a constant effective yield based on anticipated prepayments over the economic life of the security. The mortgage-backed portfolio is accounted for under the retrospective method and prepayment assumptions are based on market expectations. When actual prepayments differ significantly from anticipated prepayments, the effective yield is recalculated to reflect actual payments to date and anticipated future payments and any resulting adjustment is included in net investment income.

Realized gains and losses on securities are recognized in income using the specific identification method. Unrealized losses that are other-than-temporary are recognized as realized losses. The Company reviews fixed income securities for impairment on a timely basis.

Securities are reviewed for both quantitative and qualitative considerations including, but not limited to, (1) the extent of the decline in fair value below book value, (2) the duration of the decline, (3) significant adverse changes in the financial condition or near term prospects for the investment or issuer, (4) significant changes in the business climate or credit ratings of the issuer, (5) general market conditions and volatility, (6) industry factors, and (7) the past impairment history of the security holding or the issuer. All bonds and mortgage-backed securities are reviewed for other-than-temporary impairment treatment in accordance with the guidance of Accounting Standards Codification (ASC) 320, *Investment – Debt and Equity Securities* and ASC 325, *Investments – Other*. In addition, for securities expected to be sold, or the Company is required to sell, an other-than-temporary impairment charge is recognized if the Company does not expect the fair value of a security to recover to cost or amortized cost prior to the expected date of sale.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### **2. Significant Accounting Policies (continued)**

##### **Investment Income**

Investment income is comprised of interest, amortization of premiums or accretion of discounts on investments, interest on funds held investments and interest on funds withheld by LMIC. Interest earned is accrued to the balance sheet date.

##### **Loss and Loss Expenses**

Loss and loss expenses are recorded when advised by the Company's claims specialists. Loss and loss expenses comprise estimates of the amount of reported loss and loss expenses based on reports from claims specialists, plus a provision for losses incurred but not reported based on the recommendations of the Company's actuaries using the past loss data of the insureds together with industry specific loss development factors.

Loss estimates are continually reviewed and modified to reflect current conditions. Any adjustments to provisions are reflected in operating results of the year in which the adjustments are determined.

Management believes that the reserve for loss and loss expenses is a best estimate of the ultimate cost of losses incurred to the balance sheet date, but the reserve is necessarily an estimate and may ultimately be settled for a materially greater or lesser amount. Any subsequent differences arising are recorded in the period in which they are determined.

##### **Future Policy Benefits and Other Policyholder Funds and Benefits Payable**

The Company's reserves for GMDB and GMIB are calculated on a stochastic basis, resulting in a distribution of projected cash flows emanating from the business and a probability distribution of the present value of future claims less the present value of future premiums (the present value of the net liability). The expected value using the distribution of the net liability is used for purposes of the reserve.

Inherent in the estimates of the reserve for future policy benefits are mortality rates, volatility of the equity markets, future lapse rates, expected growth in equity values, level of U.S. interest rates, expected number of people that elect to receive a guaranteed annuity on retirement and other factors. Due to the nature of the risks insured and reinsured by the Company, these factors may vary significantly as claims are settled.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### **2. Significant Accounting Policies (continued)**

##### **Future Policy Benefits and Other Policyholder Funds and Benefits Payable (continued)**

The liability for other policyholder funds and benefits payable is primarily recorded at the accumulated value plus accrued interest credited, less withdrawals and fees, and less unearned premium on the annual renewable term reinsurance agreements between LLAC and other reinsurers entered into prior to May 1, 2018 for which LLAC is the cedant. The unearned premiums on a treaty entered into by the Company with a reinsurer effective August 1, 2018, where the Company is the cedant, are reported on a gross basis in the balance sheets. The Credited rates for universal life contracts in force were between 3.25% - 5.15% during 2022 (2021 – 3.25% - 5.15%).

##### **Policy Loans**

Policy loans are carried at unpaid principal balances. There is no allowance for policy loans because these loans serve to reduce the death benefit paid when the death claim is made and the balances are effectively collateralized by the cash surrender value of the policy.

##### **Premiums Written and Ceded**

Property and casualty business premiums written are recognized as revenue on a pro-rata basis over the periods covered by the insurance policies or contracts of reinsurance to which they relate. Premiums are recorded as reported by the ceding company.

Premiums from GMDB and GMIB long duration policies are recognized as revenue when they are reported by the ceding companies.

Premiums received for universal life products are reported as deposits to other policyholder funds and benefits payable. Reinsurance premiums ceded are recognized as a reduction in revenues over the period the reinsurance coverage is provided in proportion to the risks to which the premiums relate.

##### **Fee and Other Revenue**

Fee and other revenue represent revenues recognized from universal life products consisting of policy charges for cost of insurance, policy administration charges and surrender fees charged to policyholders. Fee and other revenue are recognized as revenues in the period in which they are assessed against policyholders, unless the fees are designed to compensate us for services to be provided in the future.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 2. Significant Accounting Policies (continued)

##### Reinsurance

All assets and liabilities related to reinsurance ceded contracts are reported on a gross basis in the balance sheets. This reflects the fact that the Company is not relieved of its primary obligation from assumed business.

##### Income Taxes

In accordance with FASB Accounting Standards Codification (“ASC”) Topic 740, *Income Taxes*, the income tax provision is calculated under the liability method of accounting.

The Company recognizes deferred income tax assets and liabilities for the expected future tax effects attributable to temporary differences between the financial statement and tax return bases of assets and liabilities based on enacted tax rates and other provisions of the tax law. The effect of a change in tax laws or rates on deferred tax assets and liabilities is recognized in income in the period in which such change is enacted. Deferred tax assets are reduced by a valuation allowance if it is more likely than not that all or some portion of the deferred tax assets will not be realized.

On August 16, 2022, the U.S. enacted the Inflation Reduction Act (“IRA”). For tax years beginning after December 31, 2022, the IRA imposes a new corporate alternative minimum tax (“CAMT”) on applicable corporations with average adjusted financial statement income in excess of \$1 billion for the three prior tax years. Based on the guidance currently available, Liberty Mutual Holding Company Inc. and subsidiaries, the controlled group of corporations which the Company is a member of, expects to be an applicable corporation subject to the CAMT; however, it is not expected to have a material effect on the Company’s results of operations or financial position. As U.S. Treasury Department issues further guidance related to the IRA, the Company will continue to evaluate any impacts.

As of December 31, 2022, the U.S. Treasury Department and the Internal Revenue Service (“IRS”) are still in the process of issuing various regulations in accordance with the Tax Cuts and Jobs Act (“TCJA”) of 2017. Accordingly, future adjustments to the financial statements may be necessary as regulations are issued.

