

**State:** Arkansas **Filing Company:** Aviva Life and Annuity Company  
**TOI/Sub-TOI:** A07I Individual Annuities - Special/A07I.001 Equity Indexed  
**Product Name:** BAAIR2 and BAAMVA2 update 7-2012  
**Project Name/Number:** BAAIR2 and BAAMVA2 update 7-2012 /

## Filing at a Glance

Company: Aviva Life and Annuity Company  
Product Name: BAAIR2 and BAAMVA2 update 7-2012  
State: Arkansas  
TOI: A07I Individual Annuities - Special  
Sub-TOI: A07I.001 Equity Indexed  
Filing Type: Form  
Date Submitted: 07/30/2012  
SERFF Tr Num: AMER-128606191  
SERFF Status: Closed-Accepted For Informational Purposes  
State Tr Num:  
State Status: Closed-Accepted for Informational Purposes  
Co Tr Num: BAAIR2 AND BAAMVA2 UPDATE 7-2012  
Implementation: On Approval  
Date Requested:  
Author(s): Jaime Gertsen, Susan Falk, Chris Cecak, Andrea Davey  
Reviewer(s): Linda Bird (primary)  
Disposition Date: 08/03/2012  
Disposition Status: Accepted For Informational Purposes  
Implementation Date:  
State Filing Description:

State: Arkansas Filing Company: Aviva Life and Annuity Company  
 TOI/Sub-TOI: A071 Individual Annuities - Special/A071.001 Equity Indexed  
 Product Name: BAAIR2 and BAAMVA2 update 7-2012  
 Project Name/Number: BAAIR2 and BAAMVA2 update 7-2012 /

**General Information**

Project Name: BAAIR2 and BAAMVA2 update 7-2012 Status of Filing in Domicile: Authorized  
 Project Number: Date Approved in Domicile:  
 Requested Filing Mode: Informational Domicile Status Comments: Domicile is the state of Iowa  
 Explanation for Combination/Other: Market Type: Individual  
 Submission Type: New Submission Individual Market Type:  
 Overall Rate Impact: Filing Status Changed: 08/03/2012  
 State Status Changed: 08/03/2012  
 Deemer Date: Created By: Chris Cecak  
 Submitted By: Chris Cecak Corresponding Filing Tracking Number:

Filing Description:  
 RE Forms:  
 BAAIR2 (10/11)  
 BAAMVA2 (10/11)

Form BAAIR2 (10/11) was approved by the Department on 12/05/11 under SERFF tracking number AMER-127695875. Form BAAMVA2 was approved by the Department on 12/29/11 under SERFF tracking number AMER-127900585.

We recently realized that the Statement of Variability were omitted from the filings in error. In the interest of full disclosure, we are now submitting the Statements of Variability for the Department to have on file. The captioned filing contains no provision that is considered unusual or controversial by normal insurance company or industry standards. Please let me know if I may be of further assistance. I appreciate your review and subsequent approval.

Please feel free to contact me with any questions.

**Company and Contact**

**Filing Contact Information**

Chris Cecak, Product Compliance Specialist  
 chris.cecak@avivausa.com  
 7700 Mills Civic Parkway 515-342-2975 [Phone]  
 West Des Moines, IA 50266-3862

**Filing Company Information**

Aviva Life and Annuity Company CoCode: 61689 State of Domicile: Iowa  
 555 South Kansas Avenue Group Code: 44 Company Type: Insurance  
 Topeka, KS 66603 Group Name: State ID Number:  
 (785) 295-4352 ext. [Phone] FEIN Number: 42-0175020

**Filing Fees**

Fee Required? Yes  
 Fee Amount: \$50.00  
 Retaliatory? No  
 Fee Explanation: 1 form for informantional filing - \$50.00

**State:** Arkansas **Filing Company:** Aviva Life and Annuity Company  
**TOI/Sub-TOI:** A071 Individual Annuities - Special/A071.001 Equity Indexed  
**Product Name:** BAAIR2 and BAAMVA2 update 7-2012  
**Project Name/Number:** BAAIR2 and BAAMVA2 update 7-2012 /

