

13. Give full particulars of the individual owner, partners, directors or officers of the corporation in order of control.

Name	Position	Resident Address	Phone Number

14. Is the Partnership or Corporation registered and in good standing with the Manitoba Companies Office and are all filings current?
 YES NO If NO, give details on a separate sheet.

PART B

15. List all licensed Individuals connected with the company being registered. Attach a separate list in the following format if space given is not sufficient.

Last Name	First Name	Position	License Number

16. List all Insurance Markets in order of volume. If more space is required attach a separate sheet in the following format.

Insurance Company	Direct Bill - (Y / N)	Pay By Own / Company Statements

17. Do you have Errors & Omissions Insurance? YES NO (If yes, complete below and attach a copy of coverage)

Errors & Omissions	ALL applicants must comply with Manitoba's requirements 1 million per occurrence, 2 million aggregate
Amount	
Aggregate	
Insurer	
Policy Number	
Expiry Date	

18. Does your agency have branch offices? YES NO
 If "YES", list the address, telephone number, fax number and name of the manager of each branch office on a separate sheet.

19. Will your agency be located in premises separate and distinct from a financial institution? YES NO

If "NO", give location and reason: _____

20. Are you, or the agency, or any of the partners or officers of the firm, partnership or corporation currently engaged or plan to engage in any business or occupation other than the business of insurance? YES NO

If "YES", provide details on SEPARATE SHEET and ATTACH TO THIS APPLICATION.

21. Have you, or the agency, or any directors, partners or officers of the firm, partnership or corporation at any time held an insurance license in Manitoba or elsewhere? YES NO

If "YES", you are required to list the dates, location and license class on a separate sheet.

22. Have you, or the agency, or any directors, partners or officers of the firm partnership or corporation had an insurance license refused, suspended or terminated for cause, or been subject to any disciplinary action by any regulatory authority?

YES NO

If "YES", in your own words you are required to provide written details on a separate sheet. Attached court documents if administered.

23. Have you, or any of the directors, partners or an officer of the firm, partnership or corporation been convicted of any crime under the law of any province, state or country? YES NO If "YES", provide details in your own words on a separate sheet.

PART C - DECLARATION

I, the following licensee am hereby appointed to act as the Designated Representative for this corporation, partnership or sole proprietorship and rescind any previous appointment. Print full name of individual assigned as the Agency Designated Representative.

Surname	First Name	Middle Initial
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In the matter of the Insurance Act of Manitoba and in the matter of the foregoing application for a corporate license, I the undersigned understand and declare:

- (i) That all statements and answers to the questions contained in this application are true and correct and I hereby authorize the Insurance Council of Manitoba to undertake a criminal record check, or conduct other investigations in connection with this or any other application.
- (ii) That this application is made in good faith upon my own behalf and not on behalf of any person who is not competent to receive a license, and upon receipt of a license pursuant hereto, I intend to hold myself out publicly and carry on business in good faith as an insurance agent / broker.
- (iii) That I am aware it is against the law of the Province of Manitoba to continue to carry on business after the 31st of May next following the issue of the license or after the suspension of the license without securing its renewal or reinstatement.
- (iv) That I shall not carry on business of insurance while I am not insured under a policy of liability insurance that meets the requirements of the Insurance Act of Manitoba. Furthermore, I understand and agree to notify the Insurance Council of Manitoba immediately if my liability insurance lapses or is cancelled by myself or the insurer, pursuant to Section 372.1(2) of the Insurance Act of Manitoba.
- (v) That I understand it is against the law of the Province of Manitoba to negotiate insurance with unlicensed companies.
- (vi) That I understand it is against the law of the Province of Manitoba to rebate any part of the premium or commission or offer any valuable consideration as an inducement to take insurance, other than that clearly expressed in the policy.

I understand that the Insurance Council of Manitoba is empowered to suspend, revoke or cancel my license or take other disciplinary measures should I contravene any of the provisions of the Insurance Act of Manitoba, the Regulations under the Act, the General Insurance Agents Licensing Rules or the General Insurance Agents Code of Conduct.