The Company has elected to be treated as a U.S. domestic insurance company for U.S. Federal tax purposes under section 953(d) of the U.S. Internal Revenue Code and is therefore subject to income taxation in the U.S.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 2. Significant Accounting Policies (continued)

##### Disclosure About Fair Value of Financial Instruments

Fair values for investments held in Trust are based on quoted market prices. The carrying amount of other assets and liabilities, including income tax receivable, intercompany balances receivable and payable, and accounts payable and accrued expenses approximates their fair values due to the immediate or short-term nature of these balances.

Since January 1, 2008, the Company has adopted ASC 820, *Fair Value Measurement and Disclosures*. This Statement provides guidance for using fair value to measure assets and liabilities.

Under this standard, the definition of fair value focuses on the price that would be received to sell the asset or paid to transfer the liability (an exit price), not the price that would be paid to acquire the asset or received to assume the liability (an entry price). ASC 820 clarifies that fair value is a market-based measurement, not an entity-specific measurement, and sets out a fair value hierarchy with the highest priority being quoted prices in active markets and the lowest priority being unobservable data.

The hierarchy level assigned to each security in the Company's available for sale portfolio is based on the Company's assessment of the transparency and reliability of the inputs used in the valuation of each instrument at the measurement date. The highest priority is given to unadjusted quoted prices in active markets for identical assets (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). Securities are classified based on the lowest level of input that is significant to the fair value measurement. The three hierarchy levels are defined as follows: Level 1 — Valuations based on unadjusted quoted market prices in active markets for identical assets or liabilities that the Company has the ability to access. Level 2 — Valuations based on observable inputs (other than Level 1 prices), such as quoted prices for similar assets or liabilities at the measurement date, quoted prices in markets that are not active, or other inputs that are observable, either directly or indirectly. Level 3 — Valuations based on inputs that are unobservable and significant to the overall fair value measurement and involve management judgment. The unobservable inputs reflect the Company's estimates of the assumptions that market participants would use in valuing the assets and liabilities.

The availability of observable inputs can vary from financial instrument to financial instrument and is affected by a wide variety of factors, including, for example, the type of financial instrument, whether the financial instrument is new and not yet established in the marketplace, and other characteristics particular to the financial instrument. To the extent that valuation is based on models or inputs that are less observable or unobservable in the market, the determination of fair value requires significantly more judgment.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### **2. Significant Accounting Policies (continued)**

##### **Disclosure About Fair Value of Financial Instruments (continued)**

Accordingly, the degree of judgment exercised by management in determining fair value is greatest for instruments categorized in Level 3. The Company is responsible for the determination of fair value and the supporting assumptions and methodologies. The Company gains assurance on the overall reasonableness and consistent application of valuation methodologies and inputs and compliance with accounting standards through the execution of various processes and controls designed to ensure that the Company's assets and liabilities are appropriately valued.

For fair values received from third parties or internally estimated, the Company's processes are designed to determine that the valuation methodologies and inputs are appropriate and consistently applied, the assumptions are reasonable and consistent with the objective of determining fair value, and the fair values are accurately recorded. For example, on a continuing basis, the Company assesses the reasonableness of individual fair values that have stale security prices or that exceed certain thresholds as compared to previous fair values received from valuation service providers or brokers or derived from internal models. The Company performs procedures to understand and assess the methodologies, processes and controls of valuation service providers. In addition, the Company may validate the reasonableness of fair values by comparing information obtained from valuation service providers or brokers to other third party valuation sources for selected securities.

##### **Use of Estimate**

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### **3. Restricted Cash**

The Company entered into trust agreements with three long term business ceding companies (Beneficiaries) and Bank of New York Mellon (Trustee). According to the terms of the agreements, the Company deposited certain assets in three trust accounts. These assets consist of cash and other specific types of investments. Upon written notice from either Beneficiary to the Trustee, that Beneficiary shall have the right to withdraw any or all of the assets from its respective trust account to satisfy amounts due under the reinsurance agreement.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 3. Restricted Cash (continued)

At December 31, 2022, cash and investments amounting to \$689,014,819 (2021 – \$981,384,171) are held in the trust accounts and are comprised as follows:

	2022	2021
Investments held in Trust (Note 4)	\$ 688,264,144	\$ 952,247,494
Restricted cash	750,675	29,136,677
	<u>\$ 689,014,819</u>	<u>\$ 981,384,171</u>

### 4. Investments Held in Trust

The following is a summary of Investments Held in Trust at December 31, 2022 and 2021:

	Amortized Cost	Gross Unrealized Gain	Gross Unrealized Loss	Fair Value
<b>2022</b>				
Corporate bonds	\$ 540,073,549	\$ 758,714	(73,122,702)	\$ 467,709,561
Municipal taxable bonds	120,404,919	36,423	(17,521,017)	102,920,325
U.S. government bonds	73,179,049	-	(11,246,028)	61,933,021
Foreign government bonds	20,080,678	-	(2,391,065)	17,689,613
Surplus notes	3,651,769	-	(559,807)	3,091,962
Mortgage backed securities	39,393,026	4	(4,473,368)	34,919,662
	<u>\$ 796,782,990</u>	<u>\$ 795,141</u>	<u>(109,313,987)</u>	<u>\$ 688,264,144</u>

	Amortized Cost	Gross Unrealized Gain	Gross Unrealized Loss	Fair Value
<b>2021</b>				
Corporate bonds	\$ 471,245,829	\$ 69,732,891	\$ (1,708,840)	\$ 539,269,880
Municipal taxable bonds	111,504,054	20,113,065	(166,971)	131,450,148
U.S. government bonds	181,844,847	13,941,569	(1,000,327)	194,786,089
Foreign government bonds	25,382,926	5,094,005	-	30,476,931
Surplus notes	3,704,893	890,689	(3,194)	4,592,388
Mortgage backed securities	50,217,323	2,553,286	(1,098,551)	51,672,058
	<u>\$ 843,899,872</u>	<u>\$ 112,325,505</u>	<u>\$ (3,977,883)</u>	<u>\$ 952,247,494</u>

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 4. Investments Held in Trust (continued)

The Company's Investments Held in Trust consist of debt securities, consisting of corporate bonds, municipal taxable bonds, municipal tax-exempt bonds, U.S. government bonds, foreign government bonds, surplus notes and residential mortgage-backed securities guaranteed by the US Government. These investments are considered to be available for sale and are carried at fair value with unrealized gains and losses reported as other accumulated comprehensive income. These investments partially fund the Trusts set up in favor of its long term ceding companies (see Note 3).