Per Company: No

Company	Amount	Date Processed	Transaction #
Aviva Life and Annuity Company	\$50.00	07/30/2012	61273477

**SERFF Tracking #:**

AMER-128606191

**State Tracking #:****Company Tracking #:**

BAAIR2 AND BAAMVA2 UPDATE 7-2012

**State:**

Arkansas

**Filing Company:**

Aviva Life and Annuity Company

**TOI/Sub-TOI:**

A071 Individual Annuities - Special/A071.001 Equity Indexed

**Product Name:**

BAAIR2 and BAAMVA2 update 7-2012

**Project Name/Number:**

BAAIR2 and BAAMVA2 update 7-2012 /

## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Accepted For Informational Purposes	Linda Bird	08/03/2012	08/03/2012

### Amendments

Schedule	Schedule Item Name	Created By	Created On	Date Submitted
Supporting Document	Statement of Variability MVA	Chris Cecak	07/30/2012	07/30/2012

SERFF Tracking #:

AMER-128606191

State Tracking #:

Company Tracking #:

BAAIR2 AND BAAMVA2 UPDATE 7-2012

State:

Arkansas

Filing Company:

Aviva Life and Annuity Company

TOI/Sub-TOI:

A071 Individual Annuities - Special/A071.001 Equity Indexed

Product Name:

BAAIR2 and BAAMVA2 update 7-2012

Project Name/Number:

BAAIR2 and BAAMVA2 update 7-2012 /

## Disposition

Disposition Date: 08/03/2012

Implementation Date:

Status: Accepted For Informational Purposes

Comment:

Rate data does NOT apply to filing.

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		No
Supporting Document	Application		No
Supporting Document	Life & Annuity - Acturial Memo		No
Supporting Document	Statement of Variability		Yes
Supporting Document	Statement of Variability MVA		Yes

**SERFF Tracking #:**

AMER-128606191

**State Tracking #:**

**Company Tracking #:**

BAAIR2 AND BAAMVA2 UPDATE 7-2012

---

**State:**

Arkansas

**Filing Company:**

Aviva Life and Annuity Company

**TOI/Sub-TOI:**

A071 Individual Annuities - Special/A071.001 Equity Indexed

**Product Name:**

BAAIR2 and BAAMVA2 update 7-2012

**Project Name/Number:**

BAAIR2 and BAAMVA2 update 7-2012 /

## Amendment Letter

Submitted Date: 07/30/2012

Comments:

Statement of Variability for MVA added

Changed Items:

### Supporting Document Schedule Item Changes:

User Added -Name: Statement of Variability MVA

Comment:

BAAMVA2 (10 11) SOV 2012.pdf

SERFF Tracking #:

AMER-128606191

State Tracking #:

Company Tracking #:

BAAIR2 AND BAAMVA2 UPDATE 7-2012

State: Arkansas

Filing Company: Aviva Life and Annuity Company

TOI/Sub-TOI: A071 Individual Annuities - Special/A071.001 Equity Indexed

Product Name: BAAIR2 and BAAMVA2 update 7-2012

Project Name/Number: BAAIR2 and BAAMVA2 update 7-2012 /

## Supporting Document Schedules

		Item Status:	Status Date:
Bypassed - Item:	Flesch Certification		
Bypass Reason:	NA		
Comments:			

		Item Status:	Status Date:
Satisfied - Item:	Statement of Variability		
Comments:			
Attachment(s):			
	BAAIR2 10-11 SOV _07_2012_ Final.pdf		

		Item Status:	Status Date:
Satisfied - Item:	Statement of Variability MVA		
Comments:			
Attachment(s):			
	BAAMVA2 (10 11) SOV 2012.pdf		

Aviva Life and Annuity Company  
Statement of Variability  
RIDER FORM BAAIR2 (10/11)

## **PART 1—OPTIONAL WORDING**

Sections of the rider are bracketed to indicate that each option may not be offered initially, but may be added for new contracts in the future. The options provided by the rider will be dependent on decisions made by the Company and the Owner. All such decisions will be made when a policy is issued and will not change after that time.