In accordance with the Insurance Act of Manitoba, the making of a false statement on the application constitutes a material misstatement and may result in the refusal of this application and the subsequent suspension or revocation of any licence issued. This application is required to be signed by the applicant named herein.

Signature of Designated Representative

Signature of Witness

Date

Print Name and Address of Witness

CONSENT (Investigation Authorization)

I, _____ on this _____ day of _____ in the year _____,
Name in Full Day Month

hereby authorize the Insurance Council of Manitoba to undertake a criminal record check and confirm with any police agency the details of any convictions which may have been made against me for any offence under any federal or provincial legislation as well as for any charge which may be outstanding against me under such legislation.

I further hereby consent to and authorize any policy agency to release to the Insurance Council of Manitoba such details of convictions and outstanding charges as aforesaid and for so doing this shall be their good and sufficient warrant, discharge and authority.

In addition, I authorize the Insurance council of Manitoba to conduct ongoing investigations, including but not limited to checks for outstanding criminal charges, a criminal records check and credit check, as required. This authorization shall be in effect during the entire course of my employment with my insurer; and I agree to give the Insurance Council of Manitoba, as and when requested, any additional authorization that may be required by the Insurance Council of Manitoba or others for the purpose of permitting the Insurance council of Manitoba to conduct any such ongoing investigations. I understand that refusal to provide any such additional authorization may be grounds for cancellation of my application and that cancellation of my application would prohibit my insurer from continuing sponsorship.

PART D - RECOMMENDATION

DUTY OF CARE OF PERSON IN INSURER GIVING APPROVAL

370(3.1) No person or insurer who for the purposes of subsection (2) is authorized under this Act to approve a licence application shall recommend the applicant for an insurance agent licence unless the person or the insurer has implemented reasonable screening procedures to determine if the applicant is a suitable person to receive the licence.

PRINT AGENCY NAME

is hereby authorized, to act as an agency of the undersigned sponsor.

To the best of my knowledge, information and belief, the qualifications and record of the Applicant and Agency have been investigated and all statements and answers contained in the foregoing application are true and correct. I find the applicant to be a trustworthy and a competent person to receive a licence. I therefore recommend that the Applicant and Agency be granted an insurance licence to Act in Manitoba and for:

NAME OF INSURER (Sponsoring Company)

It is also understood and agreed, that in the event this recommendation is terminated, written notice will be given to the Insurance Council of Manitoba stating both Reason and Effective Date within fifteen (15) days of the termination.