Realized gains on these Investments Held in Trust for the year ended December 31, 2022, were \$831,604 (2021 – realized gains \$18,309,339 ).

Accrued interest receivable on these Investments Held in Trust for the year ended December 31, 2022, is \$7,618,322 (2021 – \$7,573,596).

The following table shows the gross unrealized losses and fair value of the Company's investments with unrealized losses that are not deemed to be other-than-temporarily impaired, aggregated by investment category and length of time that individual securities have been in a continuous unrealized loss position, at December 31, 2022 and December 31, 2021:

### December 31, 2022

	Less Than 12 Months		12 Months or Greater		Total 2022	
	Fair Value	Unrealized Losses	Fair Value	Unrealized Losses	Fair Value	Unrealized Losses
Corporate bonds	\$ 376,436,560	\$ (49,894,193)	\$ 65,257,526	\$ (23,228,509)	\$ 441,694,086	\$ (73,122,702)
Municipal taxable bonds	86,291,201	(13,794,531)	14,291,310	(3,726,486)	100,582,511	(17,521,017)
U.S. government bonds	58,737,399	(10,157,722)	3,195,622	(1,088,306)	61,933,021	(11,246,028)
Foreign government bonds	17,689,613	(2,391,065)	-	-	17,689,613	(2,391,065)
Surplus notes	2,750,466	(518,202)	341,496	(41,605)	3,091,962	(559,807)
Mortgage backed securities	24,902,094	(2,494,163)	10,017,333	(1,979,205)	34,919,427	(4,473,368)
Total	<u>\$ 566,807,333</u>	<u>\$ (79,249,876)</u>	<u>\$ 93,103,287</u>	<u>\$ (30,064,111)</u>	<u>\$ 659,910,620</u>	<u>\$ (109,313,987)</u>

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 4. Investments Held in Trust (continued)

December 31, 2021

	Less Than 12 Months		12 Months or Greater		Total 2021	
	Fair Value	Unrealized Losses	Fair Value	Unrealized Losses	Fair Value	Unrealized Losses
Corporate bonds	\$ 27,231,920	\$ (500,625)	\$ 22,262,398	\$ (1,208,215)	\$ 49,494,318	\$ (1,708,840)
Municipal taxable bonds	7,387,100	(166,971)	-	-	7,387,100	(166,971)
U.S. government bonds	89,595,778	(923,033)	954,124	(77,294)	90,549,902	(1,000,327)
Foreign government bonds	-	-	-	-	-	-
Surplus notes	430,118	(3,194)	-	-	430,118	(3,194)
Mortgage backed securities	20,192	(30)	9,646,705	(1,098,521)	9,666,897	(1,098,551)
Total	<u>\$ 124,665,108</u>	<u>\$ (1,593,853)</u>	<u>\$ 32,863,227</u>	<u>\$ (2,384,030)</u>	<u>\$ 157,528,335</u>	<u>\$ (3,977,883)</u>

There were 683 securities (2021 – 102 securities) in a gross unrealized loss position as of December 31, 2022.

The unrealized loss on the Company's investments is the result of changes in general market conditions rather than credit concerns related to these specific securities. It is believed that the issuer of these securities will continue to meet the contractual obligations to the Company, including full repayment of principal as contractually obligated. The Company does not consider these investments to be other-than-temporarily impaired at December 31, 2022, because the Company does not intend to sell these securities and it is not more likely than not that the Company will be required to sell securities before the anticipated recovery of the remaining amortized cost basis.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued)

(Expressed in United States dollars)

### 4. Investments Held in Trust (continued)

The amortized cost and fair value of fixed income securities at December 31, 2022 and December 31, 2021, by contractual maturity, are detailed below. Expected maturities may differ from contractual maturities because borrowers may have the right to call or prepay obligations with or without call or prepayment penalties:

	2022	
	Amortized Cost	Fair Value
In one year or less	\$ 32,785	\$ 32,789
After one year through five years	52,863,999	49,436,751
After five years through ten years	87,333,455	77,637,767
After ten years	656,494,436	561,100,940
Mortgage backed securities	58,315	55,897
Total	<u>\$ 796,782,990</u>	<u>\$ 688,264,144</u>

  

	2021	
	Amortized Cost	Fair Value
In one year or less	\$ 1,496,355	\$ 1,512,327
After one year through five years	61,363,393	63,603,678
After five years through ten years	78,885,084	81,787,117
After ten years	651,937,717	753,672,314
Mortgage backed securities	50,217,323	51,672,058
Total	<u>\$ 843,899,872</u>	<u>\$ 952,247,494</u>

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 4. Investments Held in Trust (continued)

The fair value of mortgage backed securities and Corporate and Other is generally determined using observable market inputs that include quoted prices for identical or similar assets in markets that are not active, benchmark yields, contractual cash flows, prepayment speeds, collateral performance and credit spreads. In the event third-party vendor valuation is not available, prices are determined using non-binding price quotes from a broker familiar with the security. In this instance, the valuation inputs are generally unobservable and the fair value is classified within Level 3

The following tables summarize the Company's assets held in Trusts that are measured at fair value as of December 31, 2022 and December 31, 2021:

	Level 1	Level 2	Level 3	Total
<b>2022</b>				
Corporate bonds	\$ -	\$ 467,665,909	\$ 43,652	\$ 467,709,561
Municipal taxable bonds	-	81,909,780	21,010,545	102,920,325
U.S. government bonds	61,933,021	-	-	61,933,021
Foreign government bonds	-	17,689,613	-	17,689,613
Surplus notes	-	2,750,466	341,496	3,091,962
Mortgage backed securities	-	24,438,385	10,481,277	34,919,662
	<u>\$ 61,933,021</u>	<u>\$ 594,454,153</u>	<u>\$31,876,970</u>	<u>\$ 688,264,144</u>

	Level 1	Level 2	Level 3	Total
<b>2021</b>				
Corporate bonds	\$ -	\$ 539,199,012	\$ 70,868	\$ 539,269,880
Municipal taxable bonds	-	128,463,313	2,986,835	131,450,148
U.S. government bonds	194,786,089	-	-	194,786,089
Foreign government bonds	-	30,476,931	-	30,476,931
Surplus notes	-	4,162,270	430,118	4,592,388
Mortgage backed securities	-	40,840,085	10,831,973	51,672,058
	<u>\$ 194,786,089</u>	<u>\$ 743,141,611</u>	<u>\$14,319,794</u>	<u>\$ 952,247,494</u>

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 4. Investments Held in Trust (continued)

##### Changes in Level 3 Recurring Fair Value Measurements

The following table summarize the fair values of assets on a recurring basis classified as Level 3 within the fair value hierarchy:

	<b>2022</b>	2021
Beginning balance	\$ 14,319,794	\$ 10,997,638
Transfer from Level 2 to Level 3	18,096,005	2,986,835
Total gains or losses (realized/unrealized)	(393,635)	407,971
Purchases	-	-
Sales	(145,194)	(72,650)
Ending Balance at December 31	<u>\$ 31,876,970</u>	<u>\$ 14,319,794</u>

Transfers into and out of Level 3 were primarily due to changes in the observability of pricing inputs.