The Company may change the options available for newly issued contracts prior to when they are issued. The Company will base its decisions on the economic, competitive, and regulatory environment, including income tax regulations related to annuities and qualified plans.

The following options will determine which bracketed language is included in the rider and on the Rider Data Page. The options are identified with a letter and number as follows for reference throughout this Statement of Variability:

### **A. Enhanced Income Trigger Condition**

- A1. Company only offers Enhanced Income Trigger Condition based on confinement to a Qualified Care Facility
- A2. Company only offers Enhanced Income Trigger Condition based on inability to perform {X} out of 6 ADLs, where {X} will vary from 1 to 6 and will be fixed upon contract issue.
- A3. Company offers the Owner a choice at issue of a) Enhanced Income Trigger Condition based on confinement to a Qualified Care Facility or b) Enhanced Income Trigger Condition based on inability to perform {X} out of 6 ADLs where {X} will vary from 1 to 6 and will be fixed upon contract issue.
- A4. Company offers Enhanced Income Trigger Condition based on occurrence of either of a) confinement to a Qualified Care Facility or b) inability to perform {X} out of 6 ADLs where {X} will vary from 1 to 6 and will be fixed upon contract issue.

### **B. Income Rider Death Benefit Option**

- B1. The Company offers the Income Rider Death Benefit Option and Owner elects at issue
- B2. The Company offers the Income Rider Death Benefit Option and the Owner does not elect it at issue
- B3. The Company does not offer the Income Rider Death Benefit Option.

### **C. Increasing Income Option**

- C1. The Company offers the Increasing Income Option and it will apply during both the Income Period and the Extended Income Guarantee Period.
- C2. The Company offers the Increasing Income Option and it will apply during the Income Period only.
- C3. The Company does not offer the Increasing Income Option.

### **D. Earnings-Indexed Income Option**

- D1. The Company offers the Earnings-Indexed Income Option and it will apply during both the Income Period and the Extended Income Guarantee Period.
- D2. The Company offers the Earnings-Indexed Income Option and it will apply during the Income Period only.
- D3. The Company does not offer the Earnings-Indexed Income Option.

#### E. Inflation-Indexed Income Option

- E1. The Company offers the Inflation-Indexed Income Option and it will apply during both the Income Period and the Extended Income Guarantee Period.
- E2. The Company offers the Inflation-Indexed Income Option and it will apply during the Income Period only.
- E3. The Company does not offer the Inflation-Indexed Income Option.

#### F. Calculation of Enhanced Income Benefit during the Extended Guaranteed Income Phase

- F1. The Company will use the Income Withdrawal Multiplier shown in the Rider Data Pages for all contracts.
- F2. The Company will use the Income Withdrawal Multiplier shown in the Rider Data Pages for non-qualified contracts, and a value of one for qualified contracts.
- F3. The Company will use a value of one for all contracts.

#### G. Income Rider Death Benefit during Extended Income Guarantee Phase

- G1. The Company offers the Income Rider Death Benefit and it will continue in the Extended Income Guarantee Phase for all contracts using the same calculation for non-qualified Contracts and qualified Contracts.
- G2. The Company offers the Income Rider Death Benefit and it will continue in the Extended Income Guarantee Phase for all contracts using separate calculations for non-qualified Contracts and qualified Contracts.
- G3. The Company offers the Income Rider Death Benefit and it will continue in the Extended Income Guarantee Phase for non-qualified contracts only.
- G4. The Company offers the Income Rider Death Benefit and it will not continue in the Extended Income Guarantee Phase for any contracts.

## PART 2—DESCRIPTION OF VARIABLE WORDING

### • Rider Data Page

The following values on the Rider Data Page are bracketed to indicate that they vary based on the date of issue:

- Contract Number
- Rider Effective Date

The following values, columns, rows and language on the Rider Data Page are bracketed. The Company may change the values for newly issued contracts prior to when they are issued, dependent on the economic, competitive, and regulatory environment, including income tax regulations related to annuities and qualified plans.