Date

Signature of Signing Official

Print Name

Official Capacity

Licence Fee - \$185.00

Renewal Fee - \$185.00

Supplementary Licence - \$185.00

Transfer Fee - \$70.00

APPLICANTS ARE INSTRUCTED TO READ THIS INFORMATION CAREFULLY

- 1) “Agent” means a person who, for compensation solicits insurance on behalf of any insurer or transmits for a person other than himself, an application for or a policy of insurance to or from such insurer or offers or acts or assumes to act in the negotiation of such insurance or in negotiating the continuance or renewal of other than life insurance contracts.
- 2) No person in the province shall enter into a contract of insurance with an insurer not licensed under the Insurance Act of Manitoba, except through a special broker duly licensed.
- 3) Unfair or deceptive acts or practices in the business of insurance includes any payment, allowance or gift, or any offer to pay, allow or give, directly or indirectly, any money or thing of value as an inducement to any prospective insured to insure.
- 4) No person shall engage in any unfair or deceptive act or practice in the business of insurance.
- 5) No person shall act, or offer or undertake to act, as an insurance agent in the province without having first obtained a licence under *The Insurance Act* of Manitoba.
- 6) Every licence expires on the 31st day of May next within one year of its issue but may be renewed on application to the Insurance Council of Manitoba together with the payment of the prescribed fee.
- 7) A licence may be revoked or suspended by the Insurance Council of Manitoba if, after due investigation it is determined that the holder of the licence:
 - (a) has been guilty of misrepresentation, fraud, deceit, or dishonesty; or
 - (b) has violated any provision of the Insurance Act of Manitoba or any rule or regulation under the Insurance Act of Manitoba; or
 - (c) has unreasonably failed to pay over to the insurer or agent entitled thereto any monies collected by him and retained beyond the term stipulated in his agency contract or agreement; or
 - (d) has placed insurance with insurers other than those licensed in the province under the Insurance Act of Manitoba, without complying with the provisions relating to unlicensed insurance; or
 - (e) has demonstrated his incompetence or untrustworthiness to transact the business of insurance agency for which the licence was granted.
- 8) No insurer licensed under the Insurance Act of Manitoba, and no officer, agent, or employee of such an insurer, and no insurance agent authorized under the Insurance Act of Manitoba, shall, directly or indirectly, pay or allow, or offer or agree to pay or allow, any commission or other compensation or anything of value to any person for acting or attempting or assuming to act as an insurance agent in respect of insurance in the province or for having or claiming or appearing to have any influence or control over the insured or prospect for insurance unless that person holds at the time a subsisting insurance agent’s licence.
- 9) No insurer, and no officer, employee, or agent thereof, shall, directly or indirectly, make or attempt to make an agreement as to the premium to be paid for a contract of insurance other than as set forth in the contract.
- 10) No insurer, and no officer, employee, or agent thereof, shall, directly or indirectly, pay, allow, or give, or offer or agree to pay, allow, or give, any rebate of the whole or part of the premium stipulated by the contract, or any other consideration or thing of value intended to be in the nature of a rebate of premium, to any person insured or applying for insurance.
- 11) Any person who, not being duly licensed as an agent, a broker, or an adjuster, represents or holds himself out to the public as being an agent, broker, or adjuster, or as being engaged in the insurance business, by means of advertisements, cards, circulars, letterheads, signs or other methods, or being duly licensed as such an agent, broker, or adjuster, advertises as aforesaid or carries on such a business in any other name than that stated in the licence, is guilty of an offence.
- 12) An agent or broker is personally liable to the insured on all contracts of insurance unlawfully made by or through him, directly or indirectly, with any insurer not licensed to undertake insurance in the province, in the same manner as if the agent or broker were the insurer.
- 13) An agent or broker who acts in negotiating, or renewing or continuing a contract of insurance, other than life insurance, with a licensed insurer, and who receives any money or other consideration, as a premium for such a contract, from the insured, shall be deemed to hold the premium in trust for the insurer, and, if he fails to pay it over to the insurer within 15 days after written demand made upon him therefor, less his commission and any deductions to which, by the written consent of the insurer, he is entitled, the failure is evidence that he has applied the premiums to his own use or to a use contrary to his trust.

I hereby declare that I have read and understood the above.

Signature

Date

General Insurance Agent/Broker

Licensing Procedures for Corporate Application Forms

Effective April 10, 1995, the Province of Manitoba implemented a three (3) Level Licensing System for General Insurance Agent/Brokers. Non-residents are issued a licence at the level in which they are licensed in their home jurisdiction. However, an applicant transferring from another jurisdiction must satisfy Manitoba's licensing requirements for the issue of a licence.

On November 19, 1998 the General Insurance Agents Licensing Rules were amended to include continuing education for non-residents. This means effective immediately every holder of a licence will be required to accumulate 8 hours of continuing education, pursuant to Section 9(1) of the General Insurance Agents Licensing Rules. The licence of an agent/broker who fails to comply with the continuing education will not be renewed until they have provided Council with the required number credit hours.

Effective April 11, 2001 mandatory professional liability insurance came into law. All persons applying for a licence must provide written verification of E&O insurance in the amount of \$1,000,000 per any one occurrence with an overall policy aggregate of \$2,000,000.

A Criminal Record Check must accompany first applications for licensing. This document can be obtained from your local RCMP detachment or municipal police department in advance to determine the processing requirements, cost of the service, and hours the service is available in your jurisdiction. Individuals who have a conviction must have their Criminal Record Check done by fingerprints. This process could take up to six (6) months.