The following tables provide information about significant unobservable inputs used for recurring fair value measurements for certain material level 3 investments as of December 31, 2022 and December 31, 2021 and include only those investments for which information about inputs is reasonably available to the Company.

	Fair Value	Valuation	Unobservable
<b>2022</b>			
Corporate bonds	\$ 43,652	Broker price	Price
Surplus notes	341,496	Broker price	Price
Municipal bonds	21,010,545	Broker price	Price
Mortgage backed securities	10,481,277	Broker Price	Price
	<u>\$ 31,876,970</u>		

	Fair Value	Valuation	Unobservable
<b>2021</b>			
Corporate bonds	\$ 70,868	Broker price	Price
Surplus notes	430,118	Broker price	Price
Municipal bonds	2,986,835	Broker price	Price
Mortgage backed securities	10,831,973	Broker Price	Price
	<u>\$ 14,319,794</u>		

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### **5. Funds Held Investments**

The Company has entered into a Guaranteed Investment Rate (GIR) Agreement with LMIC. The GIR investments are unsecured, due upon demand and have an effective interest rate of 2.18% (2021– 2.51%). Interest earned on these Funds Held investments amounted to \$5,360,154 and \$5,530,872 in 2022 and 2021, respectively. Accrued interest of \$5,360,154 (2021 – \$5,530,872) is included in Funds Held investments.

#### **6. Funds Withheld by LMIC**

Under the Worker's Compensation/General Liability/Auto Liability/Auto Physical Damage novation, the Company has funds withheld by LMIC. These funds are withheld to secure payment of loss and loss expenses. The funds earn interest computed using a monthly rate varying from 0.21% to 0.42731% equivalent to an effective annual yield of 2.52% - 5.25%. There has been no change to the rates in 2022 as the policy has not been renewed since January 1, 2018. Included in investment income is \$4,507,220 (2021 - \$4,408,014) of interest earned and accrued on these balances.

#### **7. Other Related-Party Transactions**

The Company receives various administrative and professional services from related parties. Management fee expenses incurred from a related party were \$861,080 and \$802,370 for 2022 and 2021, respectively. Investment management fees incurred from a related party were \$1,287,346 and \$1,826,063 for 2022 and 2021, respectively. Actuarial fees incurred from a related party were \$447,822 and \$454,170 for 2022 and 2021, respectively. Investment management fees payable of \$100,065 (2021 – \$154,125) and actuarial fees payable of \$439,056 (2021 – \$1,121,405) due to related parties are included in accounts payable and accrued expenses.

The Company settles its tax obligations through an intercompany account with LMIC. At December 31, 2022, the Company had an intercompany payable balance of \$1,137,937 (2021 – \$1,258,929), mainly relating to tax paid by LMIC on behalf of the Company.

#### **8. Reinsurance**

The Company retrocedes a portion of the insurance risks related to GMDB and GMIB to a reinsurer. The Company also reinsures a portion of the insurance risks related to the COLI policies to a reinsurer. Reinsurance does not discharge or diminish the primary liability of the Company to insureds on risks reinsured. The Company evaluates the financial condition of its reinsurers and believes that the amounts due from such reinsurers are fully recoverable.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 8. Reinsurance (continued)

Reinsurance premiums ceded for long-term business are \$8,832,176 (2021 – \$8,109,584) for the year ended December 31, 2022.

At December 31, 2022, retrocession recoverables on future policy benefits of \$19,095,782 (2021 – \$26,547,086) were recorded.

At December 31, 2022, retrocession recoverables on other policyholder funds and benefits payable of \$2,518,330 (2021 – \$1,917,097) were recorded.

At December 31, 2022, the Company is a beneficiary of a letter of credit from its reinsurer for the value of \$28,070,000 (2021 – \$42,290,000).

#### 9. Share Capital

	2022	2021
Authorized common shares @ \$1.00	\$ 84,608,500	\$ 84,608,500
Issued common shares @ \$1.00	\$ 79,608,500	\$ 79,608,500

#### 10. Income Taxes

##### Bermuda

Bermuda does not impose any form of taxation on receipts, dividends, capital gains, gifts or net income. In the event that such taxes are levied, the Company has received an assurance from the Bermuda government to be exempted from all such taxes until March 31, 2035.

##### United States

The Company made an irrevocable election to be treated as a U.S. domestic insurance company for U.S. Federal tax purposes under section 953(d) of the U.S. Internal Revenue Code and is, therefore, subject to income taxation in the U.S. The Company is included in a U.S consolidated federal income tax return with Liberty Mutual Holding Company, Inc. and Subsidiaries. As part of the consolidated group, the Company is subject to the Liberty Mutual Group tax sharing agreement whereby the Company is allocated its share of the consolidated tax liability based upon the tax it would have owed had it filed separately.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued)

*(Expressed in United States dollars)*

### 10. Income Taxes (continued)

Tax benefits are allocated to each company for its portion of net operating losses and tax credit carry forwards in the year they are used by the consolidated group. Intercompany tax balances are settled quarterly.

The components of the provision for U.S. Federal income taxes for the years ended December 31, 2022 and 2021, are as follows:

	<b>2022</b>	2021
Current tax expense:		
U.S. Federal	\$ 8,812,869	\$ 10,824,827
Total current tax expense	<u>8,812,869</u>	<u>10,824,827</u>
Deferred tax expense:		
U.S. Federal	2,546,692	828,440
Total deferred tax expense	<u>2,546,692</u>	<u>828,440</u>
Total U.S. Federal income tax expense	<u>\$ 11,359,561</u>	<u>\$ 11,653,267</u>

For the years ended December 31, 2022, and 2021, the Company's effective tax rate was the same as the U.S. Federal statutory rate of 21%.