- Initial Rider Charge will vary from 0% and 5%.
- Rider Charge Adjustment will vary from 0% and 5%.
- Income Waiting Period will vary from 0 months and 60 months.
- Minimum Attained Age for Lifetime Income Withdrawals will vary from age 40 and age 60.
- Initial Income Base will vary between 25% of the annuity premium and 200% of the annuity premium.
- The Income Base Crediting Option shown will be the option selected by the Owner on the Application.
- The Accumulation Years will have four ranges:
  - For the first range, the first year will be 1 and the last year will be less than the Maximum Accumulation Years.

- For the second, third and fourth ranges, the first year shown will be 1 more than the ending year of the previous range. The last year shown will be less than the Maximum Accumulation Years.
  - The Income Base Guaranteed Interest Rate will be between 0% and 12% for all four Accumulation Years ranges.
  - The Balanced Allocation Income Percentage will vary between 0% and 500%.
  - The Accumulation Years will vary between 1 and 30.
  - The Maximum Accumulation Years will vary between 1 and 30.
  - The Lifetime Income Withdrawal Inclusion Percentage will vary between 0% and 100%.
  - The Guaranteed Income Growth Factors table will be included only if at least one of options C1, C2, D1, D2, E1, or E2 is offered.
  - The row labeled “Increasing” and the column labeled “Minimum Specified Annual Percentage” will be included only if options C1 or C2 are offered. The value will vary from 0% to 12%.
  - The row labeled “Earnings-Indexed” and the column labeled “Minimum Earnings Inclusion Percentage” will be included only if options D1 or D2 are offered. The value will vary between 0% and 200%.
  - The row labeled “Inflation-Indexed” and the column labeled “Minimum Inflation Inclusion Percentage” will be included only if options E1 or E2 are offered. The value will vary between 0% and 200%.
  - One of the footnotes that follow the Guaranteed Income Growth Factors table could be included only if the Guaranteed Income Growth Factors table appears.
- **Table of Guaranteed Maximum Annual Withdrawal Percentages**
    - The breakpoints for the Issue Age column will vary depending on economic, competitive, and regulatory conditions. At launch, we anticipate 5-year age brackets.
    - The breakpoints for Attained Age column will vary depending on economic, competitive, and regulatory conditions. At launch, we anticipate 5-year age brackets. The ages in each range will always be greater than or equal to the Issue Age breakpoints in the same row. The last breakpoint for a given set of issue ages will cover all remaining attained ages.
    - The Guaranteed Maximum Annual Lifetime Income Withdrawal Percentages for all ages and all payment options will vary between 0.1% and 20%.
    - If the Attained Ages are less than the Minimum Attained Age for Lifetime Income Withdrawals, the value will be shown as N/A.
    - The Increasing Income column will appear only if options C1 or C2 are offered.
    - The Earnings-Indexed Income column will appear only if options D1 or D2 are offered.
    - The Inflation-Indexed Column will appear only if options E1 or E2 are offered.
- **Income Rider Enhanced Income Benefit Data**
    - The Enhanced Income Trigger Period will vary from {0-1460} of the last {0-1460} days.
    - The Enhanced Income Benefit Limit Period will vary from 12 months to Lifetime.
    - The Qualification Waiting Period will vary from 0 years to 5 years.
    - The Income Withdrawal Multiplier will vary from 1 to 10.
    - The language for the Enhanced Income Initial Condition and the Enhanced Income Trigger Condition will vary based on the options offered by the Company and selected by the Owner at issue, as described in options A1-A4.
- **Income Rider Death Benefit Data**
    - This table will appear for options B1 and B2, but will not appear for option B3.
    - The Income Rider Death Benefit Option will be “Yes” for option B1 and “No” for option B2.
    - The Death Benefit Waiting Period will vary between 0 months and 120 months.
    - The Initial Death Benefit Cap will vary between 10% and 500% of premium.
    - The Death Benefit Cap Withdrawal Inclusion Percentage will vary between 0% and 100%.
    - The Death Benefit Cap Lifetime Withdrawal Inclusion Percentage will vary between 0% and 100%.
    - The Death Benefit Cap Interest Rate will vary between 0% and 12%.
    - The Income Base Inclusion Percentage will vary between 0% and 200%.

