

(6) *The Association shall have no liability under this section for any covered policy of a foreign or alien insurer whose domiciliary jurisdiction or state of entry provides by statute or regulation, for residents of this State protection substantially similar to that provided by this Act for residents of other states.*

(7) *The Association may render assistance and advice to the Commissioner, upon his request, concerning rehabilitation, payment of claims, continuations of coverage, or the performance of other contractual obligations of any impaired insurer.*

(8) *The Association shall have standing to appear before any court in this State with jurisdiction over an impaired insurer concerning which the Association is or may become obligated under this Act. Such standing shall extend to all matters germane to the powers and duties of the Association, including, but not limited to, proposals for reinsuring or guaranteeing the covered policies of the impaired insurer and the determination of the covered policies and contractual obligations.*

(9)(a) *Any person receiving benefits under this Act shall be deemed to have assigned his rights under the covered policy to the Association to the extent of the benefits received because of this Act, whether the benefits are payments of contractual obligations or continuation of coverage. The Association may require an assignment to it of such rights by any payee, policy or contract owner, beneficiary, insured, or annuitant as a condition precedent to the receipt of any rights or benefits conferred by this Act upon such person. The Association shall be subrogated to these rights against the assets of any impaired insurer.*

(b) *The subrogation rights of the Association under this subsection shall have the same priority against the assets of the impaired insurer as that possessed by the person entitled to receive benefits under this Act.*

(10) *The contractual obligations of the impaired insurer for which the Association becomes or may become liable shall be as great as, but no greater than, the contractual ~~obligation~~ OBLIGATIONS of the impaired insurer would have been in the absence of an impairment unless such obligations are reduced as permitted by subsection (5); ~~but the Association shall have no liability with respect to any portion of a covered policy to the extent that the death benefit coverage on any one life exceeds an aggregate of \$200,000 before such reduction.~~*

(11) *The Association may,*

(a) *Enter into such contracts as are necessary or proper to carry out the provisions and purposes of this Act.*

(b) *Sue or be sued, including taking any legal actions necessary or proper for recovery of any unpaid assessments under Section 512.*

(c) *Borrow money to effect the purposes of this Act. Any notes or other evidence of indebtedness of the Association not in default shall be legal investments for domestic insurers and may be carried as admitted assets.*

(d) *Employ or retain such persons as are necessary to handle the financial transactions of the Association and to perform such other functions as become necessary or proper under this Act.*