The significant components of the deferred income tax assets and liabilities at December 31, 2022 and 2021 are summarized as follows:

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued)

(Expressed in United States dollars)

### 10. Income Taxes (continued)

The significant components of the deferred income tax assets and liabilities at December 31, 2022 and 2021 are summarized as follows:

	2022	2021
Deferred tax assets:		
Unpaid claims discount	771,172	700,092
Capital loss limitation	651,840	-
Policy reserves	874,110	2,252,608
Unearned premium reserves	83,694	102,716
Policy acquisition costs	6,027,038	6,811,971
Unrealized loss on investment	22,788,959	-
Total deferred tax assets	31,196,813	9,867,387
Deferred tax liabilities:		
Deferred intercompany transactions	5,628,388	4,801,753
Investments	294,360	33,835
Unrealized gains on investments	-	22,753,000
Total deferred tax liabilities	5,922,748	27,588,588
Net deferred tax assets/(liabilities)	<b>\$ 25,274,065</b>	<b>\$ (17,721,201)</b>

ASC Topic 740, *Income Taxes*, requires a valuation allowance to reduce the deferred tax assets reported if, based on the weight of evidence, it is more likely than not that some portion or all of the deferred tax assets will not be realized. For the years ended December 31, 2022 and 2021, management determined no valuation allowance was necessary.

As of December 31, 2022, the Company has no remaining tax attributes.

The Company assesses whether it has tax positions that would be required to be reflected in the financial statements in accordance with ASC 740, *Income Taxes*. Such positions are based solely on their technical merits, more likely than not to be sustained upon examination by taxing authorities and reflecting the largest amount of benefit, determined on a cumulative probability basis that is more likely than not to be realized upon settlement with the applicable taxing authority with full knowledge of all relevant information.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued)

*(Expressed in United States dollars)*

### 10. Income Taxes (continued)

As of December 31, 2022, and 2021, the Company had no significant tax positions that would be required to be reflected in the financial statements. The Company does not expect any material changes to the unrecognized tax benefits within twelve months of the reporting date.

The Company recognizes interest and penalties related to unrecognized tax benefits in U.S. Federal income tax expense. For the years ended December 31, 2022 and 2021, the Company did not recognize any interest and penalties.

The U.S. Federal statute of limitations has expired through the 2018 tax year; however, it remains open for certain impacts of the Tax Cuts and Jobs Act of 2017. Any adjustments that may result from the examinations of open tax years are not expected to have a material impact on the financial position, liquidity, or results of operations of the Company.

### 11. Loss and Loss Expenses Reserve

The activity in the reserve for loss and loss expenses for the years ended December 31, 2022 and 2021 are summarized below:

	<b>2022</b>	2021
Balance, beginning of year	<b>\$ 40,427,095</b>	\$ 32,248,932
Incurring attributable to:		
Current year	<b>6,791,947</b>	9,483,494
Prior years	<b>1,970,119</b>	1,055,174
Total incurred	<b>8,762,066</b>	10,538,668
Paid attributable to:		
Current year	-	-
Prior years	<b>3,256,598</b>	2,360,505
Total paid	<b>3,256,598</b>	2,360,505
Balance, end of year	<b>\$ 45,932,563</b>	\$ 40,427,095

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 11. Loss and Loss Expenses Reserve (continued)

In 2022 the decrease in current year incurred are as a result of actuarial estimates of the incurred but not reported losses related to the punitive damage businesss. In 2022 the reserve for loss and loss expenses related to priors years increased due to the unfavourable loss experience on the Worker's Compensation, Auto Liability and General liability program.

During the year ended December 31, 2017, the Company adopted Accounting Standards Update 2015-09, disclosures about short-duration contracts, and has included the required disclosures below.

The Company establishes loss reserves, which are estimates of future payments of reported and unreported claims for losses and related expenses, with respect to insured events that have occurred. Reserving is a complex process dealing with uncertainty, requiring the use of informed estimates and judgments. Any changes in estimates or judgments are reflected in the results of operations in the period in which estimates and judgments are changed.

Significant delays may occur in the notification and settlement of claims, and a substantial measure of experience and judgment is involved in assessing outstanding liabilities, the ultimate cost of which cannot be known with certainty as of the balance sheet date. The loss and loss expenses reserve is determined on the basis of information currently available. However, it is inherent in the nature of the business written that the ultimate liabilities may vary as a result of subsequent developments.

The following is information about incurred and paid claims development as of December 31, 2022, as well as cumulative claim frequency and the total of incurred but not yet reported liabilities plus expected development on reported claims included within the net incurred amounts. Some of the information provided in the following tables, is required supplementary information under U.S. GAAP. Therefore, it does not form part of the audited financial statements. Claims development information for all periods except the current reporting period and any information derived from it, including average annual percentage payout of claims incurred, is considered supplemental and is identified as such in the tables presented.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 11. Loss and Loss Expenses Reserve (continued)

#### Auto Liability Deductible Reimbursement policies

Incurred claims and allocated claim expenses, net of reinsurance											As of December 31, 2022	
Supplemental and unaudited											Total of incurred but not reported liabilities plus expected development on reported claims	Cumulative number of reported claims
Accident Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
2013	\$ 1,629,904	\$ 1,292,723	\$ 1,025,816	\$ 923,321	\$ 1,011,863	\$ 1,011,457	\$ 958,837	\$ 949,573	\$ 949,573	\$ 949,573	\$ 10,401	460
2014		1,582,243	1,613,923	1,513,311	1,166,653	1,104,700	1,031,219	1,012,046	1,012,046	1,012,046	32,203	416
2015			1,581,810	1,710,291	1,617,145	1,372,649	1,186,556	1,177,705	1,177,705	1,177,705	40,110	414
2016				1,861,274	1,805,013	2,165,082	2,240,933	2,157,292	2,157,292	2,157,292	251,266	336
2017					1,321,117	2,222,119	2,463,622	2,822,762	2,822,762	2,822,762	541,010	331
									Total	\$ 8,119,378		

  

Cumulative paid claims and allocated claim adjustment expenses, net of reinsurance												
Supplemental and unaudited												
Accident Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
2013	\$ 308,375	\$ 589,895	\$ 673,031	\$ 681,979	\$ 924,441	\$ 940,071	\$ 939,171	\$ 939,171	\$ 939,171	\$ 939,171		
2014		195,724	425,822	846,139	979,367	979,802	979,843	979,843	979,843	979,843		
2015			241,394	468,027	909,812	935,490	935,887	946,136	1,137,595	1,137,595		
2016				241,827	524,914	1,130,339	1,766,026	1,906,026	1,906,026	1,906,026		
2017					172,120	391,051	1,125,088	2,111,964	2,191,020	2,209,321		
								Total	\$ 7,171,956			
	Outstanding liabilities 2013-2017, net of reinsurance										947,422	
	All outstanding liabilities before 2013, net of reinsurance										11,824	
	All year outstanding liabilities, net of reinsurance										\$ 959,246	