- The Number of Annual Death Benefit Payments will vary between 1 and 25.
- The Timing of First Death Benefit Payment will vary from 0 days and 180 days.

- **Index of General Rider Provisions**

- The section names and page numbers referenced in the Index will be changed to be consistent with the wording and page numbers that appear in the body of the rider form.

- **The Income Rider**

- The bracketed language in the body of the Income Rider may vary based on the options offered by the Company and selected by the owner. The Company may change the bracketed language for newly issued contracts prior to when they are issued, dependent on the economic, competitive, and regulatory environment, including income tax regulations related to annuities and qualified plans.
- The bracketed language in the Income Options section of the Rider will vary as applicable based on the Income Options offered by the company. See options C1-C3, D1-D3, and E1-E3.
- The bracketed language in the Maximum Lifetime Income Withdrawal During the Income Phase section of the Rider will vary as applicable based on the Income Options offered by the company. See options C1-C3, D1-D3, and E1-E3.
- The Maximum Lifetime Income Withdrawal Growth Calculation section will appear if any of options C1, C2, D1, D2, E1, or E2 is offered. Bracketed language will be included as applicable. This section will not appear if only options C3, D3, and E3 are offered.
- In the Inflation-Indexed Income section, the Company may only complete the calculation of a new Maximum Lifetime Income Withdrawal until the contract reaches the Extended Income Guarantee Phase.
- In the Inflation-Indexed Income section, the number of years that the Maximum Lifetime Income Withdrawal will be adjusted for inflation will be between 5 years and lifetime.
- In the Inflation-Indexed Income section, the CPI for a given date will be based on the value published X months prior, where X is between 1 month and 5 months. The maximum CPI will vary between 3% and 20%.
- In the Maximum Lifetime Income Withdrawal Calculation section, the bracketed wording will appear if option C1, C2, D1, D2, E1, or E2 is offered.
- In the Enhanced Income Benefit section, the bracketed language describing the Enhanced Income Benefits during the Extended Guarantee Phase will appear depending on options F1, F2, and F3, as applicable and allowed by IRS law for Qualified contracts.
- In the Extended Income Guarantee Phase section, the bracketed phrase {for Qualified Contracts} will appear for option F2.
- The Income Rider Death Benefit and Income Rider Death Benefit Cap sections will appear only for option B1.
- The bracketed language within the Income Rider Death Benefit section will appear as applicable depending on options G1, G2, G3 and G4.
- Within the Termination section, item D, the Company allows termination during the first the first X months, where X will vary between 0 and 120 months. The bracketed phrase would appear if the termination date is limited to Term End Dates, varying from 0 years to 60 years.
- The signature of the current Company Secretary will appear in the signature block.

**Aviva Life and Annuity Company**  
**Statement of Variability**

<b>Market Value Adjustment BAAMVA2 (10/11)</b>	<u>Minimum</u>	<u>Maximum</u>	<u>Need for Variability / How Values are Determined</u>	<u>Anticipated time when value may become fixed</u>	<u>Anticipated Frequency of Change</u>
Maximum Negative Market Value Adjustment Percentage	0.00%	100.00%	Based on economic and competitive environment.	Upon contract issuance	As needed <b>for newly issued contracts</b>
Market Value Adjustment Index			Could change if Bloomberg discontinues the index, if we are unable to obtain the index value, or if the calculation of the index value changes substantially. We will notify the policyholder of any change.	Upon contract issuance	As needed for newly issued contracts; for inforce contracts, only if the index is discontinued, no longer available to us, or substantially changed.