In addition, all agents/brokers operating in the Province of Manitoba are required to comply with the Insurance Act of Manitoba, the General Insurance Agent's Licensing Rules and Code of Conduct.

The following defines each level of licence and their restrictions and/or authorizations. An applicant applying for a licence in their personal name must qualify for not less than a level 2 licence.

Level 1

- prohibited from selling outside the office of a general insurance agency;
- must operate under the supervision of a Level 2 Agent/Broker.
- can sign insurance policies

Level 2

- can sell inside and outside of the office of a general insurance agency;
- can sign insurance policies.

Level 3

- can sell inside and outside of the office of a general insurance agency;
- can sign insurance policies;
- can manage the office of a general insurance agency.

To assist in the proper completion of the Corporate application form, the following steps have been set out in point form. Applications received that are incomplete, pending information or documentation will be returned to the applicant. Please note the completion of an application does not guarantee the issue of a licence. Each applicant must be found suitable to hold a licence.

Part A

- Complete questions 1 - 4 with the business data.
- Complete questions 5 - 11 with the applicant's personal data.

- Question 12 - select one of the business types and attach a copy of the Manitoba Articles if they are not already filed with our Council office.
- Question 13 - provide particulars as requested.
- Question 14 - answer yes or no.

Part B

- Question 15 - List all licensed Individuals connected with the company being registered.
- Question 16 - provide names of markets in volume order. **Do not give volume amounts.**
- Question 17 - provide details and attach a copy of your E&O coverage.
- Questions 18 - 23 - select an answer and attach supporting documentation or explanation(s) where requested. **NOTE:** Any person who has been convicted of a criminal offence must include a Criminal Record Search which must be done by fingerprints.

Part C

- The "Declaration" section must be completed by the individual applying for the Corporate Licence and signature of witness. **NOTE:** Part C is continued on Page 4.

Part D

- The "Recommendation" section must be completed by the sponsoring insurance company that you will be representing.

Please ensure that the following is included with your application form:

- If multiple individuals will be representing the organization, each individual is required to complete an [Individual application](#) form and have it signed by the holder of the Corporate Licence.
- Attach a copy of either the Agency's or your individual Errors and Omissions Insurance obtained through a licensed insurance company in Manitoba. Coverage must be at minimum in the amount of \$1,000,000 per any one occurrence with an overall policy aggregate of \$2,000,000.
- Attach the applicable licence fee of \$185.00.
(Cheque or Money Order must be in CANADIAN FUNDS and made payable to the "**Insurance Council of Manitoba**")
- If you are a **Non-Resident** of Manitoba, you must include an **original** Non-Resident Endorsement Form (also known as a Certificate of Authority/Certificate of Status) not more than 60 days old from your home jurisdiction.
- Attach an original [Criminal Record Check](#) not more than 6 months old. **NOTE:** If you are currently licensed in MANITOBA and are only amending your licence, or have been licensed in MANITOBA in the past 12 months, you do not have to supply a Criminal Record Check. For Canadian residents, criminal record checks can be obtained from your local RCMP detachment or Municipal Police Department. For residents of the United States, criminal record checks must be obtained from the Federal Bureau of Investigation (FBI).
- US residents only are required to provide a curriculum vitae (CV) which will enable Council to review your experience, education and background in the industry.
- US residents may also be required to provide a short memo advising Council what specific insurance products you plan on marketing in Manitoba.

Pursuant to Section 9(1) of the General Insurance Agents Licensing Rules, every holder of a licence is required to accumulate 8 continuing education credit hours per licensing year. If your home jurisdiction requires that you obtain Continuing Education Credit Hours, these may be used to renew your Manitoba licence. If not, you may apply to Council for consideration on various courses/seminars by submitting a detailed outline including an indication of its duration, date(s) and length of each course/seminar.

Manitoba's licensing year runs from JUNE 1 to MAY 31, and licence fees are not prorated.

NOTE: Licence renewal forms are mailed out mid April.