#### Average annual percentage payout of incurred claims by age, net of reinsurance

Supplemental and unaudited									
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
17.9%	18.5%	28.4%	16.1%	7.0%	0.6%	4.0%	0.0%	0.0%	0.0%

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 11. Loss and Loss Expenses Reserve (continued)

#### General Liability Deductible Reimbursement policies

Incurred claims and allocated claim expenses, net of reinsurance											As of December 31, 2022	
											Total of incurred but not reported liabilities plus expected development on reported claims	
Supplemental and unaudited											Cumulative number of reported claims	
Accident Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
2013	\$ 391,761	\$ 299,852	\$ 204,595	\$ 131,108	\$ 93,674	\$ 62,389	\$ 46,644	\$ 37,797	\$ 37,797	\$ 37,797	\$ 11,356	28
2014		267,737	229,912	185,906	227,142	207,633	187,227	182,683	182,683	182,683	13,544	15
2015			264,513	204,657	636,546	1,177,791	962,664	876,878	876,878	876,878	73,368	12
2016				280,940	242,715	174,667	108,505	63,453	63,453	63,453	51,139	14
2017					292,753	237,638	167,255	100,187	100,187	100,187	97,978	5
										Total	\$ 1,260,998	
Cumulative paid claims and allocated claim adjustment expenses, net of reinsurance												
Supplemental and unaudited												
Accident Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
2013	\$ 9,866	\$ 13,122	\$ 13,122	\$ 13,122	\$ 13,122	\$ 26,441	\$ 26,441	\$ 26,441	\$ 26,441	\$ 26,441		
2014		1,304	7,201	15,140	110,815	160,456	161,330	169,106	169,139	169,139		
2015			-	1,690	4,570	803,510	803,510	803,510	803,510	803,510		
2016				4,392	11,540	12,314	12,314	12,314	12,314	12,314		
2017					-	2,155	2,209	2,209	2,209	2,209		
										Total	\$ 1,013,613	
										Outstanding liabilities 2013-2017, net of reinsurance	247,385	
										All outstanding liabilities before 2013, net of reinsurance	6,032	
										All year outstanding liabilities, net of reinsurance	\$ 253,417	

#### Average annual percentage payout of incurred claims by age, net of reinsurance

Supplemental and unaudited									
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
6.7%	5.1%	1.2%	28.7%	5.4%	7.1%	1.1%	0.0%	0.0%	0.0%

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 11. Loss and Loss Expenses Reserve (continued)

#### Workers' Compensation Deductible Reimbursement policies and Loss Portfolio transfer

Incurred claims and allocated claim expenses, net of reinsurance											As of December 31, 2022	
Accident Year	Supplemental and unaudited										Total of incurred but not reported liabilities plus expected development on reported claims	Cumulative Number of Reported Claims
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022		
2013	\$ 10,607,177	\$ 9,411,706	\$ 8,612,888	\$ 8,312,216	\$ 8,136,007	\$ 7,917,501	\$ 7,767,548	\$ 7,188,892	\$ 7,202,267	\$ 7,252,554	\$ 580,228	1,146
2014		9,949,065	9,108,938	8,619,718	8,504,777	9,149,698	8,936,411	8,970,922	8,260,030	8,224,566	371,282	1,124
2015			9,686,849	7,131,595	6,454,456	6,215,996	6,449,732	6,190,218	6,190,218	6,211,290	463,989	959
2016				8,656,603	7,071,163	7,667,733	7,388,632	6,803,626	6,803,626	7,416,360	187,250	827
2017					7,130,985	5,051,557	5,066,235	4,864,889	5,160,835	5,576,879	168,933	684
									Total	\$ 34,681,649		

#### Cumulative Paid Claims and Allocated Claim Adjustment Expenses, Net of Reinsurance

Supplemental and unaudited										
Accident Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
2013	\$ 1,012,484	\$ 3,423,164	\$ 4,415,562	\$ 5,000,022	\$ 5,799,480	\$ 5,996,713	\$ 6,119,103	\$ 6,179,258	\$ 6,342,761	\$ 6,398,707
2014		1,414,498	3,537,356	4,747,609	5,662,148	6,395,883	6,424,552	6,841,446	6,927,854	7,706,535
2015			1,046,484	2,858,198	3,575,558	4,058,481	4,731,987	5,030,403	5,115,948	5,487,814
2016				1,345,877	2,692,756	4,007,966	4,524,407	4,877,867	5,283,616	5,506,589
2017					875,908	2,308,730	2,957,862	3,263,320	3,714,967	3,998,111
									Total	\$ 29,097,756
									Outstanding liabilities 2013-2017, net of reinsurance	5,583,893
									All outstanding liabilities before 2013, net of reinsurance	11,890,067
									All year outstanding liabilities, net of reinsurance	\$ 17,473,960

#### Average annual percentage payout of incurred claims by age, net of reinsurance

Supplemental and unaudited									
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
16.4%	26.4%	13.9%	7.9%	8.7%	3.7%	2.8%	2.6%	5.9%	0.8%

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 11. Loss and Loss Expenses Reserve (continued)

The reconciliation of the net incurred and paid claims disclosure to the liability for claims and claims adjustment expenses in the Balance Sheet is as follows:

	<u>2022</u>
Net outstanding liabilities for unpaid claims	
Auto Liability Deductible Reimbursement policies	\$ 959,246
General Liability Deductible Reimbursement policies	253,417
Workers' Compensation Deductible Reimbursement policies and Loss Portfolio transfer	17,473,960
Other short-duration insurance lines	<u>27,245,940</u>
Liabilities for unpaid claims and claims adjustment expenses, net of reinsurance	45,932,563
Total reinsurance recoverable on unpaid claims	<u>-</u>
Total gross liability for unpaid claims and claims adjustment expenses	<u><u>\$ 45,932,563</u></u>

In the Other short-duration insurance lines is Punitive Damage. There is no real accident year view associated with the Punitive Damage program, rather one bulk reserve for all claims in all years.

#### 12. Future Policy Benefits and Retrocession Recoverable

In 1998 and 1999, the Company entered into three reinsurance contracts with unrelated companies to reinsure underlying variable annuity contracts for GMDB and GMIB.

Policyholders pay single premiums into variable annuity contracts for the purpose of saving for their retirement. Investment funds accumulate according to the return achieved on the assets in which the policyholder chooses to invest. Regular and well-defined charges are deducted from the account value of each policyholder to cover the expenses of the direct insurer. In addition, certain rider benefits are available to the policyholder, in the form of GMDB and GMIB. These rider benefits are reinsured and ultimately retroceded to the Company.

For guarantees of amounts in the event of death, the net amount at risk is defined as the current GMDB in excess of the current account value at the balance sheet date.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 12. Future Policy Benefits and Retrocession Recoverable (continued)

The GMIB amount at risk is defined as the income benefit base multiplied by the ratio of the market annuity value to the guaranteed annuity value at the current 7-year US Treasury yield less the account value for all policies with an income benefit rider.

At December 31, 2022 and 2021, the Company had the following variable contract values with guarantees. The Company's variable contracts with guarantees may offer more than one type of guarantee in each contract; however, only the GMDB are subject to the provisions primarily codified by ASC 944, *Financial Services—Insurance*.

	2022	2021
Account value		
GMDB	\$ 182,000,000	\$ 261,000,000
GMIB	170,000,000	244,000,000
Net amount at risk		
GMDB	\$ 117,000,000	\$ 59,000,000
GMIB	86,000,000	73,000,000
Losses paid during the year	\$ 6,240,012	\$ 9,401,887
Weighted average attained age of contract holder	72	72

ASC 815, *Derivatives and Hedging*, requires companies to recognize embedded derivatives as either assets or liabilities in the balance sheet and measure those instruments at fair value.

Fair value focuses on the price that would be received to sell the asset or paid to transfer the liability (an exit price), not the price that would be paid to acquire the asset or received to assume the liability (an entry price). Fair value is a market-based measurement, not an entity-specific measurement, and sets out a fair value hierarchy with the highest priority being quoted prices in active markets and the lowest priority being unobservable data. While some inputs are observable in the market such as risk free rates, volatility and historical equity returns, the underlying policyholder behavior inputs are highly unobservable. These assumptions include mortality, lapse, and the underlying take-up rate with regard to annuitization.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 12. Future Policy Benefits and Retrocession Recoverable (continued)

Assets and liabilities measured at fair value on a recurring basis at December 31, 2022:

Description	Fair Value Measurements at Reporting Date Using			
	Quoted Prices			
	in Active			
	Markets for Significant Other Significant			
Totals	Identical Assets (Level 1)	Observable Inputs (Level 2)	Unobservable Inputs (Level 3)	
Investments Held in Trust (Note 4)	\$ 688,264,144	\$ 61,933,021	\$ 594,454,153	\$ 31,876,970
Retrocession recoverable*	7,755,000	—	—	7,755,000
Future policy benefits*	(46,883,000)	—	—	(46,883,000)
Total	\$ 649,136,144	\$ 61,933,021	\$ 594,454,153	\$ (7,251,030)

\*These reserves relate only to GMIB policies, which are calculated on a fair value basis.

Assets and liabilities measured at fair value on a recurring basis at December 31, 2021:

Description	Totals	Fair Value Measurements at Reporting Date Using		
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments Held in Trust <i>(Note 4)</i>	\$ 952,247,494	\$ 194,786,089	\$ 743,141,611	\$ 14,319,794
Retrocession recoverable*	18,399,000	—	—	18,399,000
Future policy benefits*	(91,268,000)	—	—	(91,268,000)
Total	\$ 879,378,494	\$ 194,786,089	\$ 743,141,611	\$ (58,549,206)

\*These reserves relate only to GMIB policies, which are calculated on a fair value basis.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 12. Future Policy Benefits and Retrocession Recoverable (continued)

Retrocession recoverable measured at Fair Value on a Recurring Basis Using Significant Unobservable Inputs:

	<b>Fair Value Measurements Using Significant Unobservable Inputs (Level 3)</b>	
	<b>2022</b>	<b>2021</b>
Beginning balance at January 1	\$ 18,399,000	\$ 28,194,000
Total gains or losses (realized/unrealized) included in earnings (or changes in net assets)	(8,788,000)	(7,695,000)
Purchase, issuance and settlements	(1,856,000)	(2,100,000)
		\$
Ending balance at December 31	<u>\$ 7,755,000</u>	<u>18,399,000</u>
The amount of total gains or losses for the period included in earnings (or changes in net assets) attributable to the change in unrealized gains or losses relating to assets still held at the reporting date.		
	<u>\$ (8,788,000)</u>	<u>\$ (7,695,000)</u>

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 12. Future Policy Benefits and Retrocession Recoverable (continued)

Future policy benefits measured at Fair Value on a Recurring Basis Using Significant Unobservable Inputs:

	<b>Fair Value Measurements Using Significant Unobservable Inputs (Level 3)</b>	
	<b>2022</b>	<b>2021</b>
Beginning balance at January 1	<b>\$ 91,268,000</b>	\$ 121,631,000
Total gains or losses (realized/unrealized) included in earnings (or changes in net assets)	<b>(36,776,000)</b>	(22,064,000)
Purchase, issuance and settlements	<b>(7,609,000)</b>	(8,299,000)
Ending balance at December 31	<b><u>\$ 46,883,000</u></b>	<u>\$ 91,268,000</u>

The amount of total gains or losses for the period included in earnings (or changes in net assets) attributable to the change in unrealized gains or losses relating to assets still held at the reporting date.

<b><u>\$ (36,776,000)</u></b>	<b><u>\$ (22,064,000)</u></b>
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The fair value adjustment relating to the future policy benefits and retrocession recoverable are included under these respective headings. These embedded derivatives reflect contractual features that the contract holder can elect at their discretion such as the guaranteed income benefits provided within the variable annuity business.

These embedded derivatives are reported on the balance sheet with the associated host instrument at fair value with changes in fair values reported in earnings. The benefit is defined as the present value of the minimum guaranteed annuity payments available to the contract holder determined in accordance with the terms of the contract in excess of the current account value.

The GMIB policies are contract features that are not clearly and closely related to the economic characteristics and risks of the host variable insurance contracts and therefore meet the definition of an embedded derivative as defined in ASC 815.

# Liberty Re (Bermuda) Limited

## Notes to Financial Statements (continued) (Expressed in United States dollars)

### 12. Future Policy Benefits and Retrocession Recoverable (continued)

The Company's accounting policy on derivatives is that all changes in value of its embedded derivative are recognized through a separate line item of realized gain or loss on embedded derivatives in the Statement of Operations and Comprehensive Income. At December 31, 2022 and 2021, the realized gain on embedded derivatives was \$33,741,049 and \$20,567,795 respectively.

### Quantitative Information about Level 3 Fair Value Measurements

The following table provides information about the significant unobservable inputs used for recurring fair value measurements for certain material Level 3 liabilities and includes only those instruments for which information about the inputs is reasonably available to the Company. As the input information with respect to certain Level 3 instruments may not be reasonably available to the Company, balances shown below may not equal total amounts reported for such Level 3 assets and liabilities.

	Fair Value at December 31, 2022	Valuation Technique	Unobservable Input	Range (Weighted Average)
Retrocessional Recoverable	\$ 7,755,000	Discounted Cash Flow	Lapse rates (i)	1.0% -5.8%
			Annuity take-up rate (ii)	0.0% -12.2%
			Discount rate (iii)	0.5% - 11.5%
Future Policy Benefits	\$ 46,883,000	Discounted Cash Flow	Lapse rates (i)	1.0% -12.3%
			Annuity take-up rate (ii)	0.0% -27.3%
			Discount rate (iii)	0.5% - 11.5%

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 12. Future Policy Benefits and Retrocession Recoverable (continued)

	Fair Value at December 31, 2021	Valuation Technique	Unobservable Input	Range (Weighted Average)
Retrocessional Recoverable	\$ 18,399,000	Discounted Cash Flow	Lapse rates (i)	1.3% -6.0%
			Annuitization take-up rate (ii)	0.0% -12.2%
			Discount rate (iii)	0.2% - 6.5%
Future Policy Benefits	\$ 91,268,000	Discounted Cash Flow	Lapse rates (i)	1.3% -13.0%
			Annuitization take-up rate (ii)	0.0% -24.2%
			Discount rate (iii)	0.2% - 6.5%

(i) An increase in the lapse rates will lead to a decrease in fair value and vice versa.

(ii) An increase in the take-up rate will lead to an increase in fair value and vice versa.

(iii) An increase in the discount rate will lead to a decrease in the fair value and vice versa.

In 2022, the Company recorded a pre-tax profit of \$44.4 million (2021 – pre-tax profit of \$30.4 million) on future policy benefits reserve and a pre-tax loss of \$10.6 million (2021 – pre-tax loss of \$9.8 million) on retrocession recoverable, resulting in a net profit recorded of \$33.8 million (2021 – net profit of \$20.6 million) reflecting the changes in fair value due primarily to rising interest rates and the run-off of policies under the closed block, partially offset by decreased equity returns and updated assumptions from historical experience.

#### 13. Concentration of Credit Risks

The Company is a party to financial instruments with concentrations of credit risk. These financial instruments include cash and cash equivalents, investments held in trust, funds withheld by LMIC, funds held investments and retrocession recoverable. As of December 31, 2022, cash and cash equivalents are spread across three financial institutions reducing the Company's credit risk exposure.

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) (Expressed in United States dollars)

#### 13. Concentration of Credit Risks (continued)

The Company does not consider the restricted cash (see Note 3), included in cash and cash equivalents and held by a Custodian in Trust, as a credit risk exposure because these funds are held in a segregated account.

Substantially all retrocession recoverable is due from one reinsurance company. The Company holds collateral, in the form of an incoming letter of credit, to support the retrocession recoverable.

The remainder of the retrocession recoverable is due from a different reinsurance company which has a financial strength rating of AA – from Standard & Poor's.

#### 14. Other Comprehensive Income

	<u>2022</u>	<u>2021</u>
Change in unrealized holding income on available-for-sale securities arising during the year	<b>\$ (216,866,468)</b>	\$ (62,564,421)
Deferred Tax	<b>45,541,957</b>	13,138,530
Change in unrealized holding income on available-for-sale securities arising during the year (net of tax)	<b><u>\$ (171,324,511)</u></b>	<b><u>\$ (49,425,891)</u></b>

#### 15. Net Investment Income

Net investment income at December 31, 2022 and 2021, includes:

	<u>2022</u>	<u>2021</u>
Interest income on funds held in Trust and Bank	<b>\$ 29,150,893</b>	\$ 33,601,421
Investment management fees	<b>(1,287,346)</b>	(1,826,063)
Gain on sale of investments	<b>831,604</b>	18,309,339
Interest income on Guaranteed Interest Rate investment	<b>5,360,154</b>	5,530,872
Interest income on funds withheld	<b>4,507,220</b>	4,408,014
<b>Total net investment income</b>	<b><u>\$ 38,562,525</u></b>	<b><u>\$ 60,023,583</u></b>

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued)

*(Expressed in United States dollars)*

#### 16. Statutory Requirements

Under the Bermuda Insurance Act 1978, as amended, and related regulations, the Company is subject to capital requirements calculated using the Bermuda Solvency and Capital Requirement ("BSCR") model, which is a standardized statutory risk-based capital model used to measure the risk associated with the Company's assets, liabilities and premiums. The Company's required statutory capital and surplus under the BSCR model is referred to as the enhanced capital requirement ("ECR").

The Company is required to calculate and submit the ECR to the Bermuda Monetary Authority ("BMA"), annually. Following receipt of the submission of the Company's ECR the BMA has the authority to impose additional capital requirements (capital add-ons) if it deems necessary.

If a Company fails to maintain or meet its ECR, the BMA may take various degrees of regulatory action. In 2016, the BMA implemented the economic balance sheet ("EBS") framework, which is now used as the basis to determine the Company's ECR. Under the new framework, assets and liabilities are mainly assessed and included on the EBS at fair value, with the insurer's U.S. GAAP balance sheet serving as a starting point. The model also requires insurers to estimate insurance technical provisions, which consist of the insurer's insurance related balances valued based on best-estimate cash flows, adjusted to reflect the time value of money using a risk-free discount rate, with the addition of a risk margin to reflect the uncertainty in the underlying cash flows.

As of December 31, 2022 and December 31, 2021, the principal difference between statutory capital and surplus and shareholders' equity presented in accordance with GAAP is that prepaid expenses is a non-admitted assets for statutory purposes.

The Company is also required under their Class 3A license to maintain minimum liquidity ratios whereby the value of their relevant assets are not less than 75% of the amount of their relevant liabilities for general business. As of December 31, 2022 and 2021, the Company met its minimum liquidity ratio requirements.

The following is a summary of actual statutory capital and surplus of the Company as of December 31, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
Actual statutory capital and surplus	\$ 379,285,189	\$ 507,853,967

## Liberty Re (Bermuda) Limited

### Notes to Financial Statements (continued) *(Expressed in United States dollars)*

#### **17. Subsequent Events**

The Company has completed its subsequent events evaluation for the period subsequent to the balance sheet date of December 31, 2022, through to March 17, 2023, the date the financial statements were available for issue.

During this period, there were no subsequent events requiring disclosure or recognition in the audited financial statements.